Vote Leave briefing on the ‘renegotiation’

Top lines

- The agreement does not restore control of our borders and will not affect migration. It brings no powers back to the UK and reaffirms the supremacy of the European Courts over UK law. It breaks the key promises made in the Bloomberg Speech and the 2015 Conservative Manifesto. The only way to get a new UK/EU relationship based on free trade and friendly cooperation is to Vote Leave.

- The new deal is not legally binding: it could be ripped up EU judges and politicians after the referendum in the same way as similar so-called ‘legally binding’ promises made to Denmark in 1992 were ignored by the European Court. Key sections need to be approved by the European Parliament after we vote. We are being asked to accept an unsigned contract.

- The deal makes it harder for the UK to block harmful EU laws. It now needs to get the support of 55% of national parliaments rather than just a third. It also obliges the UK to support a future Treaty that will introduce further Eurozone integration.

- The UK has not won the right to stop the Eurozone imposing laws on it, with the agreement specifically ruling out a ‘veto’.

- The proposed changes to ‘ever closer union’ will have no impact and will not stop further European integration. The EU has already announced that it is planning to introduce a new Treaty which will transfer more powers to Brussels over ‘social security systems’, ‘company law’, ‘insolvency law’, ‘property rights’ and taxation. The safer choice is to Vote Leave.

- Only 3 of David Cameron’s 33 promises to change the EU have been met which actually change the EU (and these are not substantial). Most of the other claimed successes are just affirmations of the status quo, need Treaty change to be effective or have been unambiguously dropped.

Detailed points

David Cameron has now broken his promise of Treaty change before the referendum, which the Government previously admitted was needed to give its renegotiation legal force.

- In his Bloomberg Speech in 2013, the Prime Minister called for ‘fundamental, far-reaching change’ and said he wanted to see the changes enshrined in the Treaties (Prime Minister’s Office, 23 January 2013, link).
- Before the General Election, David Cameron affirmed that his plans ‘do involve … proper, full-on treaty change’ (Guardian 4 January 2015, link). This has not been delivered.
- David Cameron once promised a ‘Treaty change that I’ll be putting in place before the referendum’ (The Andrew Marr Show, 5 January 2014, link).
• In January, the Foreign Secretary admitted that ‘for at least some of the changes we want to see, treaty-change will be necessary’ (Guardian, 18 January 2016, link).

The agreement explicitly affirms the supremacy of the EU Treaties.

• The Decision states that it is ‘in conformity with the Treaties’, while the European Council’s conclusions declare that the agreement is ‘fully compatible with the Treaties.’ This means that EU law and the European Court remain supreme over UK law.
• Under the 1969 Vienna Convention, this means that the EU Treaties ‘prevail’ over today’s Decision (Vienna Convention, 1969, art. 30(2), link). This means the European Court has the power to ignore the deal.

The promise that two sections of the agreement will be incorporated into the Treaties at a future date is not legally-binding.

• Leading EU legal figures have admitted that a promise to amend the Treaties in the future has no legal weight. The former Director General of the EU Council’s legal service, Jean-Claude Piris, has said a legally-binding commitment to change the Treaties at a future date is ‘called bullshit. There is no possibility to make a promise that would be legally binding to change the treaty later’ (Sunday Telegraph, 27 September 2015, link).
• The promise is subject to ‘the respective constitutional requirements of the Member States’, meaning national parliaments and possibly national electorates will have a veto on any future Treaty change. This is the same as being asked to accept as binding an unsigned contract.

Similar promises made to Denmark in 1992 have been broken 80 times by the European Court.

• In 1992, Denmark was promised - via exactly the same type of deal that the UK is now being offered - that EU citizenship would ‘not in any way take the place of national citizenship. The question whether an individual possesses the nationality of a Member State will be settled solely by reference to the national law of the Member State concerned’ (Edinburgh European Council, 12 December 1992, link).
• The then Prime Minister, John Major, said the Danish deal was ‘a legally binding decision’ (John Major Doorstep Interview with Jacques Delors, 12 December 1992, link).
• Less than a decade later, the European Court broke this agreement, declaring EU citizenship would ‘be the fundamental status of nationals of the Member States’ (Grzelczyk [2001] ECR I-6193, link).
• It has now broken this promise on 80 occasions, most recently a case concerning the Government’s flagging attempts to deport Abu Hamza’s daughter-in-law (Vote Leave, December 2015, link; CS v Home Secretary, Case C-304/14, link).
• In its Rottmann ruling, the European Court said that ‘Member States must, when exercising their powers in the sphere of nationality, have due regard to European Union law’, blocking member states from automatically stripping national citizenship from criminals who acquire it fraudulently, in direct breach of the Danish deal (Rottmann [2010] ECR I-1449, link). The UK Supreme Court has said Rottmann is ‘in the face of the clear language’ of promises made to Denmark (Pham v Home Secretary [2015] UKSC 19, para [90], link).

