

BREXIT

Legal implications of the UK withdrawal



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EXIT CRISIS: LEGAL IMPLICATIONS OF THE UK WITHDRAWAL

1. INTRODUCTION

Great Britain is holding a referendum the 23rd June¹ to let their citizens vote “Yes” or “No” to staying in the European Union (EU).

It is an initiative of Prime Minister David Cameron, who promised to hold a referendum if he won the 2015 general election, called from the Conservative Political Parties of the country, who stated that United Kingdom (UK) had not had a query about being in the EU since 1975², when it was voted to stay in the EU. One of the main arguments is that the EU has gained a lot of power in Great Britain’s citizens daily live, and they should decide if that is what they want.

Before settling this referendum, the Prime Minister negotiated some conditions to the permanence of the UK to the EU, that are going to be effective if the population decides to stay in the EU (i.e. giving the UK a special status and trying to fix some issues as the immigration and start ruling their own affairs). The thinking is that EU is making them regress, by imposing to many rules and not letting govern themselves. Also they think is not worth it what they bring in exchange for what they receive.

Another important issue that worries them is they feel they have lost control of their borders and everybody can get into the UK, since the EU has free movement of citizens inside, to work there. Also, the refugee’s crisis hasn’t help to this situation: more than one million migrants and refugees arrived in Europe last year, triggering a humanitarian crisis while they try to reach the North of Europe. Neither they agree to become an even closer union, as we can easily see in the fact that they never accepted the *euro* coin.

¹ All the details about the referendum at: <https://www.gov.uk/government/topical-events/eu-referendum/about>

² BBC; The UK's EU referendum: All you need to know. For the article visit: <http://www.bbc.com/news/uk-politics-32810887>.

Procedure.

The rules for exit are set out in Article 50 of the Treaty on European Union. This is the only lawful route available to withdraw from the EU, “*which is rather obvious to notice is that the matter of withdrawal is dealt with in only one single and rather short provision [...] and it allows not only for consensual, but also for unilateral, withdrawal.*”³

Article 50.1 TEU establishes that all members can leave the EU following its constitutional rules:

“A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218.3 of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.”

In case an agreement is reached, Article 50.3 establishes the timing of withdrawal: the treaties would stop being applied since the day the agreement starts having power⁴ or, in case no agreement is reached two years after the announcement of the will to withdraw from the EU, gives the opportunity of a unilateral withdrawal, except that European Council and the UK unanimously agree to extend that period. Furthermore, precept 50.4 establishes that during this period, the UK could not participate in discussions concerning it in some EU institutions. A ‘qualified majority’ vote would be recalculated without the UK. Conclusively, Article 50.5 says that the UK could “*rejoin*” the EU again after its withdrawal. This would be subject to the same rules applying to any other country which asks to join the EU, so they wouldn’t have any special treatment.

³ CLEMENS M. RIEDER; The withdrawal clause of the Lisbon treaty in the light of EU citizenship: between disintegration and integration.

⁴ TEU, supra note 12, art. 50.3, 2012 O.J. C 326, at 44

Likewise, it is obvious that United Kingdom can withdraw the European Union since the article 50 let it. But, one interesting question is if it is possible to do it without the consent of the others member states, so unilaterally. At this respect, numerous scholars argue that the wording of Article 50 TEU leaves no doubt that a withdrawal may be a one-sided affair.⁵ But of course, this would be an unlikely situation and the worst possible scenario. Therefore, if a failure in the negotiation period to reach a withdrawal agreement within two years happens, it is reasonable to think that the proper result is extending the deadline.

