

British citizens in Europe after Brexit ⁽¹⁾



What happens to British citizens living and working in Europe if the Prime Minister's deal passes? ⁽²⁾

The UK Government has three separate agreements with the 31 European countries that accept freedom of movement. Each agreement provides a strong level of protection for British citizens.

1. [The Withdrawal Agreement](#) ⁽³⁾ – guarantees British citizens (who are lawfully resident in EU member states) broadly the same rights as they have now. They can continue to live, work and travel (although these rights would cease after a leave of absence of more than five years). The same would apply to British citizens moving to the EU during the transition period, which is expected to end on 31 December 2020, but it could be extended up to December 2022. This is because freedom of movement would continue to apply during this time.
2. A separate [agreement with Norway, Iceland and Liechtenstein](#) ⁽⁴⁾ – three countries that are not in the EU but have freedom of movement as part of their membership of the European Economic Area (EEA). This agreement mirrors the offer in the Withdrawal Agreement.
3. An [agreement with Switzerland](#) ⁽⁵⁾ – not in the EEA but accepts freedom of movement. It mirrors the offer in the Withdrawal Agreement but also covers the rights of British citizens in the event of no deal.

These agreements apply to British citizens who currently live in Europe, or move there during the transition period, but not to British citizens who want to move after the transition has ended.

It is not clear whether British citizens living in EU countries will be able to move freely to other EU countries after Brexit. [That will be dealt with in the negotiations on the UK's future relationship with the EU](#) ⁽⁶⁾.

What happens to British citizens in Europe in the case of no deal? ⁽⁷⁾

Under a no deal, British citizens would lose their EU citizens' rights and become third country nationals.

Out of all three agreements, only the [UK's agreement with Switzerland](#) ⁽⁵⁾ covers the rights of British residents in Switzerland (and vice-versa) in the case of no deal. There are some differences however. The [Swiss Government would cap](#) ⁽⁸⁾ the number of residence permits (2,100) and short-stay permits (1,400) it would issue to UK citizens seeking work in Switzerland between 31 March and 31 December 2019. It is unclear what the cap would be for 2020.

On 8 February 2019, [Norway, Iceland and Liechtenstein](#) ⁽⁹⁾ agreed to reciprocate the UK offer to their citizens in the case of a no deal. In other words, British citizens currently living and working in these countries would retain broadly the same rights as they do now. British citizens moving after 31 March 2019 would be subject to national provisions for third country nationals, which are less generous in scope. For example, it would be more difficult to live in Norway and Iceland for longer than three months without a work or study permit.

The picture is more mixed for the EU27. In July 2018, the EU ruled that it would be up to member states, and not the EU, to decide what rights to grant British citizens in their countries, so the level of disruption depends on what they do. The EU's Chief Negotiator for Brexit Michel Barnier confirmed this again in a [letter to Brexit Secretary Stephen Barclay on 25 March 2019](#) ⁽¹⁰⁾.

The only exception is for the coordination of social security measures. On 19 March, member states' representatives in Brussels adopted a text that would allow the UK and EU27 to continue to [coordinate social security measures](#) ⁽¹¹⁾ for a limited time after a no deal outcome. The European Parliament also [adopted the text](#) ⁽¹²⁾ on 13 March.

How have EU countries guaranteed the rights of British residents in the case of no deal? ⁽¹³⁾

The table below looks at the 11 EU countries with more than 10,000 UK citizens, apart from Ireland which has a special arrangement with the UK.

