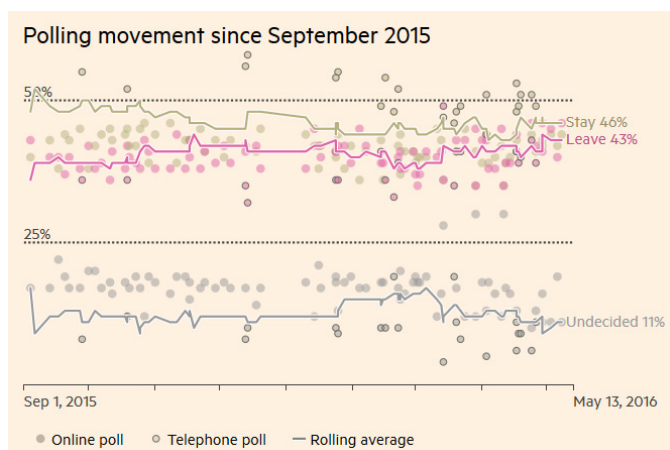


COMPAS BREAKFAST BRIEFING SUMMARY



The Security Implications of Brexit

The UK will hold a referendum on 23rd June to decide if it will stay in or leave the European Union, perhaps the greatest political decision the country will have made since joining the community. The Financial Times' 8th May 'poll of polls' shows the gap narrowing over the past year between the yes and no camps, to the present point where the difference is in low single digits.



The debates for leaving or remaining will become ever more vociferous the closer we get to the referendum proper, debates that often obfuscate rather than deliver greater clarity, both in the UK and within the greater European Union and European Commission institutions.

Among the arguments currently raging across the European debate, one of the most hotly contested is that surrounding security. Emphasis has been placed on the fact that the UK is safer as part of the EU, or that EU membership offers little advantage – that membership of it neither keeps terrorism at bay, or adds little added value other than being able to network with other EU countries.

Richard Walton, former head of Counter Terrorism Command at New Scotland Yard, 2011-15, stated

in a Telegraph article of 26th February, “from my own experience as head of the Counter Terrorism Command, I’d say that Britain’s security depends on many different factors – but membership of the EU is not necessarily one of them”.

The stark divisions have also been demonstrated in the strictly military camps, with General Sir Mike Jackson, a former head of the army, stating that there is a security dimension to the EU, “but in my mind it is more of a policing and judicial matter rather than a military matter. The military dimension is provided by NATO.” General Lord Stirrup, a former Chief of the Defence Staff, has commented that although he doesn’t “carry a torch for the European Union at all...one has to look at the realistic alternative, not just the World as we wish it to be. In light of the current threats like ISIL, Russia and other threats that might emerge you have to think about how we secure our society”.

At the ‘lower’ end of the security spectrum, many have voiced their fears that exit from the European Union would necessarily end the UK’s involvement in, for example, the European Arrest Warrant (EAW), a mechanism by which individuals wanted in relation to significant crimes are extradited between EU member states to face prosecution or to serve a prison sentence for an existing conviction. Before the EAW was introduced extradition used to take an average of one year, but now that has been cut to an average of 48 days, the European Commission says. A suspect must be handed over within a maximum of 90 days after arrest. In cases where a suspect agrees to surrender the average extradition time is 16 days.

However it is worth stating that a report by the campaign group Fair Trials International in May 2011 said EAWs “are being issued for minor



offences and without proper consideration of whether extradition is proportionate”. That concern was echoed by the European Commission itself, which said the use of EAWs for minor offences had undermined confidence in the system. In any case, politicians such as Lord Howard have commented that the UK would undoubtedly agree to an equivalent mechanism with European Union states and the European Commission.

Similarly, many have argued that the UK has a unique and successful counter-terrorism machine, something ‘envied across the world’. The UK routinely shares intelligence across international boundaries and Brexit would not affect this. The European security organisations – Europol and the Schengen Information System – many have argued, are useful, but not essential. Some arguments maintain that Europol is largely irrelevant to day-to-day operations within the counter-terrorism sphere, and the Schengen Information System does not necessarily control the movement of terrorists across borders, nor do you have to be in the EU to use it.

The Islamic State of Iraq and the Levant, meanwhile, is exploiting weaknesses across Europe – porous borders, free movement of firearms, limited police engagement with minority communities, little joined up intelligence – which all agree need addressing urgently to prevent the next attacks.

In the UK, however, the border (for obvious reasons) is less porous, there are few illegal firearms in circulation, and the UK invests heavily in building the confidence of communities to report suspicious behaviour. The UK also leads in collaboration between its intelligence agencies and the counter-terrorism police network. Would it really make any difference to the security of the UK border if the country were to leave the EU? Crucially, countries such as Turkey and Jordan are crucial to the fight against, for example, ISIL. Both have been successfully engaged by the UK, both are outside the European Union.

Conversely, on 22nd February, Europol Director Rob Wainwright said that if the UK turns its back

on the EU and the police cooperation capabilities it offers, “it would make the UK’s job harder, I think, to protect the citizens from terrorism and organized crime”. He accepted that the UK “could choose different immigration and visa policies” upon leaving the EU but said the country would remain vulnerable to “clandestine criminal networks smuggling people” if it was in or out.

Meanwhile, Eurojust, established in 2002, was created to improve handling of serious cross-border and organized crime by stimulating investigative and prosecutorial co-ordination among agencies of the EU Member States. Kier Starmer QC, former director of the Director of Public Prosecutions in the UK, has commented that the UK’s involvement in Eurojust provided many benefits with the coordination meetings being the most important. He also considered Eurojust to be good value for money, costing the UK a relatively modest £360,000 per annum. Costs would be much greater if the UK were to rely upon a network of bilateral liaison magistrates in each country instead of the centralised liaison facilities made available in The Hague. Theresa May has commented on the fact that it is difficult to indicate Eurojust’s degree of effectiveness based upon the casework data that was available.

The lack of consensus around whether an instrument such as Eurojust is useful further highlights the polarisation in opinion around the added value provided by mechanism and instruments within the European Union and through the EC. Like figures used by the opposing parties in the Scottish referendum debate, political stance and belief continues to supersede a deeper analysis of the relative usefulness that membership of the European Union provides, and the positive or negative qualities of the instruments contained therein. By the 24th June the UK will have to begin dealing with the consequences either way.

About the speaker: James Kearney is Senior Programme Manager at the Institute of Strategic Dialogue



Thumbnail: Sham Raut, COMPAS Visual Arts Competition 2015

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