



**Conservative  
Group for Europe**

## **Factsheet 3: Sovereignty, Democratic Accountability and Britain's place in the European Union**

### **Summary**

- In an era of globalisation, in which countries increasingly co-operate to achieve their political, security and economic objectives, the European Union increases Britain's ability to exert influence in the world around us - thereby increasing our real sovereignty.
- Britain retains a veto over EU Treaty changes. A new Treaty that involves a transfer of sovereignty would, under an Act passed during the Coalition Government in 2011, have to be approved by a UK referendum.
- Under Margaret Thatcher's Government, Britain was a leading exponent of increased use of majority voting in building the Single Market.
- Britain is one of the most successful countries in the EU in achieving our policy objectives. Contrary to claims by 'Leave' campaigners, according to a House of Commons Library study of 2010, updated in 2014, less than 10% of UK primary legislation emanates from the EU.
- Substantive legislative changes are not imposed by 'bureaucrats' but are negotiated by British Ministers accountable to the UK Parliament.

### **Sovereignty**

- Membership of the European Union gives Britain a greater ability to promote and protect our political, economic and security interests in the world. Real sovereignty is about maximising our ability to influence those factors in the world that impact on our interests and the living standards of the British people. EU membership provides us with the weight that goes with being part of the most powerful economic grouping in the world. It gives us significant influence over the policies and practices of our major trading partners and political allies in the world. As Sir John Major has recently pointed out in the modern world only North Korea measures up to the desire of 'Leave' campaigners for full sovereignty. In a bygone age such an approach would have been called 'isolationism'.
- Recent examples of where Britain has exerted decisive influence over foreign policy outcomes through its EU involvement include sanctions against Russia for its attempts to subvert democracy and the territorial integrity of Ukraine; and in tackling the crisis over Iranian nuclear ambitions. These would not have been possible if Britain had acted alone.
- Membership of many organisations that are central to our security and prosperity, such as NATO, the UN and the European Union, or many bilateral Treaties, involve the sharing or limiting of sovereignty between like-minded countries. Parliament reserves the right to abrogate the Treaties that underpin Britain's involvement in such groupings. Indeed, the fact that we are holding an EU referendum shows that we retain the right to leave the EU if at some point we judge that continued membership is no longer in the national interest.

- The EU is not poised to become a ‘super state’. Such a change would not command popular consent in most European countries. Britain retains a veto over EU Treaty changes. The changes negotiated by the Prime Minister before he called the referendum include securing recognition from all EU member states that Britain is not committed to participating in a political union should one be proposed. Once enshrined in a Treaty, it will be an authoritative source of guidance for the European Court of Justice.
- Legislation passed during the Coalition Government, mandates that any future EU Treaty involving a transfer of sovereignty must be approved by the British people in a referendum.
- The supremacy of EU law in defined areas of competence is not new; it was a feature of EEC membership from the start. Britain retains a right to veto Treaty changes and over decisions on issues like foreign policy, tax and the budget framework.
- Under Mrs Thatcher’s Government, Britain was a keen advocate of an increased use of majority voting so as to break down trade barriers and create a single European market. A Single Market could not exist if each member state had retained a veto over all single market-related laws, or if each had the right to re-interpret mutually agreed laws to suit themselves and if there were no judicial enforcement mechanism.
- During 2012-14, the British Government commissioned a comprehensive review of the balance of competences as between national and EU activities. It produced 32 reports based on almost 2,300 submissions which indicated no substantive case for a major change in the balance of competences.

### Democratic Accountability

- EU legislation accounts for a relatively small proportion of primary legislation in Britain. A House of Commons Library study conducted in 2010, found that only 6.8% of primary legislation and 14.1% of secondary legislation is based on European legislation. In an update produced in 2014, the Library found that between 2010 and the end of 2013, the figure for primary legislation was 9.4%.
- It is simply wrong to suggest that significant laws are imposed on Britain by ‘Brussels bureaucrats’. Whilst some technical and administrative matters are covered by EU regulations produced by the European Commission, important policies and laws are negotiated in the Council of Ministers by British Ministers, accountable to the British Parliament. The legislative process also involves a significant voice for the European Parliament in which 78 British MEPs are represented and scrutiny by both Houses of the British Parliament.
- Our European involvement has not made us less British or stopped Mrs Thatcher’s economic reforms nor the ability of the Blair Government to take a different direction. The substantive decisions about Britain’s politics are still, rightly, determined by the British Government answerable to the Westminster Parliament.

### British Influence

- Britain has been a key player in shaping European policy in relation to the creation of the Single Market, competition policy and enlargement to include the countries of Central and Eastern Europe. We are also a key voice in determining EU positions on foreign, trade and climate change policies.
- Two studies carried out for independent think tank ‘Vote Watch’ by Simon Hix and Sara Hageman of the London School of Economics found that between 2004 and 2015 Britain was on the winning side in adopting EU legislation on 97% of occasions - albeit it voted against or abstained on c. 13 % of occasions between 2009 and 2015. In a separate study they compared the national policy objectives of each member state with legislative outcomes and found that Britain was the fourth most successful out of 27 countries in achieving its objectives and the second most influential in its priority policy areas.



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