

# eastern Agenda



Newsletter from Andrew Duff MEP  
No. 17 Summer 2007

## Leading the reform of Europe



Andrew Duff has been elected to represent the European Parliament in critical negotiations to reform the European Union. Three MEPs will take part at ministerial level in the Intergovernmental Conference to revise the constitutional treaty. Andrew is seen here with his two colleagues, Elmar Brok (European People's Party/Germany) and Enrique Baron Crespo (European Socialist Party/Spain). The three will fight to protect the gains made by the Parliament in the original treaty which was stalled by negative referendum results in France and the Netherlands in 2005. Andrew has been a prominent figure in the Union's self-imposed 'period of reflection' which followed that setback.

In a comment following his election, Andrew said: "The new conference has a difficult and urgent job to do in clarifying and consolidating the agreement reached in June by the European Council. Parliament must ensure that the powers it gained in the 2004 constitutional treaty are fully protected in this renegotiation. Opt-outs by the UK and Poland must not be allowed to blunt reform of the Union's system of government or to contaminate the EU's legal system.

"Europe cannot afford to fail for a second time to take necessary steps forward in the interests of our security, prosperity and democracy. My goal is to help to make this important negotiation more open and comprehensible than it would otherwise be."



Alliance of Liberals and Democrats for Europe  
Alliance des Démocrates et des Libéraux pour l'Europe

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# Think again, Mr Brown ?

*Andrew Duff writes about Tony Blair's European legacy*

Tony Blair's last trip to Brussels as prime minister was a singularly joyless affair. Never a fan of the European Council and disliking the technical detail of institutional matters, Mr Blair found it difficult to rise to the occasion afforded by European summitry, even when holding centre stage as the EU president.

Mr Blair was often outflanked and always upstaged by the French president, Jacques Chirac,

Mr Blair's last EU summit was his first without Mr Chirac. How galling, then, to have had to contend with France's new hyper-president Nicolas Sarkozy who, together with Germany's Angela Merkel and Poland's Kaczynski twins, stole the limelight.

At the end, there was no special farewell tribute from his colleagues. Chancellor Merkel told the press, rather coolly, that she had "said some warm words" to Mr Blair as she closed the meeting. He gave his own rather perfunctory press conference at 5am when most of the rat-pack of Westminster journalists had long since left the Council building for the Eurostar.

The prime minister need not have worried about the British media. The UK press, well primed with official government dogma, has been at its gullible best. The UK has been saved from the tyranny of foreign fundamental rights; British foreign policy is safely out of the hands of the EU; so are British criminals, police and judges; and the honest British taxpayer is relieved from having to pay social security to sponging foreign workers.

Playing the game, Tony Blair boasted to the House of Commons last week that he had secured for Britain the "exclusive power to decide on a case by case basis, which is exactly what we wanted". The prize, after ten years, was "precisely the pick and choose policy [we] often advocated".

Given that the constitutional process of the Union is intended precisely to counter the tendency towards Europe à la carte, it is hardly surprising that Mr Blair was not bidden a fond farewell by his colleagues. One German commentator told me that Britain, with all its opt-outs, was "behaving like a drop-out".

## *Second class rights*

Particularly irksome is the UK's hostility to making the Charter of Fundamental Rights binding. The European Council reluctantly conceded that Britain would get a Protocol which minimises the effect of the newly mandatory Charter of the Fundamental Rights by barring the courts from invoking the Charter directly in cases brought against the UK government. (This concession, although clumsy, is preferable to Britain's first proposal, which sought to limit the scope of application of the Charter solely to EU institutions and not to member states.)

How cast-iron this opt-out is will surely be discussed at the Intergovernmental Conference, due to open on 23 July. For the Charter applies to the EU system as a whole and not to its component parts. Regardless of the UK's self-exclusion clause, the EU courts will be bound to develop jurisprudence in fundamental rights matters which steadily evolve into general principles of EU law that all member states must respect. Moreover, the European Court of Justice will be blind to the nationality of an EU citizen who chooses to invoke the Charter under EU jurisdiction.

But the real debate about why the UK should wish to derogate from the Union's emerging fundamental rights regime must be had in Britain and, first and foremost, in the House of Commons.

After all, the Charter is designed to protect citizens from abuse of the large powers now vested in the EU institutions. The revised constitutional treaty will enhance the authority of the Court of Justice in checking how the EU exercises those powers.

The Charter is an integral and invaluable part of the EU's constitutional settlement, drafted with great care to be in harmony with national practices and constitutional traditions.

