

# Brexit: Where Are We Now?

## Global Conversation with Christopher McCrudden

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Christopher McCrudden honoured the Global Governance students by his speech on 26<sup>th</sup> of October.



*Christopher McCrudden is a professor of Human Rights and Equality Law at Queen's University. Until 2011, he was a professor of Human Rights Law at the University of Oxford. He studied law at Queen's University Belfast, Yale University, and Oxford University. From 2011 to 2014, he held a major research fellowship from the Leverhulme Trust. In 2013-14, he was a fellow at the Straus Institute at New York University Law School. In 2014-15, he was a fellow of the Wissenschaftskolleg zu Berlin.*

*He is a barrister at Blackstone Chambers in London and has been called to both the Northern Ireland Bar and the Bar of England and Wales.*

The speech was about the current situation of the Brexit process, but the professor started with the brief history of Brexit. He stressed that, despite many happenings, there is not a progress toward any final settlement.

What one should question is “why is there only a small progress for such a long time?” According to the professor, the main problem is this is the first time that a European Union country decided to leave the Union, so the process is being practiced for the first time in history (except Greenland). The only possible way is to follow the Article 50 of the Lisbon Treaty on the European Union, which describes the procedure of quitting the European Union.

The Brexit referendum was held in June 2016. However, Mr. McCrudden emphasizes the fact that it was an advisory referendum, so the UK government did not have to apply the result. While the majority of Northern Ireland and Scotland was against the Brexit, England and Wales accepted to leave the European Union and the result was announced as “Leave”.

The result was unexpected, and the Prime Minister resigned. The new Premier called for new elections with the aim of increasing the seats of the Tories in the House of Commons, but they lost seats. The conservative party had to make a coalition with the Northern Ireland's Union Party.

McCrudden points out three main problems with the Brexit: “the budget”, “the citizenship rights” and “the Ireland border”. The European Union rejected to make the 2nd phase talks without making progress on these 1st phase issues. The main motivation of Brexit supporters was to have a financial gain, but the current situation questions the debt that the UK government needs to pay. Eventually, people were not satisfied. Another problem about this issue was the authority that must be objective between the UK and the European Union. The UK is against the European Court of Justice being the authority to decide on the unsettled issues. In addition, the citizenship rights of the British people in Europe and the European people in the UK is another aspect of this process. Lastly, the Ireland border will be a border

that separate the UK from the European Union, however, the current situation of the border is not available to be enough to prevent people from crossing the sides.

Professor McCrudden continued with the possible scenarios that the future might be holding in order to give us different perspectives.

The first possible scenario is to have a transition agreement. The UK already asked for a 2-year period while moving out of the European Union in order to adjust all the problematic situations without creating more chaos. However, even the British people are not clear about the circumstances of the separation and there are 3 main ideas. The 1st idea is called “soft Brexit”. It is described as a slow process of leaving the European Union, keeping the EEA option open and follow the Norwegian way of being independent of the European Union. The 2nd idea is to keep the free trade agreement but not the customs agreement. The 3rd idea is so-called “bespoke agreement” which means to hold a unique agreement, creating exceptions to the general rules. The 3rd idea is mostly because of the UK’s unstable wishes.

On the other hand, the professor mentions the possibility that the Tory majority collapses, with new elections to be held. In such a case, a new Cabinet could either stop the Brexit or go for another referendum. However, the professor’s belief is not very strong in this particular scenario.

At the end of the speech, Global Governance students enriched the conversation and a question about the Scottish, Irish or Welsh independence revealed another perspective on the situation. Scotland and the Northern Ireland voted “Stay” in the Brexit referendum, but they were a minority. Still, they have some level of autonomy and there is a weak chance of Scotland and Northern Ireland leaving the UK. An example of this kind of a separation was Greenland. Greenland announced that they are no longer a part of Danish Kingdom, so they do not need to be obliged to the European Union laws or responsibilities.

Before meeting the professor, we all knew what the term “Brexit” means and what is the actual situation in the UK. What we did not know was how the Brexit is affecting and will affect people’s life keeping in mind all the issues that the UK is going to face. We are all so glad to have professor McCrudden for his illuminating speech and for the information which he shared with us. It has been such an interesting lecture thanks to the way he analyzed the current situation and future consequences of the decision took by the UK to leave the EU.

We left this Global Conversation with a deeper knowledge of the Brexit and its relationship with EU.

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