Country	
Spain	
Number of British citizens (thousands)	309
Intending to act	x
Drafting legislation	x
Ratification	x
France	
Number of British citizens (thousands)	157
Intending to act	x
Drafting legislation	x
Ratification	x
Germany	
Number of British citizens (thousands)	96
Intending to act	x
Drafting legislation	x
Ratification	x

Netherlands

Number of British citizens (thousands) 41

Intending to act x

Drafting legislation x

Ratification x

Belgium

Number of British citizens (thousands) 25

Intending to act x

Drafting legislation x

Ratification x

Cyprus

Number of British citizens (thousands) 24

Intending to act x

Drafting legislation x

Ratification x

Greece

Number of British citizens (thousands) 23.1

Intending to act x

Drafting legislation x

Ratification x

Italy

Number of British citizens (thousands) 23

Intending to act x

Drafting legislation x

Ratification x

Denmark

Number of British citizens (thousands) 18.5

Intending to act x

Drafting legislation x

Ratification x

Sweden

Number of British citizens (thousands) 18

Intending to act x

Drafting legislation x

Ratification x

Portugal

Number of British citizens (thousands) 16

Intending to act x

Drafting legislation x

Ratification x

Country	Number of British citizens (thousands)	Intending to act	Drafting legislation	Ratification
Spain	309	x	x	x
France	157	x	x	x
Germany	96	x	x	x
Netherlands	41	x	x	x
Belgium	25	x	x	x
Cyprus	24	x	x	x
Greece	23.1	x	x	x
Italy	23	x	x	x
Denmark	18.5	x	x	x
Sweden	18	x	x	x
Portugal	16	x	x	x

Croatia is the only EU country that has yet to put its contingency plans for a no deal Brexit in place. The necessary legislation is currently going through Parliament.

Would British residents living in EU27 countries have the same rights in the event of no deal as they would under the Withdrawal Agreement? ⁽¹⁴⁾

In the event of no deal, the UK has said EU citizens already living in the UK would have broadly the same rights as those covered by the Withdrawal Agreement. The biggest differences are:

- The deadline for applying for 'settled status' will be brought forward by six months to 31 December 2020
- Family members of EU residents will be able to move to the UK freely until 29 March 2022. Under the Withdrawal Agreement, they would have three years from the end of the transition period to move to the UK (providing family links have already been established).
- There would be no protection from the European Court of Justice or the proposed Independent Monitoring Authority.

Most EU countries have indicated they would reciprocate the UK's offer to British citizens living there. However, the deadline for registering with local authorities can vary from one country to another.

The table examines what the 11 EU countries with more than 10,000 UK citizens (apart from Ireland) are offering British citizens.

Country
Spain
Number of British citizens (thousands) 309
Work and residency Same rights as UK
Recognition of professional qualifications British qualifications will continue to be recognised for UK nationals already working in Spain, and for Spanish and EU citizens who studied in the UK before Brexit.
Voting in local elections Minimum three years residency
France
Number of British citizens (thousands) 157
Work and residency Can remain without a permit for one year. Then must apply for residency (carte de séjour). Conditions vary.
Recognition of professional qualifications Depends on the qualification
Voting in local elections Residency requirement
Germany
Number of British citizens (thousands) 96

Work and residency	Same rights as UK but different deadline for application: 30 June 2019.
Recognition of professional qualifications	British qualifications will continue to be recognised for UK nationals already working in Germany, and for German and EU citizens who studied in the UK before Brexit.
Voting in local elections	Third country provisions

Netherlands

Number of British citizens (thousands)	41
Work and residency	Same rights as UK but different deadline for application: 1 July 2020.
Recognition of professional qualifications	Unclear
Voting in local elections	Residency requirement

Belgium

Number of British citizens (thousands)	25
Work and residency	Same rights as UK but different deadline for application: 31 December 2020.
Recognition of professional qualifications	Unclear
Voting in local elections	Minimum five years residency

Cyprus

Number of British citizens (thousands)	24
Work and residency	Same rights as UK
Recognition of professional qualifications	Unclear
Voting in local elections	Same as set out in the Withdrawal Agreement

Greece

Number of British citizens (thousands)	23.1
Work and residency	Same rights as UK. Deadline for registration still to be decided.
Recognition of professional qualifications	Unclear
Voting in local elections	No

Italy

Number of British citizens (thousands)	23
Work and residency	Same rights as UK. Deadline for registration: effective from 29 March 2019.
Recognition of professional qualifications	Unclear
Voting in local elections	No details

Denmark

Number of British citizens (thousands)	18.5
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Work and residency

Most of existing EU rights for a transitional period until it is replaced with a more permanent solution.

