

# Johnson Intended to Break the EU Withdrawal Agreement Even Before He Signed It

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Region: [Europe](#)

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*[As I wrote 11 months ago](#), Raab and Johnson sought legal advice on breaking the Withdrawal Agreement even before signing it, in a truly shocking example of bad faith negotiation. If mainstream journalists did the slightest actual journalism, they would have realised this was always Johnson's plan.*

As I wrote on October 15 2019, while the Withdrawal Agreement was being negotiated with the EU:

There is currently considerable alarm in the FCO that Legal Advisers have been asked about the circumstances constituting force majeure which would justify the UK in breaking a EU Withdrawal Agreement in the future. The EU did not fall for Johnson's idea that a form of Northern Irish "backstop" would only come into effect with the future sanction of Stormont, as this effectively gives a hardline unionist veto, and Barnier was not born yesterday. The situation that Johnson and Raab appear now to contemplate is agreeing a "backstop" now to get Brexit done, but then not implementing the agreed backstop when the time comes due to "force majeure".

There are two major problems with this line of thinking. The first is that it will give unionists an incentive to foment disorder in order to justify breaking the backstop agreement - indeed there is a concern that might be the tacit understanding Johnson is reaching with the DUP. Remember the British state conspired with the same people to murder the lawyer Pat Finucane and destroyed the evidence as recently as 2002.

The second problem is one of bad faith negotiation, and this is what is troubling the diplomats of the FCO. To negotiate an agreement with the secret intention of breaking it in future is a grossly immoral proceeding, and undermines the whole principle of good international relations. I should like to be able to say that I am sure this cannot be the intention. But when I look at Johnson, Raab and Cummings, I am really not so sure at all. It is possible that Johnson will succeed in the apparently insurmountable challenge of securing a deal all parties can agree, by the simple strategy of promising some parties he has no intention of honouring it.

For Johnson, the Withdrawal Agreement provisions on Northern Ireland were only ever a device to get him over an immediate political difficulty. The fact he simply lied throughout the election campaign that the Withdrawal Agreement imposed no new checks or paperwork between Northern Ireland and the rest of the UK, should have made plain he was not serious about it. He had simply lied to the countries of the EU in signing a treaty he never had an intention to honour. He simply does not see himself as bound by any notion of honour or

honesty.

The UK is acting grossly illegally in continuing to occupy the Chagos Islands against the firm direction of the International Court of Justice and the UN General Assembly. It is a rogue state. It is led by a man whose word cannot be trusted even when he signs a treaty. Other states do notice this kind of thing. Whether you are in favour of Brexit or against it, nobody can sensibly suggest this kind of gross insult to the European Union is a sensible way to start a future relationship.

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