

# EU Referendum

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## Frequently Asked Questions

Version No. 4

May 2016

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2. What about the EU's Common External Tariffs?
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### **Migration: UK Citizens living in EU countries, and EU Citizens living in the UK**

# Introduction

**This revised Version No. 4 corrects some minor typographical errors found in Version No. 3.**

Here is a list of the most frequently asked questions about the EU Referendum, and what would happen when Britain leaves the EU. Every effort has been made to make the answers as accurate and as factually correct as possible: facts and figures may be revised if new information becomes available and new versions may be published during the course of the Referendum campaign; anyone using this document should ensure that they are referring to the latest version. You can do that by going to my website: **[www.gerardbattenmep.co.uk](http://www.gerardbattenmep.co.uk)**

If the reader wishes to suggest questions not included here then please email them to Gerard Batten MEP: **[gerard.batten@btinternet.com](mailto:gerard.batten@btinternet.com)**

In any revised version additional questions will always be printed from **Question 40** onwards.

It is necessary to say a word about the Referendum itself and what may happen afterwards. The Referendum is purely advisory and its verdict is not binding on the Government; however, David Cameron said on the Andrew Marr show (BBC1) on the 10th January 2016 that he will, ***“abide by what the British public say”***. Therefore when the British electorate votes to leave he is honour bound to implement that decision – provided he stays in office of course.

The method by which Britain will leave the EU is another thing. Article 50 of the Lisbon Treaty lays out a mechanism, but we are not bound by that mechanism; Article 50 also states: *“Any member state may decide to withdraw from the Union in accordance with its own constitutional requirements.”* The UK’s constitutional position is that Parliament is sovereign, and it may withdraw from the EU just as it pleases, i.e. by repealing the European Communities Act 1972.

This is best explained by the judgement of **Lord Justice Laws** in the Metric Martyrs case, when he said: *“Thus there is nothing in the 1972 Act [European Communities Act] which allows the Court of Justice [European Court of Justice], or any other institution of the EU, to touch or qualify the conditions of Parliament’s legislative supremacy in the United Kingdom. Not because the legislature chose not to allow it but because by our law it could not allow it.”* He concluded, ***“That being so, the legislative and judicial institutions of the EU cannot intrude upon those conditions. The British Parliament has not the authority to authorise any such thing. Being sovereign, it cannot abandon its sovereignty.”***

That being so, our Government and Parliament can take Britain out of the European Union by the quickest and most expedient method to suit us and not the European Union. When the British public vote to leave, David Cameron will become a lame duck Prime Minister and he will be forced to stand down. A more patriotic government can then take immediate action to take Britain out of the EU. Exactly how this can be done is explained in Gerard Batten’s book, ***The Road to Freedom*** (Published by Bretwalda Books Ltd).

# FAQs

## 1. Would leaving the European Union ('EU') endanger jobs and trade, and could the EU put up trade barriers against the UK?

When we leave the EU, it cannot put up discriminatory trade barriers against the UK, since to do so would be in breach of **World Trade Organisation** (WTO) rules which govern world trade. All EU countries have agreed to follow them. And even if they could do so (which they cannot) why would they want to? We have a massive trade deficit with the EU – they sell us far more than we sell them. Britain's accumulated trade deficit with the EU since 1972 is over **£683 billion**.<sup>1</sup>

Figures for 2014 showed that Britain exported goods and services to the EU to the value of **£228.9 billion**, whereas their exports to us amounted to **£290.6 billion**: therefore we had a trade deficit with the EU of **£61.7 billion**.<sup>2</sup> Germany, Spain, France, Italy, etc. will still want to sell us their cars, wine, holidays, etc. Trade will continue as normal.<sup>3</sup>

Britain's is the fifth largest economy in the world. We are a world-class trading nation, while we have a trade deficit with the EU, we have a trade surplus with the rest of the world. Our trading success stems from hundreds of years of experience, from English being the international language of business and science, and from the trust that foreign companies put in the English legal system and contract law.

## 2. What about the EU's Common External Tariffs?

The EU was formed as a **Customs Union**, not a Free Trade Area; it erected certain trade barriers against non-EU countries, and these are known as the **Common External Tariffs**. However, the World Trade Organisation has been negotiating down trade barriers internationally for many years, and as a result these are now generally low. The pro-EU organisation **British Influence** states: "UK exporters would still have to pay 15% on average for food and 10% on cars to trade with the EU"<sup>4</sup>, but this is pure scaremongering. Since the EU sells far more to Britain than we sell to it, it would not be in its interests to impose the Common External Tariffs even if it could, since if it did so we could impose similar tariffs on what the EU sells us. This would be in no-one's interests.

**Business for Britain** issued a report stating that if the Common External Tariffs were levied on British exports to the EU, these would be at an average rate of only **4.3%**.<sup>5</sup> Business for Britain calculates that this cost would be lower than the UK net contribution to the EU budget. Using 2013 figures they calculated that tariff costs would be about **£7.4 billion**. The estimated net cost of EU membership for 2016-2017 is over **£10 billion**.<sup>6</sup> When we are outside the EU, it would be cheaper for the British government to pay exporters' tariffs for them rather than paying into the EU budget – should it choose to do such a thing.

## 3. Would leaving the EU exclude Britain from the Single Market?

The EU and the Single Market are not the same thing. Norway, Iceland and Liechtenstein are members of the Single Market but not the EU. The EU has 28 member states, the Single Market has 31. **We do not need to be in either the EU or the Single Market in order to trade with member states**. Some in the Remain campaign argue that we cannot trade with the

Single Market without open borders and the free movement of EU citizens. That is simply not true. Many countries trade with the EU without finding it necessary to join the EU or the Single Market.

The top ten exporters to the EU are: **China, Russia, USA, Switzerland, Norway, Japan, Turkey, India, South Korea, and Brazil**. Nine of these countries are not members of the Single Market and six of them do not even have free-trade deals with the EU (China, Russia, USA, Japan, India and Brazil). The fact that they are not members of the EU does not restrict their trade; in fact it empowers them to trade on their own terms. Outside the EU, Britain could negotiate a trade deal with the EU from a position of strength.

#### **4. What about international trade deals that the EU has negotiated with the rest of the world - would we be excluded?**

Britain's is the fifth largest economy in the world. We are a major trading nation. Outside the EU, those countries who have signed trade deals with the EU would certainly want to continue mutually beneficial trading arrangements with the UK. They would have a great incentive to agree quickly to a continuation of trade on the same, or very similar, terms. When Britain regains its seat on the WTO and control of its own international trade policy, we could also no doubt negotiate better trade deals for ourselves – as we did for hundreds of years before we joined the EU.

#### **5. Isn't about 50% of our trade with the EU?**

No. This figure is highly exaggerated and misleading. 'Trade' in this context refers only to the international export of goods and services; and of international trade, in 2014 **44.8%** of our total exports in goods and services were to EU countries, according to the Office for National Statistics. That figure is reduced when we take into account the so-called 'Rotterdam effect'. Exports first landing in Rotterdam are counted as exports to Europe, even when they are destined to pass on to other countries beyond the EU. The ONS say that the exact scale of the Rotterdam effect is unknown, but that it could reduce exports to the EU to **42.1%**.<sup>7</sup> So it is fair to say that less than **43%** of our international trade is with the EU.

Britain's trade with the EU has been declining over the last twenty-five years. ONS figures show that in 1999, **54.7%** of our international trade was with the EU, by 2014 that had fallen to about **43%**. Approximately **30%** of our economy is concerned with international trade, and less than half of that with trade with the EU. The other **70%** of the economy is purely domestic, i.e. within the UK. Figures published by the ONS show that only **5%** of UK companies trade with the EU – and yet **100%** of our businesses have to comply with EU regulations. While EU trade is important to Britain, it would not be endangered when we leave the EU – but **95%** of our businesses would be freed from EU jurisdiction.<sup>8</sup>

#### **6. Is it true that 3 million jobs depend on trade with the EU?**

This old chestnut continues to raise its head despite having been discredited long ago. The figure arose from a study by the **National Institute of Economic & Social Affairs** in **1999**. The report calculated that 'three million jobs are associated' with trade to the EU.