Registering the agreement at the UN is a smokescreen: it does not make it legally binding.

• The UN itself states registration ‘does not imply a judgement by the [UN] Secretariat on the nature of the instrument’ (UN, 18 December 1978, link). The UN Secretariat makes clear it
will respect ‘the position of the Member State submitting an instrument for registration that in so far as that party is concerned the instrument is a treaty or an international agreement’, making clear it will register any document the British Government submits (UN, February 2016, [link]).

- The European Court has previously said it will ignore even resolutions of the UN Security Council (Kadi v Council[2008] ECR I-6351, [link]).

**Section A: Economic Governance**

The agreement contains a new talking shop which will not allow the UK to veto damaging new EU law.

- The ability of the UK to refer proposed EU laws to the European Council is stated to be ‘without prejudice to the normal operation of the legislative procedure of the Union and cannot result in a situation which would amount to allowing a Member State a veto.
- The mechanism is expressed to have effect ‘without prejudicing obligatory time limits laid down by Union law’.
- This means that the UK will not be able to block damaging new EU laws.
- On all 72 occasions that the UK has voted against a measure in the EU Council, it has been defeated, costing UK taxpayers £2.4 billion each year (Vote Leave, October 2015, [link]). The Eurozone countries now have a permanent structural majority in the EU Council, meaning the UK will be constantly outvoted (European Council, ‘Voting Calculator’, [link]).

The Decision makes clear the UK will be dragged into the Eurozone’s banking regime.

- The Decision states: ‘The single rulebook is to be applied by all credit institutions and other financial institutions in order to ensure the level-playing field within the internal market.’
- It states that the UK’s ability to regulate its own banks is ‘subject to the requirements of group and consolidated supervision and resolution’ and is ‘without prejudice to the development of the single rulebook and to Union mechanisms of macro-prudential oversight for the prevention and mitigation of systemic financial risks in the Union and to the existing powers of the Union to take action that is necessary to respond to threats to financial stability.’
- This means that the EU will be taking more powers over the City of London in the future.

Promises of an opt-out from Eurozone bailouts have been breached before and cannot be taken seriously now.

- In his January 2013 Bloomberg speech which launched the renegotiation, the Prime Minister said: ‘Look too at what we have achieved already. Ending Britain’s obligation to bail-out Eurozone members’ (Prime Minister’s Office, 23 January 2013, [link]).
- The Chancellor has since admitted that ‘out of the blue, in flagrant breach of the agreement we’d all signed up to, and without even the courtesy of a telephone call, we were informed we would have to pay to bail out Greece’ (HM Treasury, 3 November 2015, [link]). The only way to change this would be to change the Treaties - and this has not happened.
The Decision commits the UK to support the new EU Treaty and further transfers of control to Brussels.

- The Decision states that: ‘Member States not participating in the further deepening of the economic and monetary union will not create obstacles to but facilitate such further deepening’. It also obliges the UK to ‘refrain from measures which could jeopardise the attainment of the objectives of economic and monetary union.’ This means the UK is committing to support the planned new EU Treaty.
- The Five Presidents’ Report contains the Commission’s proposals for this new Treaty. These include more powers over ‘social security systems’, ‘company law’, ‘insolvency law’, ‘property rights’ and taxation (European Commission, June 2015, [link]).
- This means that the UK has lost its only means of blocking further EU integration that could harm its interests.

**Section B: Competitiveness**

The EU has made many similar promises about competitiveness before which have not materialised. Similar pledges today cannot be taken seriously.

- In 2000, the European Council at Lisbon announced ‘a clear strategic goal and agree[d] a challenging programme for building knowledge infrastructures, enhancing innovation and economic reform, and modernising social welfare and education systems… If the measures set out below are implemented against a sound macro-economic background, an average economic growth rate of around 3% should be a realistic prospect for the coming years’ (Lisbon European Council, 23–24 March 2000, [link]).
- The Lisbon Agenda is widely acknowledged to have been a failure, with economic growth in the Eurozone averaging 0.7% between 2004 and 2014 – less than a third of what was predicted by the European Council (Eurostat, 2 June 2015, [link]).

