

BRITISH IN EUROPE

THE COALITION OF UK CITIZENS IN EUROPE

IN BRIEF:

18/01: British in Europe and the3million send a letter to **Donald Tusk**, President of the European Council.

01/02: Meeting with MEP Catherine Bearder in the European Parliament



01/02: Jane Golding speaks in the European Parliament on citizens' rights.



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CITIZENS' RIGHTS NOT DONE AND DUSTED

Everything has gone suspiciously quiet on citizens' rights as both sides move on to discussing the transition period and trade deals. **British in Europe** has been working hard to make it clear to politicians and public opinion that the deal struck in December is not satisfactory and does *not* guarantee that our lives 'will continue as before'. We have written to **Donald Tusk** saying this and have produced a detailed report analysing the outstanding issues, in particular those highlighted by the European Parliament. There is an analysis of how the new registration system could affect both EUinUK and UKinEU citizens and we pinpoint ambiguities in both scope and content in the "common understanding" between the UK and the EU. This joint BiE/3Million report was presented before the hearing on citizens' rights in the **European Parliament** on 1 February. In an impassioned speech, BiE chair **Jane Golding** begged MEPs not to "quash our hopes and dreams and those of EU citizens in the future, by sending a clear message that embracing EU citizenship is a risk, it can be taken away from you, and you can be penalised for embracing it. Now is the time to be reinforcing the fundamental nature of EU citizenship not weakening it."

Watch Jane's speech here: <https://europa.eu/!UV84fX>

A PICTORIAL GUIDE TO OUR PLIGHT



HYBRIDS

Under the “common understanding” reached in December, we will be hybrids, in no-man’s-land between full EU citizens and full Third Country Nationals. If there is no deal, we will be firmly in the latter category (see page 3 of this newsletter).



LANDLOCKED?

We will lose the right to move freely and live in other EU27 countries apart from our “home country”. This will affect everybody: students, workers and pensioners. We will lose the lifelong right to return and may lose the right of family reunification for future partners.



UNEMPLOYED?

The ability to cross borders for work, including to provide services, is essential to many UKinEU citizens. We will be limited to working in countries where we lived or worked pre-Brexit. Recognition of professional and academic qualifications will be similarly restricted and non-existent for lawyers practising under their home qualifications.



SUPPLICANTS

At present we merely have to register, if required, in order to claim our rights to reside and work. In future, EU27 countries will have the option of applying procedures similar to the new ones in the UK. This means we might have to make formal applications which would increase the cost, the bureaucratic complexity and the risk of being rejected.



DISENFRANCHISED

Presumably, when we cease to be EU citizens, we will be unable to vote in European Parliament elections. Though political rights in each country are a national matter, we will lose the right to vote or stand in local elections unless there is a specific bilateral agreement between the UK and our country of residence.

THE BREXIT CLIFF EDGE AND OUR RIGHTS

If there is a deal, UKinEU citizens will become a sub-species of **Third Country National**, the EU description for a non-EU citizen. We will be a special group with our own set of entry and residence documents. For any issue not in the **Withdrawal Agreement**, we may be covered by legislation for Third Country Nationals, but this will not make up for the gaps in our existing rights.

Third Country Nationals

If there is no deal, our situation will be covered by Third Country National legislation, part of the quaintly named 'EU acquis'. This is intricately complex and, depending on your status, roams over a dozen directives. Not all of us, though, will have rights under that legislation and, to complicate matters further, competence is shared with Member States and legislation can apply in parallel. This means that UKinEU citizens in different countries will face different rules and two member states, Denmark and Ireland, are wholly or partially outside EU common immigration policy.

The Good News

- * With long-term residence, under the Third Country National laws you receive broadly similar treatment with nationals as regards access to employment, education, social security and healthcare but exemptions apply which mean that this is often not the case.
- * There are special conditions for researchers and students.

The Bad News

- * You only qualify for long-term residence if you can prove legal residence for five years and have 'stable and secure resources' to provide for yourself and family plus comprehensive health cover. You can be asked to attend courses (eg for language or culture) and administrative procedures are more onerous than for EU citizens. The categories of family members who can enjoy rights are also more restricted.
- * The reciprocal healthcare system (S1) for UK citizens who have contributed at home will fall away, though there may be some coverage under EU legislation.
- * You will require authorisation to be in another member state for over three months and you may be prevented from working there by national labour quotas.
- * In your 'home country' your right to work may be restricted and recognition of qualifications will be subject to the vagaries of national law.





Around Europe: Coalition News



13/12: EuroCitizens, the3million and Españoles en el Reino Unido met Spanish foreign minister **Alfonso Dastis** to discuss negotiations and bilateral issues like dual nationality and voting rights. Señor Dastis was sympathetic and promised his support. Perhaps as a result, **Esteban González Pons**, spokesman of the ruling **Partido Popular** in the European Parliament has promised to press for voting rights in local elections for Spaniards in the UK and Britons in Spain.



05/01 and **30/01: British in Germany** have had two meetings with the German Brexit lead **Peter Ptassek** and foreign ministry officials. Herr Ptassek acknowledged there were more questions than answers on Citizens' Rights. The new registration system for UKinEU citizens was discussed as was the thorny issue of freedom of movement for Britons in Germany.