This report has been repeatedly misrepresented by various people, including former Deputy Prime Minister **Nick Clegg MP**, who said that three million jobs are "at risk" if we left the EU.

**The Institute's Director, Martin Weale**, has repudiated the claim describing the misuse of the report for propaganda purposes as "pure Goebbels."<sup>9</sup> These jobs may depend on the continuation of trade – but not on continued EU membership.

Using similar assumptions to those that arrived at the figure of three million jobs in the UK being associated with EU trade, we can arrive at a figure of **5 to 6.5 million** jobs in the EU being associated with trade with the UK.<sup>10</sup> European jobs will not be at 'risk' when we leave the EU any more than British jobs. Millions of jobs elsewhere also depend upon trade with Europe, for example in China, India and Japan, but those countries do not find it necessary to join the EU in order to trade with Europe.

## **7. If the UK leaves the EU, what would happen to UK citizens living in Europe? Could they be deported?**

United Nations figures for 2015 state that about **1.2 million** British citizens live in EU countries, while about **3.3 million** EU nationals live in the UK – more than two and a half times the number.<sup>11</sup> The top ten locations for Britons living on the continent are:

<b>Spain</b>	<b>309,000</b>
<b>Ireland</b>	<b>255,000</b>
<b>France</b>	<b>185,000</b>
<b>Germany</b>	<b>103,000</b>
<b>Italy</b>	<b>65,000</b>
<b>Netherlands</b>	<b>50,000</b>
<b>Cyprus</b>	<b>41,000</b>
<b>Poland</b>	<b>35,000</b>
<b>Belgium</b>	<b>27,000</b>
<b>Sweden</b>	<b>25,000</b>

A full breakdown of UK citizens living in the other 27 EU member states and EU citizens living in the UK is given as an **Appendix** to this document. According to the UN about **400,000** of the British citizens living in the EU are retired and the other **800,000** are workers and their dependants.

Most British people living in Europe are engaged in skilled work, own property or are retirees living on their pensions. People who are established, and living legally, in a country are not going to be expelled; certainly not, given that many retired British people live in European countries (for example, the **18,000** in **Greece**) that are either poor or suffering from the Eurozone's austerity policies and the income they provide is highly valued. This prospect is just another example of the scaremongering by the Remain side.

## **8. If I own property in an EU member state, will it be safe?**

When Britain leaves the EU, the EU's member states will still have to respect the property rights of individuals living there. This is enshrined in the **United Nations Universal Declaration of Human Rights** and the **European Convention on Human Rights**. The governments of countries cannot take some kind of revenge on British property owners out of pique at a British decision to exit the EU. Furthermore, there are millions of Europeans who own property in the UK.

## 9. If the UK leaves the EU, would I lose free access to member states' public health services when I travel to Europe?

Britain has reciprocal health benefits with those European countries that have comparable national health services, e.g., Germany, France, Holland, etc. There is no reason why such reciprocal arrangements would not continue on a bilateral basis when we leave the EU. Many other European countries simply do not have a public health service comparable to ours; to use their health services, British citizens have either to pay or to take out private health insurance. Under the existing arrangements EU states are supposed to reimburse each other for the public health services used by their citizens. Even so Britain loses out.

**Department of Health** figures for 2015 were posted on the website of **Labour MP John Mann** on 2nd March 2016. His website states: A Parliamentary Question from John Mann MP has revealed that the UK paid out **£674 million** to European countries for their health costs last year – but received only **£49 million** in return. The huge discrepancy was revealed in a Department for Health response to the Bassetlaw MP. Notable figures include:

- UK pays France **£147,685,772** – France pays UK **£6,730,292**
- UK pays Germany **£25,873,954** – Germany pays UK **£2,189,664**
- UK pays Italy **£7,304,484** – Italy pays UK **£1,510,850**
- UK pays Poland **£4,336,701** – Poland pays UK **£1,523,402**
- UK pays Spain **£223,290,021** – Spain pays UK **£3,412,338**

John Mann MP commented: *"Sorting this scandal out in itself would transform the financial situation of the NHS. This is a shambolic state of affairs and we are being played for fools. This is money that should directly be going into the NHS and it would make a huge annual difference to its finances."*

## 10. Hasn't the EU helped to keep the peace in Europe?

This is pure mythology. From 1945-1949 peace was kept in Europe by British and US armies stationed in Germany; from 1949 onwards, by NATO and the continued presence of predominantly US and British troops to counter the threat from the Soviet bloc. France withdrew from NATO's command structure in 1959 (while remaining a member of its political organisation) and did not fully rejoin until 2009. The disintegration of the old Soviet Union in 1991 removed the main military threat to Europe, but new risks have arisen. These can best be countered by NATO and co-operation between democratic nation states, not by European political and economic integration.

The two world wars were both started in Europe by an undemocratic Germany. The democratisation of Germany, and other European states after the Second World War had nothing to do with the European Union, which did not exist until 1957. Democratic nations tend to settle their differences by diplomacy, not war. The biggest threat to peace in Europe is posed by the creation of an undemocratic, centralised, 'United States of Europe' and the removal of powers of democratic accountability and control from its citizens.

The EU intends to create its own armed forces by merging those of its member states, all in order to enforce its **Common Foreign and Security Policy**. The safest future for Europe lies in democratic nation states co-operating with each other and in an alliance, such as NATO, of independent states set up to counter external threats. Abdicating control of our foreign, security and defence policy to the EU will have unpredictable results, and potentially will be a recipe for disaster.

### **11. Are we not stronger on the world stage as part of the EU, and would we not lose influence outside it?**

Actually, the opposite is true. The more centralised the EU becomes, the more power we surrender to it and the less influential we become in the world. Britain still has a seat on the **UN Security Council** and is a member of over 100 international organisations. However, we lost our independent seat on the **World Trade Organisation** in 1973 when we surrendered it to the EU; when we leave the EU we can regain our seat. The EU's ambition is to have a seat in its own right on the UN Security Council, taking over those of Britain and France. Being a part of the EU makes Britain less influential, not more so.

### **12. Would Britain be 'isolated' outside the EU?**

Are countries like the USA, Canada, Australia, India, Japan, China, South Korea, Taiwan, Singapore, New Zealand, Brazil, Mexico – and all the other countries in the world, which are not members of the EU – **'isolated'**? There are almost **200** countries in the world, of which only **28** are members of the EU. Are all the others 'isolated'? No. But do they make their own laws, and trade, and prosper outside the EU? Obviously, they do.

### **13. Should we remain in the EU in order to influence its decisions?**

If you think so, do consider the facts below; but first a little explanation of the EU's institutions is required to explain the democratic deficit.

**The European Commission:** In **1973**, **2** of the **13 (15.4%)** EU Commissioners were British; this has fallen to **1** out of **28** (merely **3.6%**, a worse than four-fold reduction). The Commission acts as the effective 'cabinet' of the EU. Members of the Commission are appointed by national governments. While the European Parliament votes to accept or reject the Commission as a whole it cannot vote for or against individual appointees.

#### **The European Council (Heads of Government)**

The EU's website explains: "The **European Council defines the EU's overall political direction and priorities**. It is not one of the EU's legislating institutions, so does not negotiate or adopt EU laws. Instead it sets the EU's policy agenda, traditionally by adopting 'conclusions' during European Council meetings which identify issues of concern and actions to take. The European Council mostly takes decision by consensus. However in certain specific cases outlined in the EU treaties it decides by a **qualified majority**."

In **1973** we had **17%** of the vote in the **European Council**; by 2014 that had fallen to **8.2%** (29 out of 352 votes). However under a new system of **Qualified Majority Voting (QMV)** introduced by the Lisbon Treaty this will rise to **12.61%** in April 2017.