**Promises to pursue ‘an active and ambitious trade policy’ are not credible.**

- During the UK’s 40 years of membership, the EU has failed to negotiate free trade agreements with China, India, Brazil or Australia. It hasn’t even started discussions with China.
- By contrast, Iceland and Switzerland have secured free trade deals with China (Iceland Ministry of Foreign Affairs, 2013, [link]; Swiss State Secretariat for Economic Affairs, 2014, [link]).

**Section C: Sovereignty**

**No powers will be brought back by this agreement.**

- The Decision states that ‘The competences conferred by the Member States on the Union can be modified, whether to increase or reduce them, only through a revision of the Treaties with the agreement of all Member States.’ Since there will be no Treaty, no powers will be returned to the UK.
- Before the agreement, the EU had 28 legislative competences over the UK. Today, it still possesses 28 (Treaty on the Functioning of the European Union, arts 3-6, [link]).
- The Decision states that it respects ‘the powers of the institutions of the Union, including throughout the legislative and budgetary procedures’. This makes clear the Decision will
not affect the EU’s powers to legislate for the UK or to demand £350 million per week from Britain.

This agreement fails to return powers as promised by David Cameron.

These include:

- **Social and employment legislation.** David Cameron once said that ‘it will be a top priority for the next Conservative government to restore social and employment legislation to national control’ (Guardian, 6 March 2007, link). This deal does nothing to return control of social and employment legislation.

- **The Charter of Fundamental Rights.** David Cameron once promised ‘a complete opt-out from the Charter of Fundamental Rights’ (BBC News 4 November 2009, link). The last Conservative Manifesto promised to ‘make our own Supreme Court the ultimate arbiter of human rights matters in the UK’ (Conservative Party Manifesto, 2015, p. 60, link). None of this is possible while the Charter remains in force. This deal does not end the Charter’s application in the UK.

- **Breaking the link between British courts and Strasbourg.** The last Conservative Manifesto promised to ‘break the formal link between British courts and the European Court of Human Rights’ (Conservative Party Manifesto, 2015, p. 60, link). Yet the contents of the European Convention on Human Rights (as interpreted the European Court of Human Rights) will continue to constitute ‘general principles’ of EU law (TEU, art. 6, link).

- **Ending the European Court’s control of criminal law.** David Cameron once said his proposals involved ‘limiting the European Court of Justice’s jurisdiction over criminal law to its pre-Lisbon level’ (BBC News 4 November 2009, link). The Home Secretary promised that the Prime Minister ‘must look again at this matter in our renegotiations with the European Union before the referendum’ (HC Deb 10 November 2014, col. 1238, link). This has not happened.

- **Ending the EU’s ability to regulate working hours in the NHS.** In his Bloomberg Speech, the Prime Minister said: ‘it is neither right nor necessary to claim that the integrity of the single market, or full membership of the European Union requires the working hours of British hospital doctors to be set in Brussels irrespective of the views of British parliamentarians and practitioners’ (Prime Minister’s Office, 23 January 2013, link). This has not happened.

**Proposals on ‘ever closer union’ will have no impact.**

The UK’s former Advocate General in the European Court, Professor Sir Francis Jacobs QC, has said the phrase ‘does not create rights or obligations. It does not impose obligations on member states’ and that there is ‘very little basis’ for the view it has been used in integrationist judgments of the European Court (European Scrutiny Committee, 18 November 2015, link). Removing the phrase will have no impact on the European Court and will not stop further European integration.

**The so-called ‘red card’ is unworkable.**

- As the former Foreign Secretary, Lord Hague of Richmond has argued, the chances of the mechanism being used are ‘vanishingly small’ and so slim that ‘even if the European Commission proposed the slaughter of the first-born it would be difficult to achieve such a remarkable conjunction of parliamentary votes’ (HC Deb 21 Jan 2008, col. 1262, link).

- The 55% threshold is so high as to make the mechanism useless in practice.

- It can only be invoked on the ground of ‘non-compliance... with the principle of subsidiarity’, not because new EU law is damaging on any other ground. It only applies to new proposals, not existing harmful legislation.
‘Subsidiarity’ is an ‘empty formula’.

As Advocate General Juliane Kokott admitted in December, EU legislation can comply with the principle of subsidiarity even if it merely recites ‘an empty formula’ to the effect the EU should deal with the matter rather than member states (Philip Morris Brands Case C-547/14, 23 December 2015, link).

Proposals on national security will make no difference because of the Charter and the European Court.