However, although this is the legal framework for a hypothetical withdrawal, there are some opinions against the idea of a “*disunited Europe*”. Thus, there were some representatives of the Dutch government who said “*that facilitating the possibility to withdraw from the Union was contrary to the idea of European integration as set out in the preamble of the TEU which resolved to continue the process of creating an ever closer union among the peoples of Europe.*”⁶

Despite that nowadays exists a specific provision for a possible withdrawal within the EU framework, it is useful to explain succinctly the framework under the international law. The *Vienna Convention on the Law of Treaties* concluded in 1969, offers detailed and numerous provisions on the specific question of “Termination and Suspension of the Operation of Treaties.”⁷ So, for our theme are important both articles 54 (Termination of or withdrawal from a treaty under its provisions or by consent of the parties) and 56 (Denunciation of or withdrawal from a treaty containing no provision regarding termination, denunciation or withdrawal). These are the following rules:

Article 54:

The termination of a treaty or the withdrawal of a party may take place:

(a) In conformity with the provisions of the treaty; or

⁵ A.F.Tatham, *Don't Mention Divorce at the Wedding, Darling!: EU Accession and Withdrawal after Lisbon, in EU Law after Lisbon.*

⁶ G.M. de Vries & T.J.A.M. de Bruijn; *Suggestion for Amendment of Article : 46*, available at <http://european-convention.eu.int/Docs/Treaty/pdf/46/art46vriesEN.pdf>

⁷ Clemens M. Rieder; *The withdrawal clause of the Lisbon treaty in the light of EU citizenship: between disintegration and integration.*

(b) At any time by consent of all the parties after consultation with the other contracting States.

Article 56:

1. A treaty which contains no provision regarding its termination and which does not provide for denunciation or withdrawal is not subject to denunciation or withdrawal unless:

(a): It is established that the parties intended to admit the possibility of denunciation or withdrawal; or

(b): A right of denunciation or withdrawal may be implied by the nature of the treaty.

2. A party shall give not less than twelve months' notice of its intention to denounce or withdraw from a treaty under paragraph 1.

The goal of this research is to explain the current *Brexit* situation in the United Kingdom, and to analyse it from an objective perspective to understand its effect in the present EU context. This way, we can be able to comprehend how important is for all the European Union that all the state members work together to achieve different purposes. I would like to show this issue from a political, economical and legal point of view and displaying the possible consequences this referendum could have both outside and inside the UK. For this end I have used academic articles, financial database, expert's opinions, etc.

2. DEEP ANALYSIS

a. Economic problems.

It seems clear that there is a weak economic foundation to justify the departure of the United Kingdom from the European Union. The end of the free movement of elements (goods, services, capital and labour) would be a real obstacle for the economic exchanges and the stability of the current legal framework that ensures the internal market. Also, as a consequence of that, would be a huge reduction of the economic flows of UK with other EU countries, many of which are major trading partners and investors. The *Brexit* is an adverse scenario with strong economic and financial implications, but extremely difficult to estimate because it affects multiple areas -at least, trade, investment, labour market and confidence of the agents, industries and regions, both to UK and The EU. Moreover, these consequences will depend substantially on the terms of the output, which can be negotiated afterwards.

Possible scenarios in case of a *Brexit* are varied, depending on what kind of relationship decide UK and the EU to maintain in the future. For example, it could be very close, as is the case of Norway (not an EU member but belongs to the European Economic Area⁸) or become a complete separation, with full return of powers. There are also multiple intermediate possibilities, for example the case of Switzerland (probably one of the options with greater support in the UK). But these negotiations won't be quick or easy. For example, the greatest bilateral agreements EU-Switzerland carried more than five years and Switzerland had to accept the European principle of free movement of people⁹, which Britain wants to block, and it was one of the main points of Cameron's promise.

Trade relations and investment in the United Kingdom's economy are concentrated in a few countries, and the majority are from EU countries and the United States. In 2014,

⁸ Norwegian Ministry of Foreign Affairs; *The EEA Agreement and Norway's other agreements with the EU*.