Recognition of professional qualifications

Unclear

Voting in local elections

Yes

Sweden

Number of British citizens (thousands)

18

Work and residency

Same rights as UK but different deadline for application: 29 March 2020.

Recognition of professional qualifications

Unclear

Voting in local elections

No details

Portugal

Number of British citizens (thousands)

16

Work and residency

Same rights as UK

Recognition of professional qualifications

Unclear

Voting in local elections

Yes

Country	Number of British citizens (thousands)	Work and residency	Recognition of professional qualifications	Voting in local elections
Spain	309	Same rights as UK	British qualifications will continue to be recognised for UK nationals already working in Spain, and for Spanish and EU citizens who studied in the UK before Brexit.	Minimum three years residency
France	157	Can remain without a permit for one year. Then must apply for residency (carte de sejour). Conditions vary.	Depends on the qualification	Residency requirement
Germany	96	Same rights as UK but different deadline for application: 30 June 2019.	British qualifications will continue to be recognised for UK nationals already working in Germany, and for German and EU citizens who studied in the UK before Brexit.	Third country provisions
Netherlands	41	Same rights as UK but different deadline for application: 1 July 2020.	Unclear	Residency requirement
Belgium	25	Same rights as UK but different deadline for application: 31 December 2020.	Unclear	Minimum five years residency
Cyprus	24	Same rights as UK	Unclear	Same as set out in the Withdrawal Agreement
Greece	23.1	Same rights as UK. Deadline for registration still to be decided.	Unclear	No
Italy	23	Same rights as UK. Deadline for registration: effective from 29 March 2019.	Unclear	No details
Denmark	18.5	Most of existing EU rights for a transitional period until it is replaced with a more permanent solution.	Unclear	Yes
Sweden	18	Same rights as UK but different deadline for application: 29 March 2020.	Unclear	No details
Portugal	16	Same rights as UK	Unclear	Yes

Although France has said that it would replicate the UK offer in the event of no deal, its current proposals look less generous.

What about British citizens working and living in Ireland? ^[15]

The rights of British citizens in Ireland (and vice-versa) are covered under the 1949 Ireland Act, which would continue to apply regardless of whether the UK leaves the EU with a deal. Under this arrangement, British citizens residing in the UK will not need to apply for settled status and their rights will remain the same.

However, both the UK and Ireland have yet to adopt necessary provisions for the [automatic recognition of qualifications](#) ^[16]. Without them, there is a risk that diplomas obtained in the UK are no longer recognised in Ireland, and vice-versa.

What information has the Government given British citizens in Europe? ^[17]

The Government published a [no deal assessment](#) ^[18] where it recommended British citizens abroad:

- make sure their passports remain valid
- register with local authorities
- exchange their driving licenses (in most member states, foreign licenses only recognised for up to six months)
- apply for a car insurance Green Card.

But the UK cannot unilaterally guarantee the rights of British citizens abroad – that decision lies with member states. According to [GOV.UK](#) ^[19], the Government has been stepping up its engagement with EU capitals.

Could British citizens continue to travel to the EU under a no deal? ^[20]

The EU [agreed on 3 April](#) ^[21] to add the UK to the EU's list of visa-exempt countries (of which there are currently 61). This gives British citizens the right to travel to the EU for up to 90 days without a visa within any 180-day period. It would be conditional on the UK granting visa-free travel to EU citizens to the UK.

EU border guards may ask people travelling from the UK for additional information including the duration and purpose of their stay. Passports must be valid for at least three months after the end of the trip.

Will British residents in the EU27 be able to return to the UK with non-British family members? ^[22]

Under a no deal Brexit, British nationals living in the EEA on exit day would be able to return to the UK with close family members who are not British (EU and non-EU) until 29 March 2022. After that, family members will need to apply in accordance with the UK's existing immigration rules.

The [Government's proposal](#) ^[23] has yet to be passed into law.