- The Treaties already say ‘national security remains the sole responsibility of each Member State’ (TEU, art. 4(2), link).
- This has not stopped EU judges taking more control over national security using the Charter of Fundamental Rights. In November 2015, the Court of Appeal referred the Data Retention and Investigatory Powers Act 2014 to the European Court to see whether or not it is allowed (R (Davis) v Secretary of State for the Home Department [2015] EWCA Civ 1185, link). The Home Secretary described this law as ‘crucial to fighting crime, protecting children, and combating terrorism’ (HC Deb 15 July 2014, col. 704, link).
- The European Court will continue to take more powers over national security in the event of a vote to remain.

**Section D: Social benefits and free movement**

This deal fails to deliver two key promises made by David Cameron on immigration.

- **EU migrants must have a job offer.** The Decision notes that EU citizens are ‘entitled to reside... [in the UK] solely because of their job search.’ This directly contradicts what the Prime Minister said in November 2014, when he promised that ‘we want EU jobseekers to have a job offer before they come here’ (Prime Minister’s Office, 28 November 2014, link).

- **EU jobseekers must leave after six months.** In November 2014, the Prime Minister promised that ‘if an EU jobseeker has not found work within six months, they will be required to leave’ (Prime Minister’s Office, 28 November 2014, link). This is illegal under EU law. In 1991, the European Court ruled that the Treaties forbid the removal of jobseekers from another EU member state, regardless of the duration of their stay if ‘the person concerned provides evidence that he is continuing to seek employment and that he has genuine chances of being engaged’ (Ex parte Antonissen [1991] ECR I-745, link). The Government admitted in December that many EU migrants can ‘keep the status of jobseeker for longer than six months’ (‘EU Nationals: Employment: Written question – 17574’, 2 December 2015, link). This deal does nothing to force all EU jobseekers to leave after six months if they have not found work.

The agreement will not restore control over the UK’s borders or have any impact on migration.

- Free movement of EU citizens will remain exactly as it is today, contrary to David Cameron’s clear promise in 2014 that ‘I will go to Brussels, I will not take no for an answer and when it comes to free movement – I will get what Britain needs’ (CCHQ Press Office, 1 October 2014, link).
- One of the top three members of the Independent Office of Budget Responsibility, Sir Stephen Nickell CBE, has said that proposals to alter welfare entitlements will have ‘not
much’ impact on migration, stating: ‘any changes to benefit rules are unlikely to have a huge impact on migration flows’ (BBC News, 8 December 2015, link).

- The former President of the European Commission, Jose Manuel Barroso has admitted that the benefits break will have ‘no effect’ on inward migration (Daily Express, 10 February 2016, link).
- The Foreign Secretary, Philip Hammond, has admitted that altering welfare entitlements ‘is clearly a second-order approach’ compared with quantitative controls on migration (Guardian, 18 January 2016, link).
- The agreement will be wholly undercut by the introduction of the national living wage of £9 per hour to be introduced by 2020. Research shows a single Bulgarian on the minimum wage will be 353% better off in the UK than Bulgaria even if the full four year exclusion on in-work benefits had been agreed to (Vote Leave, 11 November 2015, link).

The Prime Minister previously dismissed the idea of an emergency brake which will be controlled by the EU and which conflicts with his manifesto.

- The emergency brake can only be invoked ‘during a period of 7 years’. This means that the UK will not be able to use the emergency break after 2023.
- The emergency brake can only be invoked 'on a proposal from the Commission' by the EU Council. The Decision states that 'the Council could authorise' the brake, not that it will. The UK has no right to activate the emergency brake by itself.
- In November 2014, the Prime Minister rightly dismissed 'some arcane mechanism within the EU, which would probably be triggered by the European Commission and not by us... some sort of EU led, EU determined brake, which would be determined and applied probably by the European Commission, I don’t actually think that would be effective' (Prime Minister’s Office, 28 November 2014, link).
- The denial of 'non-contributory in-work benefits' will be 'be graduated, from an initial complete exclusion but gradually increasing access to such benefits to take account of the growing connection of the worker with the labour market of the host Member State.' This makes clear EU migrants will be able to claim in-work benefits during their first four years in the UK. The 2015 Conservative Manifesto stated 'We will insist that EU migrants who want to claim tax credits and child benefit must live here and contribute to our country for a minimum of four years' (Conservative Manifesto 2015, p. 30, link). This promise has been broken.
- It is unclear whether the brake will apply to returning expatriates.
- Since child benefit, unlike certain tax credits, is not a ‘non-contributory in-work benefit’, it would appear the emergency brake will not apply to it, contrary to the Conservative Manifesto (Social Security Contributions and Benefits Act 1992, s. 141, link).