The Charter is also consistent with the Council of Europe's European Convention on the Protection of Human Rights (ECHR) but superior to the earlier convention, with a wider scope to address the needs of contemporary European society. It draws not only on the ECHR but also on the European Social Charter (1961), the Community Charter of the Fundamental Social Rights of Workers (1989), on legal agreements between the social partners, and on case law of the European Court of Justice.

The Charter made binding will allow the Court of Justice in Luxembourg to develop case law in all matters relevant to

fundamental rights and principles. The Court of Justice will be subject to the external supervision of the European Court of Human Rights at Strasbourg, with which it would enjoy exactly the same relationship as that enjoyed by national supreme courts. As a vital part of the package, the new treaty will permit the EU, with its new international legal personality, to sign up to the ECHR.

The Charter confers no new competences on the Union, and is relevant only within the area of those competences conferred on the Union by the member states. The constitution makes the Charter binding on member states only in respect of the application of EU law and subject to the principles of subsidiarity and proportionality.

The Charter's principles in respect of social policy become justiciable only if and when they are articulated in terms of EU legislation or executive action. The Charter cannot give rise to direct claims for positive action by the EU or member states unless EU law is contravened. Contrary to scare-mongering by the CBI and the Labour government, Margaret Thatcher's legacy is not threatened by the Charter. Article 137 of the Treaty of Rome, carried over into the constitutional treaty, expressly excludes EU legislation with respect to pay, the right of association, the right to strike and the right to impose lock-outs. British labour market policy remains subject to national laws.

Where the EU is empowered to take measures to support and complement national policies, unanimity is the rule in the Council on measures concerning social security and social protection of workers, collective bargaining, and employment conditions for legal immigrants. It is laid down that the EU cannot affect the right of member states to define their own social security systems, or the financing thereof.

Europe's leaders, including Tony Blair, were quite right, in 2004, to agree to make the Charter mandatory. The rest of the member states, with the possible exception of Poland which is tempted to sign up to the British Protocol, are determined not to reverse that decision. For the UK now to claim that its common law tradition might be damaged by the Charter is palpable nonsense: in fact, statutory rights regimes are even more desirable in common law conditions.

It seems truly bizarre for a supposedly social democratic British government to seek to deprive the British people of the higher standards of rights protection now required by the rising level of European integration. Russia's President Putin will certainly be enjoying the spectacle of Europe being picky and choosy over its values. Time for a re-think, Mr Brown?



**Lib Dem MEPs Emma Nicholson, Sarah Ludford, Sharon Bowles, Andrew Duff, Liz Lynne, Fiona Hall, Elspeth Attwooll and Bill Newton Dunn want to cut the Parliament's carbon footprint by stopping the commute between Brussels and Strasbourg**

# A decade of gold in the East !

## *Bob Russell celebrates 10 golden years as MP for Colchester*



**Bob sports a new waistcoat**

Ten years ago in the Eastern region, we achieved the impossible: we elected our first MP since Clement Freud lost Ely in 1987. Me!

This was only achieved through sheer hard work and determination, not just in Colchester but by so many party members from throughout the region. Many of you made sacrifices with your time, often travelling great distances to show the other two parties that the Liberal Democrats can win in the East!

A decade later, Essex's small golden oasis in a sea of blue has increased to three seats – the expansive rural area of North Norfolk (2001) and the region's unofficial 'capital' of Cambridge (2005).

And, of course, a regional Member of the European Parliament (1999).

My heartfelt thanks to all who contributed to the hat-trick of House of Commons victories for myself, the brace of wins for Norman Lamb, and the most recent addition of David Howarth. Also, for the two successes achieved by MEP Andrew Duff.

With your continued support we can look forward to further election advances, at all levels of government: local, county, national and European.

### *The Blair years*

As we look back on ten years of 'new' Labour, and the departure of Tony Blair as Prime Minister, is Britain a better place? Is the world a safer place? Methinks the answer to both is a resounding No.

After 18 years of divisive Conservative Governments, in 1997 Britain was desperate to get shot of the Tories. I had hoped for a brighter, better and fairer Britain – and a more peaceful world – with the demise of the Conservatives and the arrival of a new Government.

New Labour has been such a huge disappointment.

Looking back to the start of my life as a Member of Parliament, the first six months was a steep upwards learning curve! The 1997 General Election saw a big increase in the size of the Liberal Democrat Parliamentary Party, but even so there were only 46 of us with minimal staff support for parliamentarians. How things have changed in ten years, with there now being 63 of us – the biggest third voice in Parliament for more than 70 years.