Why don't the UK and the EU just agree now to protect citizens' rights in the event of no deal? ^[24]

A lot of people in the UK Parliament – both Brexit and non-Brexit supporters – have argued that more should be done to give greater certainty to citizens. The joint Brexit lead in the Dutch Parliament, Pieter Omtzigt, also [called on the EU and the UK to safeguard citizens' rights](#) ^[25].

However, the EU has insisted that it will not do a mini-deal as citizens' rights are an issue for member states. That was why the [Prime Minister](#) ^[26] suggested that it would be impossible for the UK to deliver on this.

On 27 February, the Government accepted an [amendment by Conservative MP Alberto Costa](#) ^[27], which proposes that the UK and EU commit to part two of the Withdrawal Agreement on citizens' rights in the case of no deal. On 4 March, Brexit Secretary Stephen Barclay sent a letter to Michel Barnier asking that both sides explore the options for ring-fencing citizens' rights. Michel Barnier has [responded](#) ^[18] saying that this would not be possible. [Barclay](#) ^[28] and [Barnier](#) ^[29] reiterated their positions in June in an exchange of letters.

Another option if it wanted to avoid a separate deal with the UK would be for the EU27 to adopt a decision to unilaterally [match the promises in Withdrawal Agreement](#) ^[30].

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- [3] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759019/25_November_Agreement_on_the_withdrawal_of_the_United_Kingdom_of_Great_Britain_and_Northern_Ireland
- [4] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/766995/Agreement_on_arrangements_between_Iceland_the_Principality_of_Liechtenstein_the_Kingdom_of_Norway
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- [6] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756376/14_November_Explainer_for_the_agreement_on_the_withdrawal_of_the_United_Kingdom_of_Great_Britain_and
- [7] <http://twitter.com/intent/tweet?text=What%20happens%20to%20British%20citizens%20in%20Europe%20in%20the%20case%20of%20no%20deal%3F>
- [8] <https://uk.reuters.com/article/uk-britain-eu-swiss/swiss-allow-3500-work-permits-for-britons-in-case-of-no-deal-brexit-idUKKCN1Q217K>
- [9] <https://www.gov.uk/government/news/uk-and-eea-efsa-states-strike-agreement-to-protect-citizens-rights-in-a-no-deal-scenario>
- [10] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/790471/Ares_2019_2069376_-_MB_-_Barclay.pdf
- [11] <https://www.consilium.europa.eu/en/press/press-releases/2019/03/19/brexit-council-adopts-a-series-of-contingency-measures-for-a-no-deal-scenario/>
- [12] [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2019/0019\(COD\)](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2019/0019(COD))
- [13] <http://twitter.com/intent/tweet?text=How%20have%20EU%20countries%20guaranteed%20the%20rights%20of%20British%20residents%20in%20the%20case%20of%20no%20deal%3F>
- [14] <http://twitter.com/intent/tweet?text=Would%20British%20residents%20in%20EU27%20have%20the%20same%20rights%20under%20no%20deal%20as%20the%20Withdrawal%20Agreement%3F>
- [15] <http://twitter.com/intent/tweet?text=What%20about%20British%20citizens%20working%20and%20living%20in%20Ireland%3F>
- [16] <https://www.gov.uk/government/publications/common-travel-area-guidance/common-travel-area-guidance>
- [17] <http://twitter.com/intent/tweet?text=What%20information%20has%20the%20Government%20given%20British%20citizens%20in%20Europe%3F>
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- [21] <http://www.europarl.europa.eu/news/en/press-room/20190403IPR34801/brexit-visa-free-access-to-the-eu-for-uk-nationals-and-to-the-uk-for-europeans>
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- [23] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/792675/Citizens_Rights_-_UK_nationals_in_the_EU.pdf
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- [25] <https://twitter.com/PieterOmtzigt/status/1100747835165814785>
- [26] <https://www.gov.uk/government/speeches/pm-statement-to-the-house-of-commons-26-february-2019>
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