**The Council of the European Union:** This is a legislative body made up of Ministers representing member states' national governments. Depending on the subject, the Council takes decisions by simple majority, qualified majority or unanimity, although qualified majority is more widely used (agriculture, single market, environment, transport, employment, health, etc.). Under the existing system Britain has **8.2%** of the vote. Under the new system (1st April 2017) Britain will have **12.61%** of the vote. **That is a small improvement, but under this system, because we are easily outvoted, we will still be repeatedly forced to accept laws we don't want.**



**The European Parliament:** In **1979, 81** out of **410 (19.8%)** members of the European Parliament represented Britain. Now we have **73 MEPs** out of **751 (9.7%)**. Most decisions in the Parliament are made by a simple majority vote. Even if all the UK MEPs of all parties were to agree (which never happens), we can easily be outvoted: British MEPs cannot ultimately protect Britain's interests.

If you still think Britain has the ability to influence decisions or to protect our own interests then consider this fact: since 1996, when records began, Britain has tried to block **55 new laws** in the **Council of Ministers** – and we have been defeated 55 times. All the offending measures have become law.<sup>12</sup> **How can that possibly be considered 'being stronger in Europe' or 'defending our national interests'?**

#### **14. Why do more countries, for example Turkey, want to join the EU?**

The six countries that set up the **European Economic Community** ('EEC') in 1957 were **Germany, France, Italy, The Netherlands, Luxembourg** and **Belgium**. These were countries that had been devastated by the Second World War. The driving force behind the creation of the EEC was the need for an economic and political pact between Germany and France, historically the main instigators of European wars.

Since then 22 more countries have joined, many for less idealistic reasons. In any given year, typically only a few countries are net contributors to the EU budget. Germany is always the top contributor, with the UK usually in second or third place. In 2013 only nine countries were net contributors, with Britain in second place. In 2014 Britain was level pegging with France in second place.<sup>13</sup> Most countries take far more out than they put in. The EU is basically a welfare system for the majority of its member states.

To illustrate the point, 2004 saw the accession of ten smaller, mostly poor, Eastern European countries to the EU (none of them is a net contributor to the Budget). They joined for the financial and other benefits they could obtain. The same is true of those countries waiting to join such as **Macedonia, Turkey, Albania, Montenegro, Serbia & Herzegovina, Kosovo, Ukraine, Belarus** and **Moldova**.

The countries lining up to join are certainly not doing so in the hope of making net donations to the massive EU budget. They want massive financial subsidies, and to be able to export their excess populations, unemployed and criminals to Europe. **Turkey**, for instance, is not even in Europe (97.0% of its land mass is in Asia). It has a population of **79 million**, (based on the latest UN estimates) and if it joins it will be the second most populous, and the poorest, country in the EU. You can work the rest out for yourself.

#### **15. If we left, would we lose millions in EU grants?**

Firstly, there is no such thing as 'EU money'. There is only taxpayers' money, and the UK is always a net contributor to the EU budget – every single year since 1973 (except for one), we've paid in far more than we got out. As stated before, Germany always pays the most, with Britain usually in the top two or three. The one and only year that we got more out than we paid in was 1975: 'coincidentally', 1975 was the last time we had a Referendum on membership.

The EU's own figures<sup>14</sup> show that out of the **37** British regions (as classified under the EU's system for 'Regional Aid'), **35 are net contributors** to the fund. Only two regions, **West Wales and Cornwall**, are net beneficiaries. In total, the UK gets back **£1 for every** £3.55

we pay in. Over the budgetary period 2007-2013, the UK paid in about **£29.5 billion**, but received only **£8.7 billion** in return. Many of Britain's poorest and most deprived regions are subsidising the regions of other EU member states.

Neither is this money well spent: between 2007 and 2013, the **European Regional Development Fund's** payments to **Wales** totalled **£2 billion**, yet the effect on unemployment in Wales was insignificant. We would be better off not giving the money to the EU and instead deciding how to spend British taxpayers' money to best effect ourselves, in our own country.

## 16. How much does EU membership cost?

A simple question which, unfortunately, has a complex answer: even the British government doesn't quite seem to know exactly how much it hands over to the EU each year. Government forecasts constantly change and published figures for previous years can be changed retrospectively.

The Government's current forecast for payments to the EU Budget for 2015-2016<sup>15</sup> financial year is:

- **£19.073 billion** gross contribution to the budget
- **£4.229 billion** held back as the British Rebate
- **£4.057 billion** spent in the UK by the EU
- This gives an estimated net contribution of **£10.787 billion**.

The current HM Treasury forecast is that our gross contribution will reach **£20 billion** by 2020-2021, or **£55 million** per day, and it will rise in the next budget period. Our contribution to the EU Budget is made up of three sources of revenue:

- **GNI** (Gross National Income: a proportion thereof) = **72%**
- **Traditional Own Resources** (Customs Duties and Sugar levies) = **14%**
- **VAT** (Value Added Tax) = **14%**

HM Treasury forecasts for the EU Budget period 2014 to 2020 shows that we will pay gross contributions of an average of over **£19 billion** per annum. The gross figure has two components to consider: the UK **Rebate**, which remains in the Treasury; and the **Public Sector Receipts**, which is money that the EU spends in the UK on projects they deem fit (and which often have to be 'match funded' by the UK Government).

When the Rebate is deducted from the Gross contribution we are still left with an annual contribution of over **£14 billion** per annum for the current seven year budget period. This is approximately **£270 million** per week or **£38.5 million** per day.

The indirect costs on the economy are much higher. In October 2005 Gordon Brown, then Chancellor of the Exchequer, published a Treasury paper entitled, *Global Europe, full employment Europe*, which estimated EU over-regulation alone at **6%** of GDP. Today that would equate to about **£96 billion** per annum. This did not include the Common Agricultural Policy and the Common Fisheries Policy, to name just two further factors. **Professor Tim Congdon** has calculated that the direct and indirect costs on our economy for 2014 constitute **12%** of **GDP** (Gross Domestic Product) or **£190 billion** per annum.<sup>16</sup>

When we leave the EU we will be able to stop payments to the EU budget, and drastically reduce the indirect burden on our economy by restoring our fishing industry, reducing

regulation, and deciding our own system of agricultural subsidy.

## **17. How many of our laws are made by the EU?**

Most areas of domestic policy are now under the control of the EU. Its legislation takes two main forms: **Directives** and **Regulations** (and decisions of the European Court of Justice). Directives must be transposed into UK Acts of Parliament. The UK Parliament has no choice in the matter, even if, in some instances, it may tinker with the details. And Regulations automatically become law, even without our Parliament debating them.

The amount of law coming from the EU varies from year to year. In 2006, the German Parliament, under former **President Roman Hertzog**, carried out a study to quantify the amount. Speaking in an article for *Welt am Sonntag*, Herr Hertzog pointed out that between 1999-2004, **84%** of the legislation in Germany stemmed from Brussels. He further said that *"EU policies suffer to an alarming degree from a lack of democracy and a de facto suspension of the separation of powers"*.

**Gordon Brown**, in a speech to the Confederation of British Industry in 2005 while he was **Chancellor of the Exchequer**, admitted that *"European regulations – of course – account for 50% of significant new rules for business"*. In the European Parliament, **EU Commissioner Viviane Reding** admitted that *"70% of British laws are made in the EU"*. So a reasonable estimate is that, in any given year, the proportion of our law that comes from the EU is somewhere between **50%** and **80%**.

Currently the total number of EU laws in force amounts to **172,178** items.<sup>17</sup> The rate of legislation passing through the European Parliament has somewhat slowed down over the last eighteen months, and it is believed that a large amount of legislation is being deliberately held back by the Commission until the British Referendum is over. If we vote to remain in the EU, the legislative floodgates will once again open.

## **18. Other sources, like Nick Clegg MP, say that a much smaller number of our laws comes from the EU. What is the truth?**

You may hear quoted figures of only **9%**, or perhaps only **13%**, as representing the percentage of our laws coming from the EU. That is a misrepresentation of the contents of a House of Commons Briefing Paper that stated about 13.2% of our laws come from the EU. But the paper warns that the figure does not take into account the large number of EU Regulations that automatically pass into UK law. The 13.2% figure refers solely to Acts of Parliament required to transpose EU Directives into law. Taking Regulations into account, the recalculated figure is more like **65%**. That is within the range described under Answer 17 above, which was between **50%** and **80%** in any given year, varying with the EU's legislative output.