⁹ Swiss confederation: Department of Foreign Affairs; *Switzerland and the European Union*.

the 82.3% of exports of goods¹⁰ in the UK were destined to twenty three countries, while imports also came in 88% of twenty three countries; purchases of energy inputs were carried out by 79% in five countries; and in the tourism area almost the 50% proceeded from eight countries. A similar situation is registered in the field of direct investment. About 88% of direct investment were destined for 11 countries, while nearly 82% of direct investments received by the United Kingdom came from seven countries.

In 2014 five countries were presented as key partners in the UK: United States of America, Luxembourg, the Netherlands, Norway and Germany. USA and Germany are key partners of the British economy because they are the two main export destinations, the first and fourth countries of origin of imports and the main countries of origin of tourism revenue. The high interdependence with Norway is due to the high intensity of trade in oil, basically. With the Netherlands, the interdependence reach very significant levels since both countries are important partners in trade relations. Also, an important contribution of tourism revenue is recorded. However, with Luxembourg relations are exclusively due to the high degree of interdependence in the field of direct investment.

The analysis of the interdependence of the British economy makes clear that the trade ties and major investors in the UK, in addition to the US, are given with the other EU economies, especially Germany, France and the Netherlands. In fact, interdependence with Germany today is very similar the one described by Keynes in *The Economic Consequences of Peace* regarding the relationship before the First World War when he said that "*as to England, we exported more to Germany than to any other country except India, and bought more than any other country in the world except the United States.*" Exactly the same position as nowadays.

¹⁰ Data obtained from *Elcano Index*: The index is configured from two elements: an index of economic interdependence (built with data from trade in goods and services, flows and stocks of direct investment and cross-border banking flows), and an index of economic and political risk for all otherworld economies.

It's true that the United States is the main economic partner¹¹ of the United Kingdom¹², and the oil trade with Norway (third countries) is significant. However, the whole EU flows are much more important in the UK than the US¹³, and in many areas both are fed back by the structure of global supply chains. As noted above, if we take the EU (excluding the UK) as a whole, the intensity of their economic relationship with the United Kingdom almost doubles the US. Nevertheless, the US represents a big amount of bilateral trading with the UK, which shows that distance and borders are not really a problem for the trade market. As a pro-argument to this, we can use the “*gravity equation in international trade.*” Jan Tinbergen (1962) used an analogy with Newton’s universal law of gravitation to describe the patterns of bilateral aggregate trade flows between two countries A and B as “proportional to the gross national products of those countries (GDP) and inversely proportional to the distance between them.”¹⁴ The formula is the following:

$$T_{A,B} \propto \frac{(GDP_A)^\alpha (GDP_B)^\beta}{(Dist_{AB})^\zeta}$$

Also, the fact of being a membership to the European Union is not an impediment for British companies to break into the Asian markets, which are the most dynamic in the world at the present¹⁵. In fact, United Kingdom can use strategically their membership in the Union to increase its exports and investment to these countries. Most likely is that a Brexit is going to be negative for both, the UK and the EU. The high costs of breaking make very doubtful that the potential losses of United Kingdom may pose earnings for the rest of the EU, in the form of replacement investment, employment etc. For example, recently both London Stock Exchange and the *Deutsche Boerse* (German

¹¹ Alexander Monge-Naranjo, *Major U.S. Trading Partners Before and After the Great Recession.*

¹² Derek E. Mix; *The United Kingdom: Background and Relations with the United States.*

¹³ Dominic Webb and Matthew Keep; *In brief: UK-EU economic relations.*

¹⁴ Thomas Chaney; *The gravity equation in international trade: an explanation.*

¹⁵ Dilip K Das; *The Role of China in Asia’s Evolution to Global Economic Prominence.*

Stock Exchange) planned a merger to create a “big stock exchange titan”, which could be in danger with the departure of the UK.¹⁶

Therefore, it seems to be a scenario in which everyone loses, at least in the short and medium term. In addition, the UK is a net EU budget contributor and, therefore, its output would be a waste of resources that would have to be assumed by other members of the EU, probably by Germany and France. However, the financial changes wouldn't be clear until a *post-Brexit* framework were agreed between the UK and EU (Switzerland or Norway are required to make financial contributions in exchange for its relationships with the European Union).¹⁷