Over the past decade there has been a huge increase on the demands on MPs, and many more than just our parliamentary duties at Westminster. My casework continues to grow at a substantial rate. I feel that, in part, this is due to the introduction of the 'cabinet system' for local government. Residents sense that their councillors are not now able to effectively represent them as they once did, and contact their MP instead. It is difficult to turn away people who are seeking help.

As I have intimated, at the start of the New Labour government there was great optimism and hope for real change and better times ahead. Remember *Things can only get better?* The reality has turned into a nightmarish disaster whether it be Iraq or increasing privatisation of the National Health Service.

Promises have been replaced with the realisation that, in many respects, things have got worse.

Through my casework I see first-hand the serious consequences of Blair's policies. A benefits system unable to provide for many in need due to the sheer complexity of new working systems and centralisation of services. Healthcare, so long driven by demands to meet performance tables that they are no longer able

to provide the National Health Service we need. And the many decent, hardworking families, couples and individuals unable to get a decent home.

The most devastating act by Blair was to ignore unprecedented public opinion and, without the approval of a proper United Nations resolution, to enter into an illegal war against Iraq in support of the Right Wing US President Bush. The high cost, not just financial but in terms of human tragedy as well as the subsequent increased terrorism throughout the world, has - and will continue - to scar Britain's reputation for many years to come.

On a more positive note, having visited our troops in Basra I have genuine pride and admiration for their efforts to establish a democratic and peaceful Iraq. Our troops remain the best there is at peacekeeping roles in different parts of this troubled world.

One of the most distressing elements of my role as MP for a garrison town has been the occasions when soldiers from Colchester have been killed in both Iraq and Afghanistan, along with the growing number who have suffered serious and long-term injury.

There have been many occasions that have stood out for me - from attending the Laying in State of the Queen Mother in Westminster Hall, to helping secure the release of two Colchester women from overseas prisons for 'crimes' they had not committed; from the visit of HM the Queen to Colchester to attendance at the Festival of Remembrance at the Royal Albert Hall; and to watching my beloved Colchester United becoming the most successful team in the East of England.

#### *Never a dull moment*

The contrasts in the role of an MP are immense and so ensure that it is never dull!

Among the many serious, and indeed immensely distressing appeals for help, there have been the humorous ones. As MP, I have been requested to help on some very strange cases such as an elderly lady who wanted help in putting on her stockings, fit a cat flap on a front door, remove a pigeon from a chimney, and cut a neighbour's shed in half so that a street light could be seen!

There have been some great achievements from successfully campaigning on behalf of former employees of the privatised National Bus Companies to have their full pensions reinstated, to acquiring government finance for Crimestoppers, to restoring full British citizenship rights to the people of the Island of St Helena, to getting darts recognised officially as a sport.

More recently, the government has moved towards my request - as set out in an Early Day Motion - that health warning labels should be displayed on alcoholic drinks.

My on-going campaigns include better road safety measures, for First Aid to be taught as part of the national curriculum, and for the restoration of the building of Council houses,

Life as a Member of Parliament is always busy. I am privileged to be one, and I am grateful to Colchester and to the wider membership of the Liberal Democrats for making this possible.



**As a member of the Lib Dem defence team, Bob goes on mission to Salisbury Plain**

# Centralising local government

## *Ros Scott reviews government plans on local government reform*



Academics have calculated that we are the most centralised state in Europe - with one exception, Malta.

The local government bill currently going through Parliament has been hailed by Labour ministers as a breakthrough in devolution. Well, I have scoured it from top to bottom and found two things that might, by a stretch of the imagination, be regarded in that way.

First, we are promised a bonfire of targets and performance indicators from the hundreds which exist currently, to a few dozen. Second, local councils are to be empowered to create new bye-laws without the approval of the Secretary of State. Only in this country could anyone claim these pathetic measures to be devolutionary.

The Bill also sets out the framework for the creation of unitary councils, the first wave of which we are expecting to be announced later in the summer. The Liberal Democrat team in Parliament will not take a view on individual unitary cases, but we will expect to see a genuine assessment of public opinion throughout the area affected and not merely decisions motivated by self-serving councils.

However, I am delighted that my two year campaign against the Standards Board for England has borne fruit. The Bill brings in a new code of conduct which ends the nonsense of councillors being prevented from speaking on planning issues in their own wards.

