

Hello,

I am writing on behalf of British in Europe. You will be aware that the UK Parliament is at present considering whether to approve the UK/EU Withdrawal Agreement, and that it is due to vote on the Agreement on December 11<sup>th</sup>. Press reports have all made it clear that Parliament is more likely than not to reject the Agreement. The risk of the UK leaving the EU without any agreement under Art. 50 TEU is therefore extremely high, and is causing correspondingly high levels of anxiety among all affected citizens.

You will probably have seen that last week the UK published a policy paper setting out its proposal in the event of a No Deal Brexit <https://www.gov.uk/government/publications/policy-paper-on-citizens-rights-in-the-event-of-a-no-deal-brex-it>.

By complete coincidence we were planning today to send you British in Europe's response to the Commission's Contingency Action Plan. I attach it now. The UK policy paper yesterday, while taking account of the Withdrawal Agreement, falls short of it in several critical respects, but throws into even greater relief the inadequacy of the Commission's plan and the need for full protection of the rights of UK citizens throughout the EU27 as well as EU citizens in the UK.

At the end of our paper we refer yet again to ring-fencing of the Citizens' Rights section of the Withdrawal Agreement as by far the best option, in terms of speed, simplicity, reciprocity and the ability to provide for interrelated issues which cannot be dealt with unilaterally (see the UK paper at paras. 20 and 28). Accordingly, now that the UK has made its position clear, we call upon the EU to invite the UK to agree ring-fencing the Citizens' Rights provisions of the Withdrawal Agreement and, in default, to agree upon a common policy of implementing these provisions unilaterally as far as possible.

This is not an issue for negotiation and reciprocity anymore: this is about the ability of people to carry on with the lives that they made in good faith. We are no longer prepared to accept that either we or our friends, EU citizens in the UK, should be treated as bargaining chips or collateral damage in the Brexit negotiations. We thus call on both sides to do the right thing now.

Yours sincerely,

Jeremy Morgan QC  
Vice-chair British in Europe

<BiE response to Commission's contingency paper (final).pdf>