The deal breaks the Prime Minister’s manifesto promise on child benefit.

- The deal says new legislation could give member states ‘an option to index such benefits to the conditions of the Member State where the child resides’. This only applies to new claimants. The UK would only be able to extend it to existing claimants in 2020.
- The Conservative Manifesto promised: ‘If an EU migrant’s child is living abroad, then they should receive no child benefit or child tax credit, no matter how long they have worked in the UK and no matter how much tax they have paid’ (Conservative Manifesto 2015, p. 30, link). This promise has been broken.
- The Decision emphasizes how limited this proposal is and that it cannot ‘be extended to other types of exportable benefits, such as old-age pensions’.
The emergency brake and changes to child benefit could be vetoed by the European Parliament after the referendum.

- The Decision suggests amendments to Regulation 2004/883/EC and Regulation 2011/492/EU to give effect to its proposals. Since both these regulations were agreed to by the European Parliament and EU Council by co-decision, any amendments to them would require the consent of the European Parliament, which could be withheld after the referendum.
- The President of the European Parliament, Martin Schulz, has said that ‘no parliament in the world can prejudge the outcome of its legislative work’ (European Parliament, 18 February 2016, link).
- Since the first draft, a clause has been added stating that the Heads of Government have ‘taken into account the views expressed by the President and members of the European Parliament.’

Proposals on third country nationals are contrary to the Prime Minister’s promises and are worthless without Treaty change.

- Unlike the ‘emergency brake’ and proposals on child benefit, the Heads of Government have not agreed to new legislation in this area. There is only a proposal from the Commission which could be blocked after the referendum.
- The Commission Declaration states that the proposals on third country national spouses will only apply to ‘third country nationals who had no prior lawful residence in a Member State before marrying a Union citizen’. This means that third country national spouses who reside lawfully in another member state for as little as a day would continue to have an unfettered right to reside in the UK under EU law.
- This means it will still be easier for EU citizens to bring spouses into the UK than it is for British citizens to do the same, despite David Cameron’s promise to address ‘the fact that it is easier for an EU citizen to bring a non-EU spouse to Britain than it is for a British citizen to do the same’ (Prime Minister’s Office, 13 November 2014, link).
- The Commission suggests it will adopt this by an amendment to Directive 2004/38/EC. Since this Directive was agreed to by co-decision, it too could be vetoed by the European Parliament after the referendum.
- Changes to EU secondary legislation are worthless because the European Court has consistently held the Treaties confer rights of residence on third country nationals, most recently in the case of Abu Hamza’s criminal daughter-in-law (CS v Home Secretary, Case C-304/14, link). Even if these changes are made to secondary legislation, the European Courts can override them at a later date.

Proposals on criminals will have no legal force.

The Commission intends to adopt them by means of a ‘communication’, which has no legal status. It does not amend the existing Free Movement Directive or bind the European Court.

Background

For previous drafts of the Decision, see those of 2 February, 11 February, and 17 February. For a 40 page reference guide to the renegotiation, click here. For a detailed explanation of why the deal will have no legal weight, click here.