There are even analyses that consider positive effects of a Brexit in medium and long term¹⁸. This optimistic view is justified primarily as a consequence of reducing the administrative regulation and the disappearance of the associated cost of being a member country: United Kingdom currently contributes to the annual EU budget with about 13,000 million pounds, and usually gets more than 6,000 in structural and agricultural funds (in net terms, the cost is less than 0.5% of GDP). The less regulation (the main argument of the Eurosceptic) and increased resources could be exploited by UK effectively being very different from the rest of the EU economy: independent economic policies, own currency and a more flexible and less protective labour market.

b. Juridical problems.

Although each day seems most likely a *Brexit*, it is not possible at this time to anticipate how UK legally will be established outside the Union. According to art. 50 TEU, the Union and UK would have to negotiate an agreement that would govern future terms of output for two years. There are very remarkable legal consequences that can happen with *Brexit* (i.e. UK will have to relocate companies and subsidiaries in the EU to

¹⁶ The Telegraph; *London Stock Exchange admits £20bn German merger could be damaged by Brexit*. <http://www.telegraph.co.uk/business/2016/02/26/london-stock-exchange-admits-20bn-german-merger-at-risk-from-bre/>

¹⁷ Tim Oliver; *Europe without Britain Assessing the Impact on the European Union of a British Withdrawal*.

¹⁸ Rafal Kierzenkowski; *The Economic Consequences of Brexit: A Taxing Decision*.

preserve the "EU passport"). In the following paragraphs I will refer to legal consequences other than those relating to "passport" mutual recognition.

First of all, we must take a look in the agreement¹⁹ which was reached on February 2016 between the Government of the United Kingdom and the European Council in response to the concerns of the first one, since this contract only will be binding if the British people decide to remain as a member of the Union. Concerning to the migration crisis, the objective must be “*to rapidly stem the flows, protect our external borders, reduce illegal migration and safeguard the integrity of the Schengen area.*”

Also, one of the main issues which is discussed right now in the UK is the sovereignty problem, and the EU in this agreement has concluded that in the next revisions of the European legislation will be clear that the references to an ever close union will not apply to the United Kingdom. Or, about the free movement issue which triggers that a lot of workers are going to the UK as a consequence of the good salaries there compared with the country where they come from, the contract stipulates that will be legitimated to provide measures limiting flows of workers that have negative effects both for the Member States of origin and for the Member States of destination (without creating unjustified discrimination).

Continuing the analysis, many commercial contracts contain submission's clauses to the British jurisdiction. These clauses are fully covered by EU competition forums on Regulation 1215/2012 (Brussels I), as the judgments and the automatic execution privileged of the art. 36 of the previous Regulation. But as Brussels I isn't an agreement between States, but a Community regulation, a *Brexit* would cause its non-application in the future, at least while the UK doesn't take the lead (and the rest of State remaining in the EU allow it) to accede to the Lugano Convention, that includes EEA Member States, agreement that the UK would have to “join” again in that case. If nothing else is agreed in the *Brexit* agreement, British resolutions are subjected to the national system

¹⁹ *European Council conclusions, 18-19 February 2016*. Visit at: http://www.consilium.europa.eu/en/meetings/european-council/2016/02/EUCO-Conclusions_pdf/

of *exequatur*²⁰ (recognition of judgments in the EU) with each of the Member States, which means a huge economical and procedural cost.

Many commercial and financial contracts are subjected to English law. Thus, *Brexit* may not involve negative consequences to that. For example, many other contracts have been to the law of New York, with some limitations, *Brexit* neutrality is not the same with consumer contracts. Except to the extent that British law chosen by the employer holds for the consumer share the same level of protection as Community directives, submission to English law will not be recognized by national courts of EU countries to exclude internal consumerist rules.