Interestingly **Nick Clegg** has said contradictory things on this subject. Writing in the Guardian on 8th December in 2003, when he was a Member of the European Parliament, he said that, *"Probably half of all new legislation now enacted in the UK begins in Brussels. The European Parliament has extensive powers to amend or strike down laws in almost every conceivable area of public life"*. He repeated that in **EurActiv** on 31st March 2004<sup>18</sup> when he put the figure at, *"Well over 50%"*. Oddly he put the figure at only **7%** in his TV debate with **Nigel Farage** in April 2014.

## 19. Haven't measures such as introducing the European Arrest Warrant made us safer from criminals and terrorists?

The simple answer is that they have not. The European Arrest Warrant is just one part of an EU system of criminal law being created which supersedes the English legal system. Britain was one of the first countries to pass an Extradition Act (1870). That Act required *prima facie* evidence to be presented to the English extradition court for it to satisfy itself that there was sufficient evidence against the accused person to justify surrendering him or her to a foreign judicial system.

The 1870 Act worked well until the then Conservative Government replaced it with the Extradition Act of 1989, which allowed the **European Convention on Extradition** to be ratified in 1990. The small print of this allowed the government to remove the requirement for *prima facie* evidence to be presented to the English extradition court.

The **Extradition Act 2003** introduced the **European Arrest Warrant** which removed further safeguards for the accused person. Under the Act, 'extradition' became 'judicial surrender'. It allowed a British citizen to be removed to any other EU member state purely on the strength of a form completed by the relevant foreign authority; this can be purely on 'suspicion'. No *prima facie* evidence is presented to the English court, and indeed they have no power to prevent 'judicial surrender'. This goes entirely against the centuries-old English legal protection enshrined in **Habeas Corpus**, which prevented imprisonment without evidence and without a charge being formally laid for a specific offence under English law.

This is possible because of the EU doctrine of '**mutual recognition**' which says all EU legal, judicial and penal systems are of equal standing – which is palpably not the case. British citizens can be sent abroad purely at the request of a foreign court official and locked up for months or even years while investigations take place. In contrast, British Police cannot request extradition of a suspect to the UK, unless and until they have fully investigated and amassed sufficient evidence for a charge to be laid.

This highlights the fundamental difference between the continental and the English legal systems: under continental ones, people may be and are imprisoned for long periods purely on suspicion while accusations are investigated (which may never result in a charge) whereas under the English system suspects may only be imprisoned (on remand) after a specific criminal offence has been fully investigated and charges laid. The English legal system evolved over 800 years as much to protect the innocent as to convict the guilty. Those principles are being sacrificed in favour of a 'harmonised' EU system of criminal law.

## 20. I have heard that the courts can prevent extradition if the accused person's human rights are at risk. Is this true?

That may be the case in theory, but in practice it does not work. All EU member states have signed the **European Convention on Human Rights**. The English court will take the view that, because EU member states have signed the Convention, under the doctrine of '**mutual recognition**' they cannot then be deemed to be in breach of it – even if all the known facts contradict this.

For example, it is well-known that countries such as Greece, Bulgaria, Hungary, Romania and others, are frequently in breach of the Convention because of their institutionalised corruption or because of the conditions in their prisons; nevertheless and despite this, suspects will be 'judicially surrendered' to them. The author has been present in the English

Court of Appeal when such a judgement has been made.

## **21. Don't we need to be in the EU to help protect us from organised crime and terrorism?**

The EU's open borders policy has put us more, not less, at risk from criminals and terrorists. The open borders policy has meant that Europe's criminals have migrated to where they think they can most lucratively operate, and that means countries like Britain. The EU's **Freedom of Movement Directive** (Directive 2004/38, Article 27(2)) says that '**previous criminal convictions are not enough to justify exclusion**'. So, even if the authorities know someone to be a convicted criminal that is not of itself sufficient reason to prevent his or her entry to our country. We have seen convicted murderers, rapists and paedophiles come from Europe to the UK and then commit more appalling crimes here.

Metropolitan Police Chief **Sir Bernard Hogan-Howe** revealed recently that **29%** of the Met Police's **250,000** arrests in a year were of foreign nationals (admittedly, not all being EU citizens), but of these, only **13%** resulted in a charge or summons.<sup>19</sup> The excuse for not being able to bring them to justice was because it was not possible to check their DNA, fingerprints or previous convictions, and so they were released. Therefore, a two-tier policing system is at work, the moral of which is that it is easier to get away with a crime in the UK if you are a foreign national. It is difficult to see how that 'makes us safer in the EU'.

Open borders also aid terrorists. We have seen terrorist attacks in a number of European capitals made by terrorists who can easily cross borders under the EU's Schengen open borders system. Britain is not in Schengen, but any EU citizen has the right to come to Britain if he or she so wishes. Europe has plenty of its own home-grown terrorists who have free access to the UK, but we also saw how in the Paris attacks of November 2015 at least one of the murderous terrorists was operating on a forged passport. Whenever these terrorist attacks occur the EU uses the act as an excuse to call for yet more power over police and judicial matters, and to create or enlarge the EU's own security and intelligence services.

Writing in the March 2016 edition of the magazine **Prospect**, **MI6's** former head (1999-2004), **Sir Richard Dearlove**, made it clear that Britain would be safer outside the EU. He stated that leaving the EU would make it easier to deport terrorists and control our borders. He added that Europe would not turn its back on Britain or our intelligence services, because **"Britain is Europe's leader in intelligence and security matters and gives much more than it gets in return"**.

When the UK is out of the EU, the organised crime and terrorist threat would not go away, but we would then be free to control our own borders, and we could continue, as we have always done, to share our intelligence with our allies. Allowing our intelligence services to be merged with an EU intelligence service would be a tremendous mistake.

## **22. Why does President Obama want Britain to stay in the EU?**

Back in the 1970s, Henry Kissinger is reported to have said, *"When I want to speak to Europe, whom should I call?"* The story may be apocryphal but it highlights the fact that US foreign policy wants to deal with one central authority in Europe, rather than have the inconvenience of dealing with individual, independent nation states.

After the Second World War, the USA funded, to the tune of many millions of dollars, the

**European Movement**, which covertly worked towards creating a United States of Europe. The release of declassified documents in 2000 showed that the **American Committee for a United Europe** was, in fact, a front organisation for the **CIA**. The USA wanted a bulwark against the Soviet threat and, as stated above, the convenience of dealing with one central political power in Europe.<sup>20</sup> There is also some evidence that the CIA clandestinely funded the Remain side in the 1975 British Referendum.

America is primarily concerned with its own perceived national interests, and not Britain's. We know that the USA has interfered in the domestic politics of many nations around the world – so why would they not interfere with ours? The USA expects us to sacrifice our national sovereignty but would not dream of sacrificing any of its own. We should also recall that President Obama has called for Turkey to become a member of the EU, which would invite another **79 million** potential migrants to come to Britain, should they so wish. That is evidently not in the British national interest.

### **23. Why are big businesses calling for Britain to remain in the EU?**

Some big businesses are, and some aren't. In February 2016, representatives of 36 FTSE100 companies signed a letter to *The Times* calling for Britain to remain in the EU. **But that means the other 64 FTSE100 companies did not sign it.** About 200 companies have committed to the Remain campaign – but that is a miniscule proportion of the 5.4 million companies registered in the UK.

Some big businesses like the EU because they want to deal with one central regulatory authority. They can lobby for the kind of regulation they want and which they can comply with, but which their smaller competitors cannot. Their smaller competitors often go out of business as a result, leaving more of the market for the big companies. Big businesses also like the endless waves of cheap migrant labour that the EU's open borders bring. They are no doubt eagerly awaiting Turkey's entry to the EU.

