

BREXIT – WHY THE WITHDRAWAL AGREEMENT SHOULD INCLUDE:

- **CONTINUING FREE MOVEMENT FOR UK CITIZENS IN THE EU, and**
- **A LIFE-LONG RIGHT OF RETURN FOR EU CITIZENS IN THE UK**

An opportunity not to be let slip

UK citizens living in the EU should retain their right of free movement throughout the EU; and EU citizens living in the UK should have a lifelong right to return to their UK home. And these rights should be guaranteed by amending the Withdrawal Agreement (“WA”) to include them.

This offer of a lifelong right of return in exchange for continuing free movement was made by the UK last September but not accepted by the EU. Nor was it included in the March 2018 draft of the WA. The European Parliament has consistently supported such a deal, and as recently as last month Guy Verhofstadt requested Mrs. May to propose it again. Mrs. May is reported to be prepared to do so¹. **British in Europe** and **the3million** have had extensive discussions with EU countries about this, and have repeatedly been assured that this is not a red line. In this state of affairs, it would be a tragedy of failed communication if such an agreement is not made, and both sides are urged to see that this does not happen.

Why does free movement matter?

Nearly 80% of UK citizens living in the EU are of working age or younger. Work was the main reason why most of them moved to the EU: the ability to move across borders when they are transferred by an employer, when a contract comes to an end or if they are providing services is vital to their ability to live and support their families. **British in Europe** has numerous case studies of people whose lives will be turned upside down if they can no longer do these things.

Education is another vital issue for British families. So many young people brought up in the EU27 either do, or have planned for years to, study at school or university in other EU countries.

Despite promises by both sides that our EU rights would be preserved, the present version of the WA removes our right of free movement.

Why does a lifelong right of return matter?

EU citizens covered by the WA have made their homes in the UK. Many of them have lived in the UK for decades. The current draft WA says that those with permanent residence lose that right if they leave the UK for five years. Full stop. No exceptions.

This ignores the great variety of situations in which a person might have to live away from their home. These range from further education (e.g. a first degree, followed by a Masters in another country and even a PhD in a third); to work; to looking after an ageing relative. As one can never say how long such an absence might last, the only sensible solution is to ensure the right to return is for life.

Immigration is clearly an issue in the UK. But this is not about increasing the number of people coming to the UK. It is about fairness - it simply ensures that some of the finite number who have already made their lives there can return after an absence.

¹ The Sun, 24.10.18

Why should this offer not be made and accepted?

The UK appears to be prepared to make this offer. It is strongly supported by the European Parliament and, as far as we are aware, not opposed by Member States. The only reasons that have been given for not agreeing it are:

- Because the EU does not want to reopen the March draft WA for fear of being asked for further concessions. But this argument does not wash if the UK is prepared to make the offer and is not seeking anything else. And there are in any event reports that the text *is* being reopened in order to find a solution to the Irish border question: <https://www.rte.ie/news/brexit/2018/1023/1006113-brexit/>
- Because free movement for UK citizens is a matter for the future relationship. This argument is completely misconceived. Both sides agreed early on that as far as possible citizens who had already moved and made lives in other countries should keep their EU rights. We have shown why free movement is so important to UK citizens living in the EU. It is no more and no less than an existing primary EU right of which the present WA deprives them. Likewise, without a lifelong right of return, EU citizens in the UK will not continue to benefit from the same EU free movement rights that they have now.