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16 January 2018

Rt. Hon. David Davis MP
Secretary of State for Exiting the European Union
Department for Exiting the European Union
9 Downing Street
London, SW1A 2AG

sent by email to: correspondence@dexeu.gov.uk

Dear Secretary of State,

Brexit and Charter of Fundamental Rights

The UK has a rich history of promoting and protecting human rights and worked closely with other Member States when the Charter of Fundamental Rights of the European Union was drafted. So we are deeply concerned by the UK Government's plans to use the EU (Withdrawal) Bill to abandon it.

Making the Charter the only EU law that will not be copied into UK law will remove rights protections for everyone in the UK. The Charter contains important rights that do not have domestic equivalents under UK law, including protections for workers, consumers, people with disabilities, LGBT people and elderly people.

In light of the European Council's decision on 15 December 2017 to move on to the next stage of withdrawal negotiations, the European Parliament will now consider the EU's future relationship with the UK and a potential transitional period.

Members of the European Parliament will be closely involved in discussions on these issues and will have a final vote on the UK's withdrawal agreement. The European Parliament will soon issue a resolution on the second phase of negotiations, and we will push for it to make the protection of human rights a condition of any transitional period or agreement on the EU's future relationship with the UK.

The UK Government's approach to the Charter is an important litmus test of its post-Brexit commitment to human rights. The European Council has decided that existing EU laws and regulations must continue to apply to the UK during any transitional period. The Charter is a crucial part of this; upholding fundamental human rights across the EU and underpinning the Union's legal system and commitment to the rule of law.

Greens in the European Parliament

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All agreements on the future relationship must ensure the UK maintains equivalent levels of human rights protection with the EU - which includes keeping the Charter rights.

We will oppose any agreement that removes rights protections for UK citizens and EU nationals.

We urge you, ahead of Report stage of the Repeal Bill, to reassess your approach towards the Charter of Fundamental Rights to avoid endangering the new relationship you wish to develop with the EU. Our common commitment to human rights and the rule of law has long bound us together. It should continue to do so in the future.

Yours sincerely,

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Alex Mayer (Labour, UK / S&D)

Alyn Smith (SNP, UK / Greens/EFA)

Barbara Lochbihler (Bundnis 90 / Die Grunen, Germany / Greens/EFA)

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Bas Eickhout (GroenLinks, Netherlands / Greens/EFA)

Catherine Bearder (Liberal Democrat, UK / ALDE)

Clare Moody (Labour, UK / S&D)

Claude Moraes (Labour, UK / S&D)

Derek Vaughan (Labour, UK / S&D)

Eva Joly (Europe Ecologie, France / Greens/EFA)

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