<table>
<thead>
<tr>
<th>Promise</th>
<th>Status quo?</th>
<th>Promises requiring change which have been delivered?</th>
<th>Claim to be delivered but either not delivered in full or need Treaty change?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ‘The EU has more than one currency’ [link]</td>
<td>✓</td>
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<tr>
<td>2. ‘There should be no discrimination and no disadvantage for any business on the basis of the currency of their country’ [link]</td>
<td>✓</td>
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<td>3. ‘The integrity of the single market must be protected’ [link]</td>
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<td>4. ‘Any changes the Eurozone decides to make, such as the creation of a banking union, must be voluntary for non-euro countries, never compulsory’ [link]</td>
<td>✓</td>
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<td>5. ‘Taxpayers in non-Euro countries should never be financially liable for operations to support the Eurozone as a currency’</td>
<td>✓</td>
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<tr>
<td>6. ‘Just as financial stability and supervision has become a key area of competence for Eurozone institutions like the ECB, so financial stability and supervision is a key area of competence for national institutions like the Bank of England for non-Euro members’ [link]</td>
<td>✓</td>
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<td>7. ‘[A]ny issues that affect all Member states must be discussed and decided by all member states’ [link]</td>
<td>✓</td>
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<tr>
<td>8. ‘[P]otentially massive trade deals with America, China, Japan and ASEAN’ [link]</td>
<td>✓</td>
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<td>9. A ‘target to cut the total burden on business’ [link]</td>
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<td>10. A ‘clear long-term commitment to boost the competitiveness and productivity of the European Union and to drive growth and jobs for all’ [link]</td>
<td>✓</td>
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<td>11. ‘[T]o end Britain’s obligation to work towards an “ever closer union” as set out in the Treaty’ [link]</td>
<td>✓</td>
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<td>12. ‘[T]o enhance the role of national parliaments, by proposing a new arrangement where groups of national parliaments, acting together, can stop unwanted legislative proposals’ [link]</td>
<td>✓</td>
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<td>13. ‘[T]o see the commitments to subsidiarity fully implemented, with clear proposals to achieve that’ [link]</td>
<td>✓</td>
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<tr>
<td>14. The ‘UK will need confirmation that the EU institutions will fully respect the purpose behind the JHA Protocols in any future proposals dealing with Justice and Home Affairs matters, in particular to preserve the UK’s ability to choose to participate’ [link]</td>
<td>✓</td>
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<tr>
<td>15. ‘National security is – and must remain – the sole responsibility of Member States’ [link]</td>
<td>✓</td>
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<tr>
<td>16. ‘[W]e should end the practice of sending child benefit overseas’ [link]</td>
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<tr>
<td>17. ‘when new countries are admitted to the EU in the future, free movement will not apply to those new members until their economies have converged much more closely with existing member states’ [link]</td>
<td>✓</td>
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<tr>
<td>18. ‘We also need to crack down on abuses of free movement, an issue on which I have found wide support in my discussions with colleagues. This includes tougher and</td>
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</table>
### Promises as part of the renegotiation

<table>
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<tr>
<td>longer re-entry bans for fraudsters and people who collude in sham marriages (link)</td>
<td></td>
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<td>19 ‘[A]ddressing the fact that it is easier for an EU citizen to bring a non-EU spouse to Britain than it is for a British citizen to do the same’ (link)</td>
<td></td>
<td>✓</td>
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<tr>
<td>20 ‘[S]tronger powers to deport criminals and stop them coming back, as well as preventing entry in the first place’ (link)</td>
<td></td>
<td>✓</td>
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<tr>
<td>21 ‘[A]ddressing ECJ judgments that have widened the scope of free movement that has made it more difficult to tackle this kind of abuse’ (link)</td>
<td></td>
<td>✓</td>
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<tr>
<td>22 ‘[P]eople coming to Britain from the EU must live here and contribute for four years before they qualify for in-work benefits or social housing’ (link)</td>
<td></td>
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### Other promises to change the EU

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>23 ‘[T]he Treaty change that I’ll be putting in place before the referendum’ (link)</td>
<td>X</td>
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<td>24 ‘[W]e want EU jobseekers to have a job offer before they come here’ (link)</td>
<td>X</td>
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<tr>
<td>25 ‘[I]f an EU jobseeker has not found work within six months, they will be required to leave’ (link)</td>
<td>X</td>
</tr>
<tr>
<td>26 ‘[T]o restore social and employment legislation to national control’ (link)</td>
<td>X</td>
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<tr>
<td>27 ‘A complete opt-out from the Charter of Fundamental Rights’ (link)</td>
<td>X</td>
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<tr>
<td>28 ‘[B]reak the formal link between British courts and the European Court of Human Rights’ (link)</td>
<td>X</td>
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<td>29 To ‘limit … the European Court of Justice’s jurisdiction over criminal law to its pre-Lisbon level’ (link)</td>
<td>X</td>
</tr>
<tr>
<td>30 ‘[R]evising the [working time] directive at EU level’ (link)</td>
<td>X</td>
</tr>
<tr>
<td>31 ‘The European Parliament must end its absurdly wasteful practice of meeting in Strasbourg as well as Brussels’ (link)</td>
<td>X</td>
</tr>
<tr>
<td>32 ‘[F]urther reform of the EU’s Common Agricultural Policy’ (link)</td>
<td>X</td>
</tr>
<tr>
<td>33 ‘Further reform of… Structural Funds’ (link)</td>
<td>X</td>
</tr>
</tbody>
</table>

Note: to prevent double counting towards the headline figure, ticks in brackets indicate where a promise falls into more than one category. These quotations come from the Prime Minister’s letter to Donald Tusk of 10 November last year, previous manifestos and previous speeches. For further details, see Vote Leave’s 40 page dossier on the renegotiation (link).