Today wouldn't be a problem, because UK has implemented all EU consumer legislation. The problem is whether UK *post-Brexit* dismounds this "European" regulation; in fact there are little *Brexit-supporters* who loathe (and they are right) this regulation greatly detailed and absurd.

c. The collateral effects.

One of the most predictable consequences of *Brexit* could be an early Scottish vote for independence within the EU, rather than continuing as part of a withdrawn United Kingdom.²¹ As we know, the UK consists of four countries: England, Scotland, Wales and Northern Ireland. Concerning North Ireland, the only country in United Kingdom who has used the violence to get the independence (IRA), the *Brexit* would jeopardise the power-sharing structure in Belfast and increase the risk of a return of the terrorist activity. While the UK's legal separation from the EU may be fraught, it could prove less painful and constitutionally problematic than the ramifications for the relationship between the Westminster parliament and the devolved assemblies in Scotland, Wales and Northern Ireland. Each of the devolution agreements is premised on membership of the EU and there is potential for *Brexit* to lead to domino divorce and break-up of the UK.

²⁰ European Commission; *Judicial cooperation in civil matters. A guide for legal practitioners in the European Union.*

²¹ Nick Witney; *Brexit to nowhere: the foreign policy consequences of "out".*

With the *Brexit*, the British people could face three possible scenarios²²:

3. All four parts of the UK vote in favour of staying in the EU.
3. A vote for the *Brexit* with the England vote dominating but not a choice of Scotland, Northern Ireland and Wales.
3. A vote for staying in the EU, but driven by Scotland, Northern Ireland and Wales against the will of the English people.

As we can see, any scenario may end in a political debate in the United Kingdom concerning the membership in the European Union and the unity of the full country.

Some nationalist politicians, including SNP leader Nicola Sturgeon, have hinted that they would seek a second referendum on Scottish independence if the UK votes to leave the EU and Scotland has a majority to remain.²³

Likewise, the withdrawal of UK could lead to more “*open fronts*”. For example, maybe Spain would like to recover the Gibraltar territory since United Kingdom doesn’t belong anymore to EU and it’s not considered a “friend country.” As said Deputy Chief Minister Dr Joseph Garcia: “*there was a risk that exit from the European Union would leave Gibraltar politically exposed and at the mercy of Spain.*”²⁴

d. The withdrawal and the EU citizenship.

An obvious result of withdrawal from the European Union is a loss or changes of the individual’s status as an EU citizen.

In the recent history of the European Union, the treaties and the judgments have defined this union in a more social way than the usual. As an example of this, we can find several precepts in the Treaty of the European Union. Article 3.1 advocates a more direct link between the EU and its citizens: “*the Union’s aim is to promote peace, its*

²² Kirsty Huges; *SCOTLAND AND BREXIT: Shockwaves will spread across EU.*

²³ Scotland in unión; *Scotland, ‘Brexit’ and the UK.*

²⁴ Government of Gibraltar; *Press release: Brexit risks leaving Gibraltar at the mercy of Spain.*

values and the well-being of its peoples.”²⁵ Furthermore, article 3.2 of the TEU establishes that “*the Union shall offer its citizens an area of freedom, security and justice without internal frontiers.*” And last but not least, article 13.1 of the TEU prescribes that “*the Union shall have an institutional framework which shall aim to promote its values, advance its objectives, serve its interests, those of its citizens and those of the Member States.*” In this final provision, the treaty made an important distinction between the citizens of the European Union and the Member States.

Likewise, loss of the citizenship can be in two ways: voluntary or involuntary (if the treaty cease to apply, the art. 20 which conferred the EU citizenship also does it). In a famous US case named *Pérez vs. Brownell*²⁶, Chief Justice Warren said the following about the status of a citizen:

“Citizens themselves are sovereign, and their citizenship is not subject to the general powers of their government. Whatever may be the scope of its powers to regulate the conduct and affairs of all persons within its jurisdiction, a government of the people cannot take away their citizenship simply because one branch of that government can be said to have a conceivably rational basis for wanting to do so.”