Other representatives of big businesses are equally vocal about wanting Britain to leave the EU – for example, **Peter Hargreaves**, co-founder of FTSE 100 company **Hargreaves Lansdown**. Writing in the *Daily Mail* on 25th February 2016 Mr. Hargreaves said, "[EU] red tape and regulations have stifled enterprise in the UK, not helped." He added that Britain should be "forging trading links with nations that have fast growth rates and dynamic economies. While we are in the EU we must wait on unmotivated, overpaid Eurocrats". He concluded by hoping that the electorate would "decide to leave this disastrous and stifling union".<sup>21</sup>

**Small and Medium Sized Businesses** (SMEs) are even less enthusiastic about the EU. **200** bosses of SMEs signed a letter calling for Britain to leave the EU because of a "constant diet of unnecessary regulations" from Brussels that raise costs, cut profits and force up prices. The letter concluded that, "We believe that our economy can do better without being held back by the EU, thus we should vote to leave". The establishment is desperate to stifle any dissent – in March, the **British Chamber of Commerce's Director General John Longworth** was forced to resign for stating his personal opinion that we should leave. No one has so far been forced out of a job for saying we should stay in.

### **24. Haven't some big businesses threatened to leave the UK if we leave the EU?**

No, some have stated that they want Britain to remain in the EU but none has said they will leave when Britain exits the EU. As stated in answer number 23, in February 2016, 36 of

Britain's top companies signed a letter to *The Times* arguing for Britain to stay in the EU. But almost two-thirds of the 100 top companies did not sign. Those that declined to sign included **Barclays, Sainsbury's** and **Tesco**.

Other huge international companies, such as **Toyota, General Motors, BMW, Volkswagen, Airbus, Jaguar, Land Rover, Honda** and **Ford**, have all stated their ongoing commitment to UK manufacturing, whatever the result of the Referendum. **John Mills**, the millionaire Labour donor and founder of **John Mills Ltd (JML)**, supports Brexit, as do **Joe Foster** and **John Caudwell**, the founders of **Reebok** and **Phones 4U** respectively.

On 17th February 2016, 80 business leaders, including **Pasha Khandaker**, President of the **UK Bangladesh Caterers Association**, **Moni Varma**, owner of rice suppliers **Veetee**, and **Tariq Usmani, CEO of Henley Homes**, wrote to the Prime Minister saying that Britain's membership of the EU "**was damaging trade with the rest of the world**". They continued, "*As long as Britain's trade policy is controlled by the EU, we cannot sign bilateral free trade agreements with Pakistan, India, Bangladesh, Australia, New Zealand, or for that matter any other non-EU state*". They added, "*Vested interests on the continent sustain a relatively protectionist policy. We apply the EU's common external tariff to exports to Commonwealth countries – hurting customers and consumers here*".

Aircraft maker **Boeing** chose Britain for its new European headquarters in March 2016. **Sir Michael Arthur, President of Boeing UK and Ireland**, stated that "*The prosperous partnership between our country and our company goes from strength to strength*". Boeing employs **2,000** staff in the UK and has invested **£1.8 billion** here.

In 2013 **Jim O'Neill**, the former Chairman of **Goldman Sachs'** asset management business said, "*We should not be scared of leaving it [the EU] and exploring a world without it. The opportunities that arise from a dramatically changing world are huge and I don't think that a lot of people in our area, never mind in Brussels, are that interested or understand it*".

## **25. Haven't senior members of the British armed forces said we are safer in the EU?**

A letter orchestrated by 10 Downing Street in February 2016 was signed by a number of senior and former members of the armed forces: however, this manoeuvre spectacularly backfired after it turned out that one of the claimed signatories had not signed at all. **General Sir Michael Rose** had not only not given his permission to be included, but had instead said that "*sovereignty and security are intrinsically linked and in the recent years we've seen the EU erode our sovereignty*".<sup>22</sup> No. 10 was forced to issue a humiliating apology to Sir Michael.

Other respected military figures have come out in favour of leaving the EU, including **Colonel Richard Kemp**, former **Army Commander in Afghanistan**, who wrote an article in the *Sunday Express* of 28th February 2016 stating that "*NATO is our main military alliance, not the EU ... By leaving the EU we will gain far greater control of our borders and better confront these challenges that have the potential to undermine the very fabric of our society*".

## **26. Some say that if we leave the EU, we would be like Norway and Switzerland, who have to obey most EU laws, pay a contribution to the EU budget, and have open borders. Is this true?**

No it is not. When Britain leaves the EU, it will not be obliged to follow either the so-called

'Norwegian' model or the 'Swiss' model. The Norwegians chose to be members of the **European Economic Area**. Switzerland had agreed over 100 bilateral treaties with the EU, which means it has adopted most EU laws without being a member of the EEA or EU.

No genuine advocate of Brexit would suggest this outcome is desirable. Instead, we could adopt the 'Canadian', 'Japanese' or 'Singaporean' models: independent nation states that trade and co-operate without being members of the EU. In reality we want a **British Model** which would mean we do not have to obey EU laws, pay them any money or have open borders. We would be in a very strong position to negotiate our own trade deal with the EU – and indeed trade deals with the rest of the world. We would not have to join the EEA – and nor should we.

It is noteworthy that the **Swiss Parliament** recently voted to withdraw its 24 year-old application to join the EU, because the costs of EU membership are too high. In 2006 the Swiss Federal Government carried out a study that calculated that full membership of the EU would cost up to six times the cost of their existing bilateral arrangements with the EU.

## **27. If we left, would we still have to comply with EU rules in order to trade with member states?**

Any country that exports goods or services to another country has to comply with that country's rules. For example, when we export goods or services to the USA, we have to comply with the USA's own rules, specifications and laws. That is true of any country wishing to trade with another. As has been said earlier, the rules governing trade are agreed under the auspices of the World Trade Organisation. The WTO strives to bring trade barriers down internationally.

## **28. Outside the EU, would we lose our Human Rights?**

No. After the atrocities committed on the continent during the Second World War, the **European Convention on Human Rights** was proposed by **Winston Churchill**. It was modelled on the protections enshrined for centuries under **English Common Law**. So, you can see we had perfectly good human rights under our own laws before we joined the EU – and we will after we leave.

Under Tony Blair's Labour Government, the Convention was incorporated into UK law by means of the **Human Rights Act** (1998). This has subsequently led to all kinds of abuses and to it being described as a charter for criminals and terrorists. This is because of numerous decisions by the European Court of Justice. British Courts have found themselves powerless to deport foreign terrorists, murderers, rapists and paedophiles, all because the European Court of Human Rights ('ECHR') has decided that it might infringe their 'human rights' to do so.

In fact, leaving the EU would not make much practical difference to our situation regarding either the Convention or the ECHR. However, if a British Parliament decided to repeal the Human Rights Act, and remove our country from the jurisdiction of the ECHR, then we could return power to Parliament, and legal jurisdiction to our own Supreme Court – but that is a separate issue.

## **29. Hasn't David Cameron 'renegotiated our membership of the EU' to deal with all these problems?**

Mr. Cameron's 'deal' is, in fact, 'no deal' at all. There is not sufficient space here to address each one of his 'reforms', but in summary, neither do they amount to very much, nor do they return



or repatriate any significant powers to the UK Parliament, least of all on immigration and border controls for EU citizens (despite Mr. Cameron's many promises to do so).

The 'reforms' will require many changes to the EU Treaty (which will necessitate the unanimous consent of 27 other member states), and amendments to existing EU Directives, which first have to be voted upon by the European Parliament, and then additionally require the consent of the **Council** (comprising Heads of the 27 other member states' governments) by Qualified Majority Voting.

**Martin Schulz MEP, the President of the European Parliament**, has made it plain that how the EU Parliament votes cannot be guaranteed in advance, and that MEPs may decide to change the substance of the reforms – or even to reject them wholesale. Likewise, the Council might decide to reject the changes, including the proposed Treaty changes. Its make-up may have changed by then and it only takes one member to veto a treaty change. We simply do not and cannot know what will happen, because although the Referendum will be on 23rd June 2016, the changes to the Treaty and Directives will not happen until months or years afterwards. **Mr. Cameron is trying to sell the British electorate a pig in a poke.**

### **30. Aren't both the Conservative and Labour parties in favour of EU membership?**

Not quite. In fact, both the Conservative and Labour parties are riven with conflicts on this issue, as they have been ever since we joined the EEC in 1973. In the Referendum of 1975, leading politicians from each party were to be found campaigning on both the In and the Out side. The same phenomenon may be observed now.