***Baroness Scott of Needham Market is spokesman on communities and local government in the House of Lords***

The reductions in targets and inspection regimes is long overdue, and to be welcomed. But let's not get carried away. Labour's failure to reform local government finance still leaves central government very much in the driving seat. I will take bets that 'targets' will be replaced by 'indicators' - or some such nonsense - as a way of keeping local government firmly on the leash.

To my mind, the most worrying aspect of the Bill, is what it proposes for the governance of councils. All councils will be required to move to a model in which all executive power is vested in one person, either a directly elected mayor or a so-called strong leader. The government has scrapped earlier plans to hold referendums. Each council, left to its own devices, will decide which of three models to choose: mayor, leader or directly elected cabinet.

The government has said that these changes are essential to provide future good leadership, despite the fact that all their current local authority inspection regimes show that there is already a significant improvement in the performance of local councils.

Government has failed to show how appropriate checks and balances are to be built into the system to prevent abuses of power creeping in. Nor have they understood that in an era where many councils are in no overall control, a mayor can get elected on a tiny majority of the vote and could wield all the power with no real mandate.

I have no problems with Mayors per se. Indeed in Watford's Dorothy Thornhill we have an example of the mayoral model operating at its best. But it should be a matter of local choice. In few other European countries would it be acceptable for central government to wholly determine how local government is run.

# New challenges in local elections

*Tim Huggan reports on the local elections of 4 May*

Liberal Democrats across the East of England faced three main challenges in this year's local elections.

First, a new Conservative leader in David Cameron has managed to give the impression that the Tory party is modernising and as a result they are being looked at afresh by many voters. Second, the elections this year were in many districts where the Tories have traditional strength. Finally, the Liberal Democrats were defending as many as 400 of their 600 Unitary, District and County Councillors this year.



The negative outcome of this saw the Lib Dems lose two rural districts to the Tories that had previously been held, in South Norfolk and Uttlesford. Despite her valiant efforts, Christine McHugh failed in her bid to become the directly-elected Mayor of Bedford. Overall, the party suffered a net loss of 58 seats and a marginal decline in our share of the vote.

More positively, the election saw the Liberal Democrats successfully taking on the Conservatives and gaining seats from them in numerous districts including Bedford, Dacorum, East Cambridgeshire, Epping, Forest Heath, Huntingdon, North Hertfordshire, Rochford, St Edmundsbury, Southend and Three Rivers.

In parliamentary, terms Liberal Democrats won the popular vote in the three seats that we currently hold - Cambridge, Colchester and North Norfolk. In addition we won our key targets of Bedford, Chelmsford, Luton South, St Albans and Watford. Effectively, Liberal Democrats won in the places we had to in order to increase our parliamentary representation at Westminster.

There was also a first in this election for us, Keith Scarff in Stowmarket became the first Liberal Democrat in the East of England to gain a seat from the Greens in a local election, showing that it can be done.

This was also the first local election in which UKIP made a concerted challenge, with many hundreds of candidates standing; they made little impact and failed to get a single councillor elected in the region.

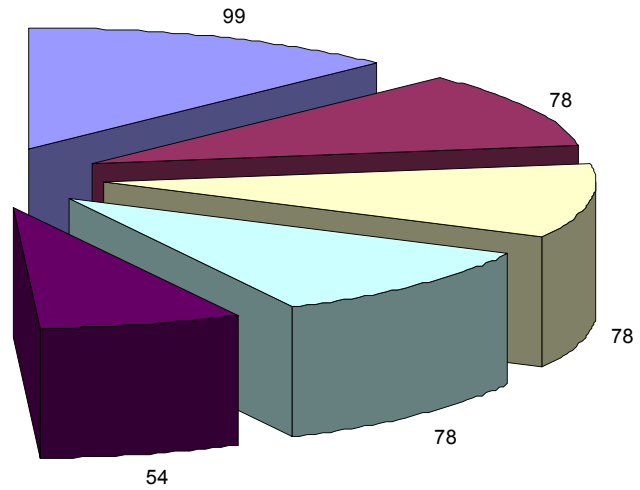
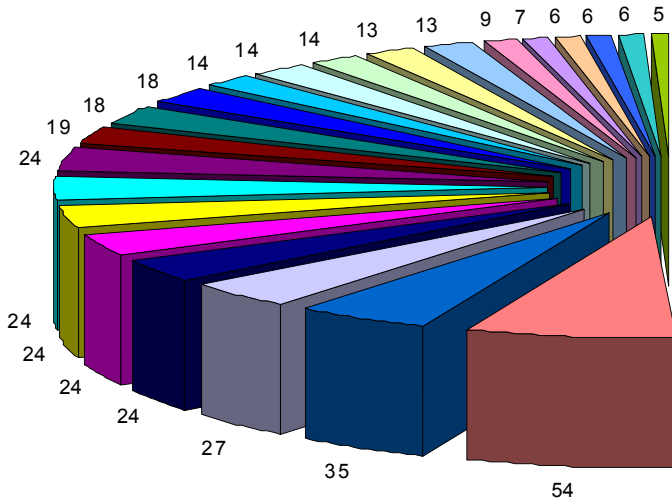
Next year, we are defending just 80 seats in the region. If this year's mixed results prove anything it is, as ever, 'where we work, we win'.