Inside the European context, we can adopt the judgment of Chief Justice Warren in the separation of Czechoslovakia. In this case, the legal framework²⁷ allowed for the individuals to make a choice between the Czech and the Slovak nationality.²⁸ Lippolis argued in regard to the relationship between the EU citizenship and the nationals citizenships that they are “interlinked and not separable”²⁹; and he continues that “*the national citizenship is the primary and original status, whereas the European citizenship which derives from it, is a secondary citizenship. This means that being a European citizen does not entitle one to become a citizen of one of the Member States.*”

²⁵ Clemens M. Rieder; *The withdrawal clause of the Lisbon treaty in the light of EU citizenship: between disintegration and integration.*

²⁶ 356 U.S. 44 (1958).

²⁷ *Charter of Fundamental Rights and Basic Freedoms* enacted in 1991 by the Czechoslovak Federative Republic.

²⁸ Eudo Citizenship Observatory; *Country report: Slovakia.*

²⁹ Vincenzo Lippolis, *European Citizenship: What It Is and What It Could Be.*

In conclusion, it seems clear that in a hypothetical, all the British citizens would lose their condition as European citizens since the treaty wouldn't apply further, which will be a real inconvenience for them who voted against the *Brexit*.

3. GENERAL IDEAS/ PERMANENCE-WITHDRAWAL

a. Membership's cost

Permanence: Being a member of the EU gives the UK the opportunity to be part of the European single market, which is a huge benefit for the UK citizens and business.

The annual UK contribution to the EU budget amounts to 340 pounds for British home, however, increased trade, investment and lower prices generated by their relationship with the EU, makes this contribution approach 3,000 British pounds per household per year.

Withdrawal: The UK would save billions of pounds a year currently allocated to keep their elected politicians in Brussels, and instead, could invest in other priority issues for the country in health, education and scientific research. The cost of adapting British companies to European regulation is 600 million pounds weekly.

b. Immigration

Permanence: Despite what a lot of UK citizens may think, immigration is a positive thing for the British economy. Community migrants make a net contribution to the UK state coffers, because, in general, they pay taxes and consume fewer social benefits. A departure of the EU does not imply a reduction in immigration. The UK would have to allow the free movement of EU immigrants in exchange for being allowed full access to the single market (like Switzerland does).

Withdrawal: It is impossible to have control over immigration being a member of the EU. The UK would be able to recover all the power of its borders and could have the chance to reduce the number of immigrants, which, apparently, would create more employment opportunities for British workers and relieve the coffers of public services.

c. Economy

Permanence: In case of permanence, UK's economy will reinforce, because they will still be able to work in common with the rest of the EU members. The EU supports British businesses, creates jobs and offers more competitive prices to consumers. If the UK leaves, investment and British stock exchange will fall and plenty of jobs will be

lost, because a lot of multinational companies now operating in the UK would prefer to move to other EU members to make their business more competitive and obtain more opportunities such as lower costs or EU grants. If the British decide to quit the EU, the financial center of London could lose one of its most attractive businesses: trading trillion in products.

Withdrawal: The EU has been an economic failure. The regulation issued by Brussels rather than help, has choke British companies. The UK may do better alone. In addition, fear of job loss is now very exaggerated, since the creation of jobs is interconnected to trade and is not a political union. Furthermore, more employment is generated when British companies can act under “their own” rules and not by the costs and bureaucracy of the EU.

d. Trading

Permanence: UK mainly trades with the EU, and leaving this structure would suppose a grade of dubiety about the future of this relationship, because is not that easy to establish an strong mechanism of barriers and tariffs of trading between the EU and an external country, and also with one country not member of the EU and other countries around the world. Being member of the EU, the United Kingdom gets benefit from trade agreements the EU has with other 50 countries around the world.