As of 19th April, **142 Conservative MPs** (43%) had already declared themselves as Leavers in the coming Referendum (Guido Fawkes website), with more expected to follow. These include many cabinet ministers like **Iain Duncan Smith** (since resigned from the cabinet) as well as major figures such as **Boris Johnson** and **Zac Goldsmith**. Approximately two-thirds of Conservative Party members are believed to be in favour of Brexit.

The **Labour Party** is similarly conflicted, although it is not discussing it as openly. A majority of its MPs are 'Remainers' but this does not reflect the feelings of many ordinary party members. **Jeremy Corbyn** has had to rein in his lifelong opposition to the EU in order to prevent open warfare in the Parliamentary party. Nevertheless a number of Labour MPs have publicly declared in favour of Brexit: **Kate Hoey MP, Graham Stringer MP** and **Kelvin Hopkins MP**. A major Labour donor, millionaire **John Mills**, heads the Labour Leave campaign group. **Andy Burnham MP**, a Europhile and former contender for the Labour Leadership, had to admit that despite campaigning to stay in the EU, **"If I was [sic] to lay money on it...I would bet that Brexit is going to win"**.<sup>23</sup>

Even the usually Europhile **Scottish National Party** is not united on this issue. **Jim Sillars**, a major figure in the SNP and a former Deputy Leader, has written an excellent pamphlet arguing why Scotland should vote to leave the EU. Mr. Sillars sums the issue up succinctly when he writes, **"Should the Parliament we directly elect make our laws? If the answer is Yes, the coming-out of the EU is a must. If the answer is No, then you must accept having laws imposed on your society with which your elected government does not agree"**.

### **31. Has any other country ever left the EU?**

Yes, one: **Greenland** left in 1985. Greenland had, along with Denmark and Britain, joined the

European Economic Community on 1st January 1973. However, Greenland's politicians soon realised that the Common Fisheries Policy was destroying their country's fishing industry. In their 1985 Referendum, **53%** of Greenlanders voted to leave, which they subsequently did on 1st January 1986. **The Greenland Treaty** formalised their exit.

Conventional wisdom might dictate that Greenland is too small to survive on its own, and that it ought to be grateful to stay and to depend on EU handouts. The reality is quite different. Figures for 2010 show Greenland had a workforce of only **28,000** and fish and fish products provided **82%** of its exports; but it had the courage to leave and free itself of EU red-tape and regulations – and from surrendering its fishing grounds to the Common Fisheries Policy. The average income in Greenland is higher than those of Britain, Germany and France. It may be cold in Greenland, but life is sunnier there than in the EU.<sup>24</sup>

### **32. How can we leave the EU? What is Article 50?**

**Article 50** of the **Lisbon Treaty** laid out, for the first time, the means whereby a Member State could leave the EU; however, were we to try and leave using Article 50, we might well find that we were never able to do so. Under Article 50, there is a two-year negotiation period which could be prolonged indefinitely by unanimous agreement of EU member states. Even if we did manage to leave using Article 50, we could find ourselves with a 'deal' that still required us to pay contributions to the EU budget, having to accept a large proportion of EU laws and with open borders to EU citizens. We simply do not know what that deal might be in the two or more years following our giving notice.

Another great danger is that the British government could delay the whole process beyond the next General Election in 2020. Whichever party wins that election it could then set aside the Referendum decision (which is, in any event, not legally binding) if they so wish, on the basis that a general election result trumps a Referendum (formally put, that no Parliament can bind its successors), and we might never leave.

**The only sure way for Britain to leave the EU is for our Parliament to repeal the European Communities Act 1972.** This would immediately return supremacy of law to our own Parliament, and free us from control by the EU. Chaos would not ensue because all EU Directives, which have been transposed into Acts of Parliament, would remain in place. These could then be repealed gradually, leaving what laws we might need to interact with the EU (if, indeed, the EU itself continues to exist). The difference between the Article 50 method and the straightforward repeal of the European Communities Act is that the repeal puts the British Government and Parliament, and not the EU, in control. A full, detailed explanation of how this strategy would work has been outlined in a book by **Gerard Batten MEP** entitled ***The Road to Freedom***<sup>25</sup>.

### **33. What happens if the British people vote to remain in the EU?**

Those on the Remain side of the argument have no positive arguments for continued membership, and their tactics are based on pure scaremongering. Should the British be frightened into voting to remain, they should not imagine that the *status quo* in the EU will continue for long. The EU has clearly stated how it will forge ahead with deeper and deeper political and economic integration.

The EU intends to implement full economic and financial governance of its member states from Brussels. It wants to create its own armed forces to implement its own Foreign and Security Policy.

It wants to import millions more migrants from Africa, the Middle East and beyond. To think that Mr. Cameron's feeble and ineffectual 'reforms' will protect us from any of this is delusional. The EU has always been about creating a **United States of Europe** (in substance, if not yet in name) and after the British Referendum, whatever the result, that project will resume its momentum.

**If the British people vote to remain in the European Union, it will be a decision they will soon come to regret.**

### **34. What is TTIP and what has it got to do with the EU?**

TTIP stands for **Transatlantic Trade and Investment Partnership**. It is a trade treaty currently being negotiated between the USA and the EU. Its supporters claim it will be the world's biggest trade deal and worth '£10 billion per annum' to the UK economy.<sup>26</sup> However, many people have serious concerns. TTIP is about reducing the regulatory barriers to trade for big business on such matters as: food safety law, environmental legislation, banking regulations, and the sovereign powers of nation states. **John Hilary**, Executive Director of **War on Want** described TTIP as, "*An assault on European and US societies by transnational corporations.*"<sup>27</sup>

Of particular concern is the **ISDS (Investor State Dispute Settlement)** mechanism. ISDS would give foreign corporations the right to sue EU nation states in private arbitration courts for any actions they argue are damaging to their profit expectations. There are already 3,200 ISDS agreements in the world and foreign corporations have used them to sue governments for billions over ownership of resources, health, safety and environmental laws. There have been 35 corporate ISDS challenges against Canada alone which have resulted in over £100 million being paid to US corporations.<sup>28</sup>

Companies can already take governments to national courts under contract law, which is not unreasonable in itself; but ISDS (if adopted) will be enshrined in an EU Treaty and become EU law. EU law takes precedence over national law (under the European Communities Act 1972) and if Parliament passed a law contrary to any provision in TTIP it would be overturned by the European Court of Justice. The UK surrendered control of its trade policy when it joined the EU in 1973.

One of the main concerns about TTIP is that it would open up Europe's health and public services to US companies. It is feared by many that this would mean the privatisation of the National Health Service. Were a Government to make laws to protect public services these could be ruled invalid because of the 'supremacy' of EU law. Concerns have been raised about TTIP's potential detrimental effect, not just on the NHS, but also on food and environmental safety, banking regulation, education, privacy laws, and on employment and democracy itself.

TTIP negotiations are being conducted in secret between the USA and the European Union, and they may take some years to complete. **Lord Owen**, who as Dr David Owen was Health Minister and Foreign Secretary in the Labour Government in the mid-1970s, said in an interview in *The Guardian*, "...decisions on the NHS for the future should be for the UK Parliament and devolved administrations to take. It should not be for the European Commission nor the European Parliament". And that "*it would be impossible to take the NHS back to its original purpose unless the UK votes to leave in the June Referendum*".<sup>29</sup>

### **35. What is the Common Agricultural Policy, and how will leaving the EU affect our farmers?**

The **CAP** has been an integral part of British agriculture since 1973. In the early days it gave

British farmers a very good deal at the expense of consumers who were obliged to pay more for their food. By 1984 substantial surpluses of many commodities were accumulating and the policy was increasingly criticised. A major change occurred in 1992 (under pressure from what is now called the World Trade Organisation), when the cost of the CAP fell onto taxpayers, and consumers were able to take advantage of a more liberated food market. Even so, the CAP still accounts for over **40%** of the EU's budget.

