



THE COALITION OF UK CITIZENS IN EUROPE

British in Europe registered address: 48, rue St Honoré, 75001 Paris (5ème étage)

www.britishineurope.org

Ms Nicola Sturgeon MSP
The SNP Party HQ
Scottish National Party
Gordon Lamb House
3 Jackson's Entry
Edinburgh, Scotland
EH8 8PJ
5 November 2019

Dear Ms Sturgeon

I write on behalf of British in Europe, the Coalition of UK Citizens in the EU, representing more than 35,000 UK citizens across the EU. Our members have some specific requests to you which we would ask you to consider for inclusion as commitments in the SNP Manifesto.

The first five commitments we seek are in the gift of the UK government. They are critical for British nationals who made the life-changing decision to move to another EU country relying on rights that at the time they believed were for life, and now find themselves cast adrift. You will recall your own Party's commitment at the time of the 2017 General Election: *"Throughout the Brexit process the UK government has treated EU nationals living in the UK as bargaining chips. It is shameful, and it must end. SNP MPs will continue to press the UK government to confirm the rights of EU nationals to remain as a matter of urgency. We expect the rights of UK nationals living in the EU to be guaranteed in the same way."*

As you are probably aware, the first four of the commitments we seek were accepted by the cross-party House of Lords EU Justice Sub-committee after a hearing in which they considered detailed evidence: see the letter they wrote to the Parliamentary Under-Secretary of State at DExEU on October 29th¹.

The commitments we seek are as follows.

Citizens' Rights - Pensions

That, in the event that the UK leaves the EU without a deal, any future Government should bring peace of mind to the 180,000 British-born pensioners living in the EU by committing to uprate their pensions as long as they continue to live there, rather than merely for the next 3 years, as well as British citizens currently working in the EU. Like any other UK pensioner they have (or will have) worked, paid contributions and taxes in the UK and, when they left, their right to pension increases for life was guaranteed. Not to continue these increases now when they can do nothing about it is tantamount to kicking their crutches away when they can no longer walk by themselves.

¹ <https://www.parliament.uk/documents/lords-committees/eu-justice-subcommittee/CWM/Letter-from-EU-to-JamesDuddridge-citizenship-rights-29-10-19.pdf>



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Citizens' Rights - Healthcare

That, in the event that the UK leaves the EU without a deal, any future Government should seek to replace the EU reciprocal social security and healthcare scheme (EC Regulation 883/2004) by a new agreement across the EU, or at very least to complete bilateral agreements as soon as practicable, to guarantee the social security rights of both working and retired UK citizens abroad. And in the meantime, pending the conclusion of such agreements, to guarantee to continue funding healthcare for those for whom it is liable at Brexit. Most of those affected are pensioners for whom the reciprocal healthcare scheme *was* their NHS and, again, they had every reason to expect it would serve them for life when they moved from the UK.

Citizens' Rights - Returning UK Citizens

That any future Government should recommend that UK citizens presently resident in the EU27, who wish or need to return to the UK at any time in the future, should continue to have their present unqualified right to do so with all their family members, including non-British family members, without being subject to onerous UK immigration rules. Once again, these UK citizens left the UK with the expectation that they would have this right for life, which was a great comfort not only to them but also to their parents in the UK who could see no barrier to their children returning to look after them when they got old. Applying the test set out in the 2012 Immigration rules for returning family members will be insuperable for the majority of UK families in the EU and is already causing untold anxiety to their elderly relatives back in the UK.

Citizens' Rights - Students and Student Fees

That any future Government should recommend the continuation of the present arrangements for student fees and finance for UK individuals resident in the EU at Brexit (i.e. access to home fees and student finance); alternatively either (1) offer to continue home fees and student finance for a period of 15 years or (2) offer to continue home fees indefinitely but without access to student finance. Very few can afford the international fees of UK universities, and UK parents living in the EU even start saving for home fees as soon as their children are born. At the very least, lengthening the period during which home fees and finance are available to all courses starting within 15 years of the referendum would give a just degree of protection to all those who were born before the vote and whose families had the legitimate expectation that they would be able to study in the UK on the same basis as UK home students. We appreciate of course that in Scotland student fees and finance are a devolved matter, but as the Scottish Government has followed the UK's general policy on extending home fee arrangements after Brexit, this suggestion has as much relevance in Scotland as elsewhere in the UK.

Citizens' Rights - Votes for Life

We appeal to you to include in your Manifesto the issue of Votes for Life. In 2015, the Conservative Party pledged to introduce legislation to remove the 15-year rule, which disenfranchises UK citizens of all ages from national elections in the UK and indeed, from voting in the EU Referendum. The Conservative Government has not delivered on that promise. We urge you, with the SNP, to make a clear manifesto pledge to introduce legislation immediately to repeal the 15-year rule. This is in particular because those citizens now stand to become completely disenfranchised – from all elections – post Brexit, unless able to take citizenship in the country in which they reside.



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It would be ironic if the UK failed to remedy this glaring democratic deficit, given that many people in the UK voted as they did in the EU referendum because of the EU's perceived "democratic deficit"!

Citizens' Rights - Essential onward movement and economic rights

Those whom we represent are British citizens who moved to other EU countries at a time when they had an absolute right to do so and the legitimate expectation that it was for life. Not only did they move their homes and jobs, but they made new lives, fell in love, made families and networks of friends and became integrated in the countries where they live. These things cannot be given up at the drop of a hat simply because their country of origin decides to withdraw from the EU. Those we represent are not special, just because they moved, but they are entitled to the same protection of their fundamental rights by Government as any other British citizen. In fact, the Government arguably owes them a greater duty of care because the majority of them have no vote in the UK and thus had no say in the Brexit process.

We seek assurances that any future Government will undertake to seek agreement with the EU to protect all our existing acquired rights, over and above what has been included in the Withdrawal Agreements to date; thus preventing situations in which UK Citizens resident in the EU are severely disadvantaged by being unable to move freely to another EU country or to continue to work, provide services or have their qualifications recognised across national borders in the EU. Around 80% of all UK Citizens in the EU are of working age or younger, so restrictions on these rights which are essential to our ability to support ourselves and our families impact heavily on the majority of us.

Ring-fencing the Citizens' Rights already agreed

At the very least, if it becomes clear that the UK is going to leave without an agreement, we appeal for a commitment by the new government to continue to press for the Citizens' Rights part of the Withdrawal Agreement to be ring-fenced in a separate legally binding treaty under Article 50.

Yours sincerely

Jane Golding
Co-Chair, British in Europe

Fiona Godfrey
Co-Chair, British in Europe