Lib Dems can win against all-comers but only with sustained effort by teams of willing helpers all year round. That must be the message for all local parties, but especially for those with elections in 2008.

So we need lots of candidates in place, everywhere, as soon as possible. Flying the flag in all elections is essential if we are to push up our share of the vote in the European parliamentary elections in 2009.

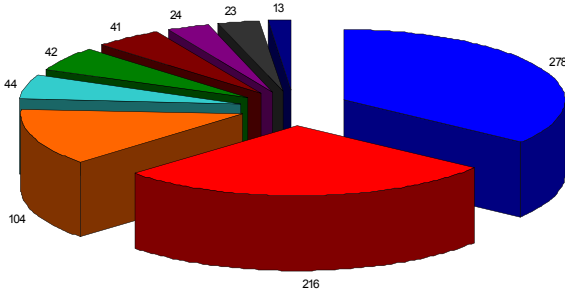
**Chelmsford Liberal Democrats celebrate after taking seats from both Labour and the Conservatives in May**

# Size and shape of the European Parliament



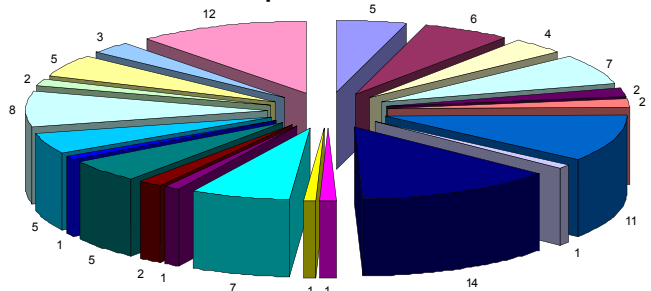
Germany	France	Italy	UK	Spain	Poland	Romania	Netherlands	Belgium
Czech	Greece	Hungary	Portugal	Sweden	Bulgaria	Austria	Denmark	Slovakia
Finland	Ireland	Lithuania	Latvia	Slovenia	Estonia	Cyprus	Luxembourg	Malta

## Political balance



EPP/ED (Christian Democrats/Conservatives)	PES (Socialists/Labour)	ALDE (Liberal Democrats)
UEN (Europe of Nations)	Greens	GLUE/EFA (Communists etc)
Ind/Dem (UKIP)	ITS (Far Right)	Non Aligned

## Composition of ALDE



Bulgaria	Belgium	Denmark	Germany	Estonia	Spain	France	Ireland	Italy
Cyprus	Latvia	Lithuania	Luxembourg	Hungary	Netherlands	Austria	Poland	Romania
Slovenia	Finland	Sweden	UK					

The European Parliament has 785 members from the 27 member states of the Union. The largest delegation is German with 99 members, and the smallest Maltese with just 5. There are eight party groups, ranging from the far left to the far right. The UK Lib Dems belong to the ALDE (Alliance of Liberals and Democrats for Europe), which, with 104 MEPs, is the third largest and has a pivotal role in decision making. The British Liberal Democrats are the largest single party within ALDE.

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## BRUSSELS VISIT

There are still places left on our annual East of England Lib Dem visit to Brussels, on 26-28 November.

Andrew will host a series of meetings in the Parliament. There will also be briefings in the European Commission and by the Portuguese presidency of the Council. A fringe visit to a Belgian brewery is also mooted ...

Places are limited so please express your interest soon. Ideal for PEPCs and PPCs.

Contact Tim Huggan on 01223 566700 or email [tim@andrewduffmep.org](mailto:tim@andrewduffmep.org)

**eastern Agenda**  
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