This arrangement might have been sustainable if it had not been for the introduction of the Euro and the arrival of many more countries into the 'club'. Taken together these two factors have created a situation where **British farmers have witnessed a relentless decline in the value of the CAP to their businesses and a relentless increase in the administrative burden required to deliver what they do ultimately receive**. This process is set to continue as more Member States join the Euro, and more Countries join the EU. Our taxpayers put approximately **£6 billion** into the CAP and our farmers receive about **£3 billion** back from it.

We now find that a common policy has to deal with commercial reindeer farming North of the Arctic Circle, to draught oxen on Mediterranean Islands, to 550 horsepower tractors in Norfolk. Our Agriculture Ministers can be easily out-voted in the Council of Ministers if the Eurozone countries vote as a block. On top of all of this is a culture in the EU that actively discourages, or even prohibits, innovation and development, whilst at the same time importing food or feed from third countries that use modern methods of production.

The term 'beyond its sell-by date' is highly appropriate to the CAP and we now need an agricultural policy that is tailored to the requirements of British farmers and British consumers which could be delivered by British taxpayers at half of their present contribution. The UK runs a **£7 billion** food and drink trade deficit with the EU. This will act as a major incentive to the Commission to expedite a trade deal with an independent UK.

There is no doubt that certain sectors of British agriculture rely very heavily on Eastern Europe to supply labour on our farms. This practice could continue with a work permit system. **When Britain leaves the European Union it will also leave the Common Agricultural Policy.**

### **36. What is the Common Fisheries Policy, and how will leaving the EU affect our fishing industry?**

When Britain leaves the European Union it will also leave the Common Fisheries Policy: the CFP. The CFP was quickly cobbled together in 1970 by the six original member states of the EEC just before the start of negotiations for accession by four new countries: **Denmark, Ireland, Norway** and the **UK**. The CFP was founded on the principle of 'equal access to EEC (EU) waters': and this was done for a good reason. The existing member states, particularly France, realised that the seas around the new countries contained over 90% of Western Europe's fish, with **80%** of those in the UK's territorial waters. It was deliberately engineered as a means of grabbing the new entrants' marine resources by imposing the non-negotiable legal principle of 'free access'.<sup>30</sup>

Such was Prime Minister Edward Heath's determination to take Britain in to the European Economic Community, irrespective of the economic cost, that he accepted the CFP and the principle of 'free-access' as it stood. Since 1973 Britain's territorial waters have been plundered by the industrialised fishing fleets of France, Spain and Portugal, to name just three. Indeed in 2007 the **UK Marine and Fishing Authority** confirmed to the author that the cost of the CFP on the UK fishing industry could not be quantified because, "*we cannot identify UK waters:*

*they are now identified as part of EC waters*". Nevertheless we know that the cost amounts to billions of pounds per annum in lost catches; and our fishing industry has been reduced to a shadow of its former self, with massive loss of jobs in fishing and its ancillary industries.

The CFP has been described as an 'obscenity' because of fishing quotas and the 'discard' policy which requires fishermen to throw back fish caught but not allowed in their quota. Eurostat data estimates that a staggering **1.7 million tonnes**, or **23%** of all fish caught, are thrown back, dead, into the sea. This is economic madness, and an environmental disaster which has added to the over-fishing of what used to be our national territorial waters. When Britain leaves the EU it can reclaim its territorial waters, take back control and management of our maritime resources, rebuild the fishing industry, and enable cheaper prices for the consumer.

### **37. Will leaving the EU adversely affect inward foreign investment to the UK?**

Businesses, financial institutions, pension funds, individuals etc. invest in the UK for a host of reasons: because English is an international language; their trust in the English legal system and contract law; our lead in science and technology; and the quality of our workforce, to name just a few. Foreigners have invested in Britain for centuries before we joined the EU, just as the UK is a major international investor itself.

The Economic Policy and Statistics Office Section of the House of Commons said that **Foreign Direct Investment** to the UK amounted to over **£1 trillion** in 2014, with £496 billion or 48% coming from EU countries. A 2015 survey showed that the UK attracted more FDI projects than any other European country.<sup>31</sup> European investment is important to Britain but European investors invest in Britain because of who and what we are, not because we are members of the EU.

The pro-EU group **British Influence** argues that 'easy access to the Single Market' is a key factor in attracting foreign investment and that this could diminish if we leave the EU. But as is explained in Question No 3 above, Britain does not need to be in the European Union to have access to the Single Market: the major (and minor) trading nations of the world trade with EU countries without being members of the EU. When Britain leaves the EU inward foreign investment will continue, just as trade will continue. Indeed when Britain grows more prosperous, when freed from the dead hand of EU bureaucracy, we can expect foreign investment to increase.

### **38. Is it true that the EU's accounts have not been signed off by their auditors for 21 years?**

Yes and no, depending how you look at it, things are seldom straightforward where the EU's budget is concerned. **The European Court of Auditors** is responsible for auditing and signing off the EU's budget each year, and while it has not 'fully' signed off the EU's accounts for 21 years, in fairness that has to be explained. The ECA has signed off the accounts as 'reliable' since 2007, but problems persist. The EU' budget for the period 2014-2020 is over **€1 trillion** or approximately **£873.5 billion**.

The EU Budget for 2014 was **€142.5 billion**. The ECA found that **4.4%** or **€6.27 billion** of spending did not follow the rules and should not have been paid out. In 2015 the ECA issued a report that said, "*Failure to comply with public procurement rules has been a perennial and significant source of error*". The ECA called on the European Commission to suspend payments and impose financial corrections on those member states which failed properly

to follow public procurement rules when disbursing EU cohesion money.

New legislation for 2014-2020 for European Structural and Investment Funds introduced pre-conditions for the use of EU funds, and member states must present plans to show their compliance. The Commission will have the power to suspend payments where those conditions are not met by 31st December 2016. At the beginning of 2015, 12 of the EU's 28 member states had not fulfilled the conditions required; these are: **Bulgaria, the Czech Republic, Greece, Croatia, Italy, Latvia, Hungary, Malta, Poland, Romania, Slovenia and Slovakia**. It would not be unfair to say that some of these countries are well known for their institutionalised corruption.

The ECA regards a 2% 'materiality threshold' for spending that falls outside the proper procedures as significant 'errors'. As we have seen above that 'error' amounted to 4.4% in 2014. This does not mean it was all down to fraudulent activity, but even a small percentage of £6.27 billion is a great deal of money. Even if the EU can reduce the amount of 'significant errors' to just 2% of the entire budget for the 2014-2020 period that still amounts to more than **€20 billion**, a gold mine for industrious fraudsters.

Criminals and corrupt officials in member states can find great scope for siphoning off money from the EU Common Agricultural Policy, the Regional Development Fund, and the Cohesion Fund, etc. What occurs may be described as 'downstream fraud', it does not occur inside the institutions of the EU but in the member states after the money has been paid, and in the EU's view that is the responsibility of the member state concerned. We should not be surprised that some of the EU budget is lost in fraud, but we should be outraged that very large sums of British taxpayers' money is handed over to endemically corrupt nations in the first place.

### **39. Why is it that younger people are more likely to vote to remain the EU while older people are more likely to vote to leave?**

Various opinion polls have indicated this; for example a poll by **Opinium** in April said that **54%** of the over-fifties want to leave, while the situation is reversed for those in the 18-30 age brackets with **53%** wanting to remain. However, bear in mind that while **81%** of the over fifties are certain to vote, while only **52%** of youngsters are certain to vote. Even so, many younger people are in fact highly motivated to vote to leave.

Younger people are naturally more inclined to be idealistic, and perhaps more likely to believe the EU's mythology about keeping the peace in Europe. They also naturally want to be able to travel, study and work in Europe and are therefore more likely to be concerned by the scare stories put about by the Remain side. Many people who were young in 1975 and voted to remain in the referendum then are now older and have changed their minds, having had the experience of living through the EU's development over forty years, and as a result they have a more realistic assessment of what the EU is and what it will become.