16/01: Bremain in Spain participated in an intensive lobbying **Day of Action** in Westminster during the House of Commons debate for the second reading of the **EU Withdrawal Bill**.

10/02: Bremain in Spain will welcome **Best for Britain** at a workshop for campaigners in Alicante, Spain.



17/01: Debbie Williams, chair of **Brexpats Hear Our Voice**, and four other Britons resident in the Netherlands appeared in an Amsterdam court with barrister **Jolyon Maugham** to ask a Dutch judge to put 'prejudicial questions' about the status of UK nationals post-Brexit to the **European Court of Justice**. This could be a landmark case that prevents Britons in Europe from losing their EU citizenship and the hearing received huge media coverage both in and outside Britain.



04/02: Newly affiliated **Young European Voices** took part in an event in Bath organised by **Pulse of Europe**. One of the co-founders of Young European Voices spoke at the event about the importance of freedom of movement for young people in the UK.

Votes for Life

Background

Most European states facilitate the participation of their emigrants in national elections, even if they have been out of the country for many years. Unfortunately, this is not the case for the United Kingdom. Voting rights were first extended to expats in the mid 1980s, but



for only five years as a UK non-resident. The limit was subsequently extended to twenty years and then reduced to fifteen. There has been a long campaign amongst the British diaspora for our right to vote, led by activists such as **Harry Shindler** and **Brian Cave**. Shindler, a resident of Italy, mounted a challenge to the fifteen-year rule in the European Court of Human Rights. Cave is a founder member of ECREU (<https://www.ecreu.com/expat-rights.html>) and has run a successful blog for several years: <https://votes-for-expat-brits-blog.com/>.

The Conservative Party manifesto in 2015 promised to restore the right to vote to all British citizens if it won the election. It did not and the majority of UK nationals living in the EU were not allowed to vote in the Brexit referendum, or in last year's general election.

What you can do:

a) *Sign this online petition:* <https://petition.parliament.uk/petitions/200005> (deadline 13 March)

b) *Lobby MPs to support a Private Member's Bill on Votes for Life:*

Information from **Kalba Meadows**, BiE volunteer coordinator:

This bill is sponsored by MP **Glyn Davies** and has its second reading on **Friday 23 February**. Private Member's Bills need at least a hundred members present to prosper, but are always heard on Fridays when there is no other Parliamentary Business. Because of this we need to target MPs with constituencies in London and the Home Counties, who find it easier to get back to the House of Commons on a Friday.



Please write to ALL MPs with constituencies in London and the Home Counties asking them to support the bill and, crucially, attend the debate. Write to London/Home Counties MPs as a matter of national importance. Use your own words if you can, or include something simple like this: "On Friday February 23rd Glyn Davies MP will open a private members debate on Overseas Electors. Please, if you possibly can, attend this debate. It could be a milestone in British Governmental history. The course of Electoral law might well change if this Bill succeeds."

Find London and Home County MPs plus their contact details: <http://bit.ly/MPSpreadsheet>

Email AND tweet if you can, and do it more than once.



How to support British in Europe

Steering group member Christopher Chantrey has set up British in Europe as an official association in France and we now have a French bank account. We are setting up credit card facilities and will post these when available. Christopher writes:



Defending EU citizenship rights takes time and money - but at British in Europe, we are all volunteers, and up to now we have given our time and professional expertise for free and incurred considerable expenses. From now on, as Brexit Day looms nearer, we shall need to deploy more resources, more often. As British in Europe steps up the pressure, through lobbying and advocacy, we are asking you to help us in our work on behalf of UK citizens throughout the EU27. Please contribute whatever you can, whenever you can, to help defray our advocacy, travel and accommodation costs. You can make a SEPA transfer at any time from your bank to the British in Europe account in Paris.

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Thank you for your support!

News from our Outreach Coordinator

We are delighted to welcome **Young European Voices** as our first officially affiliated group. It is particularly important for us to represent young people as they will be the age group most affected by Brexit. Other groups around Europe are going through the affiliation process and we hope to announce more new BiE groups in the next newsletter. It is vital for British in Europe to represent as wide a spectrum as possible of UK citizens in EU27 countries.



Debbie Williams

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www.facebook.com/britishineurope/
website: www.britishineurope.org

Upcoming dates:

- 10/02:** Best for Britain and Breain in Spain event for campaigners in Alicante.
- 15/02:** BiE participate in a 'select committee' at the French **Assemblée Nationale** in Paris.
- 17/02:** Amsterdam judge rules on referral to the **European Court of Justice** of the status of UKinEU citizens post-Brexit.
- 21/02-26/03:** House of Lords committee stage of the **EU Withdrawal Bill**.
- 23/02:** Second reading of private member's bill on **Votes for Life**, tabled by **Glyn Davies MP**.
- 12-15/03:** **European Parliament** plenary - resolutions ahead of the European Council meeting.
- 22-23/03:** **EU summit** of heads of state (EU Council) to discuss the negotiating mandate for the transition period for the UK's exit.

Please send us information about activities that your group has been involved in, so that we can include it in the March 2018 edition of this newsletter
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