Withdrawal: Trade with EU countries, obviously, would continue. The UK could remain in an area of European free market, which would give it full access to European markets but without being subject to regulation imposed from Brussels or the opinions of the European courts. It would also benefit from the freedom to negotiate their own trade agreements with other countries, particularly with rapidly growing markets in export, such as China and India.

e. Global influence and safety

Permanence: Outside the EU, the UK would remain isolated in the global scenario, and lose its influence on issues of anti-terrorism policy, trade and environment, because it's not the same act as the UE than act and demand as an independent country. His departure would endanger their safety. Working together with it's the EU members, gives the UK a better position to deal with external threats.

Withdrawal: The UK will have a more powerful voice if acting alone, because it wouldn't be influenced by the way of thinking of other countries very different. Outside the EU, it would keep being an important piece in the NATO and maintain its seat on the Security Council of the UN. The withdrawal will suppose an increase of security to the UK. This way, the British country will be released from the application of the Charter of Fundamental Rights of the European Union, which inflicts limits on the powers of the police and intelligence agencies.

4. BREXIT QUESTIONS (INTERVIEW TO AN ENGLISH PERSON)

How do you feel, as UK Citizen, being a member of the European Union?

I feel glad to be a citizen of both the EU and the UK.

How do you think being part of the EU has affected the UK?

I sincerely think it has helped the UK in becoming a multicultural society from a cultural point of view, although I realize that economically there are many problems that need to be addressed and resolved.

Do you think the UK government has lost control of their policies since they have become part of the EU?

It seems that in some areas EU policies have been problematic for certain areas of the British economy, creating difficulties for the government. For example, the UK fishing industry has declined in recent years and many fishermen blame EU policies and fishing quotas for this.

What is your opinion about the freedom of movement between the EU borders (Schengen Zone)?

I think this is a very important issue. The UK never has adhered to Schengen and formal border controls remain in place. Schengen is now a big problem for Europe because of the current crisis in migration and refugee flows and the question of applications for humanitarian and political asylum. The principle behind Schengen, however – freedom of movement and labour for EU citizens – I think remains very positive.

Do you think the UK should have more control of their borders? (Relating this question with the one above)

No, I think UK border control is already sufficiently strict.

Do you think a withdrawal from the EU for the UK would be viable?

I think it is economically viable, but I think such a withdrawal would be a great cultural and historical loss.

In case the “NO” wins the referendum, and the UK remains in the EU, which changes would you like in the relationship between the UK and the EU?

I would like the EU to be more transparent and communicative in explaining to UK citizens how the union works and what its aims are. I would like the British government to be more sincere in negotiating with Brussels, to avoid using the relationship with Europe as a domestic political tool and to work together to make Europe stronger and more united.

In case the “YES” wins, which type of relation would you like the UK to maintain with the EU?

I would like the UK government to do everything possible to maintain cultural links with the EU and to make sure that the best possible trade agreements would be put in place.

5. CONCLUSION

After all the research I have reach several conclusions. Firstly, it has been established that a hypothetical withdrawal from the European Union must be done through article 50 of the TEU. Likewise, this article lets the state member which wants to leave, do it in two ways, by agreement or unilaterally. As we have discussed in this paper, the proper manner to do it is by the negotiation way since it is going to be the best option for both parties. It has been a lot of years being part of the European Union, and for that reason, if the British people decide to say “YES” to the withdrawal, the adaptation of an United Kingdom out on its own requires time.

However, in my opinion, all the problems or issues that being in the European Union lead to the United Kingdom can be solved with a less dramatic scenario than leaving it. There is a Spanish maxim that says: *“people understand each other by talking things over.”* And a clear example of that is the agreement reached on February by both parties, where the UK set their worries and the UE gave some solutions. So, the economic problems, the migrations crisis or the lack of sovereignty must not be a reason for breach our union.