Younger people also suffer from the disadvantage that our education system teaches them very little or nothing about their own country's history, its constitution and law, and the long development of our parliamentary government and democracy. It is therefore difficult for them to understand the EU in the context of what it is replacing. The author knows this from personal experience of talking to schools about the EU during almost twelve years as an MEP.

One argument voiced by some on the 'Remain' side is that it is unfair for the 'oldies' to decide the referendum because, in essence, 'they will soon be dead anyway but the youngsters will have to live with the result for decades to come'. Apart from being insulting to older people

who have raised families, paid taxes, and supported the younger generation it overlooks one of their key motivations for voting to leave the EU – which is precisely because they care about the future of their children, their grandchildren, and the generations to come.

#### **40. But it's all so complicated. I cannot make up my mind. How can I decide which way to vote?**

You will indeed hear many arguments, facts and figures from the Remain and Leave sides in the Referendum campaign. If you feel it is all a bit too much to take in, then look at the question in another way. If we had never joined the **European Economic Community** (Common Market) in 1973, would you now choose to join the **European Union** knowing what it has become?

And ask yourself this fundamental question: do you want to live in a democratic, self-governing nation state where the government is elected and accountable, and where the electorate can sack the government and elect a new one? Or do you prefer to live in a state where the effective government (the institutions of the EU) is not elected, not accountable, and cannot be sacked. **Do you want to live in a democratic country or not? Looked at this way, it is a simple choice.**

## **Notes**

- <sup>1</sup> *Britain and the EU: A Dysfunctional Relationship*. Lord William Dartmouth MEP. Source, UK Treasury Pink Book.
- <sup>2</sup> House of Commons Library, *Briefing Paper Number 06091*. Appendix: *Trade with individual EU member states*. ONS Pink Book 2015, Table 9.3. 19th January 2016.
- <sup>3</sup> *The Truth About Trade Outside the EU*, by Lord William Dartmouth MEP.
- <sup>4</sup> *BREXIT: What would happen if the UK voted to leave? British Influence*. Page 38.
- <sup>5</sup> Business for Britain. 22nd January 2015.
- <sup>6</sup> HM Treasury. *European Union Finances 2015*. Table 3.D page 17.
- <sup>7</sup> House of Commons Library, *Briefing Paper Number 06091*, 19th January 2016.
- <sup>8</sup> Business for Britain. *Change or go*. Page 122. Source ONS.
- <sup>9</sup> *Europe Doesn't Work*, by Professor Tim Congdon.
- <sup>10</sup> *The EU Jobs Myth* by Ryan Bourne. March 2015, Institute of Economic Affairs.
- <sup>11</sup> *The Daily Express*, Wednesday 30th March 2016. Source: United Nations Population Division 2015.
- <sup>12</sup> Business for Britain. *Measuring Britain's influence in the Council of Ministers*. Briefing Note 3.
- <sup>13</sup> HM Treasury. *European Union Finances 2015*. Chart 3D, page 16.
- <sup>14</sup> European Commission, *Eurostat, ECB, Open Europe calculations*. The author of the report, Mats Persson, is now an advisor to David Cameron.
- <sup>15</sup> HM Treasury. *European Union Finances 2015*. December 2015.
- <sup>16</sup> *How much does the European Union cost*, 2015 Edition. Professor Tim Congdon.
- <sup>17</sup> EUR-Lex, the official database of the EU.
- <sup>18</sup> EurActiv is the leading online media dedicated to EU policies. [www.EurActiv.com](http://www.EurActiv.com).
- <sup>19</sup> *The Evening Standard*, Friday 18th March 2016.
- <sup>20</sup> *The Hidden Hand. Britain, America and Cold War Secret Intelligence*, by Dr Richard J. Aldrich. Published by John Murray.

- <sup>21</sup> *The Daily Mail*, 25th February 2016.
- <sup>22</sup> *The Daily Mail*, 25th February 2016.
- <sup>23</sup> *The Daily Express*, 15th March 2016.
- <sup>24</sup> *Why is Greenland so rich these days? It said goodbye to the EU*, by Alex Singleton. 28th November 2010.
- <sup>25</sup> *The Road to Freedom* by Gerard Batten MEP, with research by Pavel Stroilov. Published by Bretwalda Books Ltd. [www.BretwaldaBooks.com](http://www.BretwaldaBooks.com)
- <sup>26</sup> *Brexit: What would happen if the UK voted to leave?* British Influence, December 2015. Page 65.
- <sup>27</sup> *What is TTIP? And six reasons why the answer should scare you.* The Independent website, Lee Williams, 6th October 2015.
- <sup>28</sup> *Stop TTIP*. Published by Leave.EU
- <sup>29</sup> *The Guardian*, Brexit is necessary to protect the NHS from TTIP, says David Owen. 6th April 2016.
- <sup>30</sup> *Stolen Seas. How the UK suffers under the Common Fisheries Policy* by Ray Finch UKIP MEP. Published by the EFDD Group in the European Parliament.
- <sup>31</sup> House of Commons Library, *Briefing Paper Number 06091*, 19th January 2016.

## Gerard Batten



**Gerard Batten MEP was a founder member of the UK Independence Party in 1993 and has represented London as a UKIP Member of the European Parliament since 2004.**

*"We have waited 41 years for this Referendum, and UKIP has worked for the last 23 years to bring it about. If the British people vote to leave the European Union then we have a future as an independent democratic nation. If they vote to remain in the EU then our country's future will be as a mere region of an economically declining and undemocratic 'United States of Europe'. The 23rd June 2016 will be a pivotal point in our country's history. We may never get this chance again. Please make the right choice."*

Disclaimer: The arguments and views in this document are those of Gerard Batten MEP and not necessarily the official views of UKIP or any other organisation.

Gerard Batten would like to thank the UKIP MEPs **William Dartmouth**, **Ray Finch** and **Stuart Agnew** for their help regarding the questions on Trade, the Common Fisheries Policy and the Common Agricultural Policy.



# Appendix

## Migration: UK Citizens living in EU countries, and EU Citizens living in the UK

Country	UK Citizens Living in EU <i>(Highest to lowest)</i>	EU Citizens Living in the UK	Country	UK Citizens Living in the EU	EU Citizens Living in the UK <i>(Highest to lowest)</i>
Spain	309,000	129,000	Poland	35,000	883,000
Ireland	255,000	411,000	Ireland	255,000	411,000
France	185,000	176,000	Germany	103,000	297,000
Germany	103,000	297,000	Romania	3,000	229,000
Italy	65,000	204,000	Italy	65,000	204,000
Holland	50,000	79,000	France	185,000	176,000
Cyprus	41,000	31,000	Lithuania	3,000	147,000
Poland	35,000	883,000	Portugal	18,000	132,000
Belgium	27,000	32,000	Spain	309,000	129,000
Sweden	25,000	35,000	Latvia	1,000	96,000
Denmark	19,000	24,000	Hungary	7,000	87,000
Greece	18,000	72,000	Holland	50,000	79,000
Portugal	18,000	132,000	Bulgaria	5,000	77,000
Malta	12,000	20,000	Greece	18,000	72,000
Austria	11,000	26,000	Slovakia	5,000	63,000
Luxembourg	7,000	1,000	Czech Republic	5,000	42,000
Finland	7,000	7,000	Sweden	25,000	35,000
Hungary	7,000	87,000	Belgium	27,000	32,000
Bulgaria	5,000	77,000	Cyprus	41,000	31,000
Slovakia	5,000	63,000	Austria	11,000	26,000
Czech Republic	5,000	42,000	Denmark	19,000	24,000
Romania	3,000	229,000	Malta	12,000	20,000
Lithuania	3,000	147,000	Estonia	500	18,000
Latvia	1,000	96,000	Finland	7,000	7,000
Slovenia	500	1,000	Croatia	500	6,000
Estonia	500	18,000	Luxembourg	7,000	1,000
Croatia	500	6,000	Slovenia	500	1,000
<b>Total</b>	<b>1,217,500</b>	<b>3,325,000</b>	<b>Total</b>	<b>1,217,500</b>	<b>3,325,000</b>