

## A political turn-around? The UK Prime Minister's epiphany on the EU

This week, David Cameron was on a mission in Brussels to re-sell his controversial speech held in January.<sup>[1]</sup> In his speech, the Prime Minister promised an “in-out” referendum on British EU membership after the next elections, as support for the EU was “wafer-thin” in Britain after poor crisis management.<sup>[2]</sup> Cameron does have a point: Eurosceptics have gained ground within the Conservative Party and Britain, but also all over Europe. So, why has Cameron changed his opinion and now tries to make-believe that his speech was nothing more than a list of proposals benefiting the whole of the EU?

It seems that David Cameron has realized the flaw in his plan: his lack of foresight as to the consequences of his action. In the short-term, he might have satisfied the Eurosceptic wing of his party and a certain part of the electorate.

However, the Prime Minister has not failed to express his belief that “Britain is at the heart of [the] single market, and must remain so.” Exiting the European Union while still being at the heart of the single market would leave Britain with only one feasible solution: membership in the European Economic Area, the EEA.

The EEA comprises the EU plus the non-EU Member States who have opted to become part of the EEA, Iceland, Norway and Liechtenstein. These countries are economically integrated in the Internal Market and fully enjoy the free movement of goods, persons, services, and capital. These rights are accompanied by the obligation to comply with EU law relating to the four freedoms, EU competition law, and other laws that are agreed to be harmonised in the field of research, development, the environment, education and social policy.<sup>[3]</sup>

Although obliged to comply with, implement, and enforce European Union law, including the case-law of the Court of Justice (CJEU), EEA Member States are not represented in the decision-making processes in Brussels. They are not represented by their government on the Council of Europe, by an MEP in the European Parliament, or a judge on the European courts. However, EU law continues to affect their domestic laws and policies.

For example, consider social security. Access to social security is guaranteed for any worker in the EEA, and any legislation regarding this matter would still be governed by EU law, just without British input. Similarly, in the field of education, British universities would still be obliged to raise the lower home student tuition fees for students originating from the EEA and would not be able to raise overseas fees.

In essence, EEA membership would lead to a violation Britain's oldest and most important constitutional principle- the principle of parliamentary sovereignty. Neither the House of Lords, nor the House of Commons would be able to exercise any kind of scrutiny, let alone decision-making power, on EU legislation that is applicable to the EEA.

On the other hand, Britain would lose access EU development and cohesion funds, while it would still have to contribute to the development of new EU members such as Romania and Bulgaria under the EEA Grant scheme.

Looking at these consequences, it seems that the only one who would win in case of British withdrawal is the European Union, not Britain. It would be easier for the EU to pass legislation without need to get Britain on board. At the same time Britain would still be a net contributor to the EU budget, while not having access to the funds. This would be cutting of the nose to spite the face.

It seems that Mr. Cameron has received a lawyer's briefing during the last three months. Hopefully he will be able to rebrand his speech in Brussels as a reforming speech for the whole of the European Union. He might even succeed without sacrificing Britain's credibility in the Union. However, it is time for him to rebrand his politics for someone more important: the British electorate. It cannot be in the British interest to be left out in any kind of decision-making applicable to Britain. This message needs to be communicated more than ever to the British public, not only by David Cameron, but by every politician who wants to have a say in European, and British, affairs.

[1] Watt, N., *David Cameron insists he wants to bring EU nations closer*, The Guardian, April 7<sup>th</sup>, 2013, available at: <http://www.guardian.co.uk/politics/2013/apr/07/david-cameron-eu-nations-closer>, retrieved April 10<sup>th</sup>, 2013.

[2] The full speech is available at: <http://www.thetimes.co.uk/tto/news/politics/article3665722.ece>, retrieved April 10<sup>th</sup>, 2013.

[3] The EEA agreement is available at: <http://www.efta.int/~media/Documents/legal-texts/eea/the-eea-agreement/Main%20Text%20of%20the%20Agreement/EEAagreement.pdf>, retrieved April 10<sup>th</sup>, 2013.

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