

What future for UK citizens living in the EU, and EU citizens living in the UK?

Written by Roger Boaden on 9 May 2017



What future for UK citizens living in the EU, and EU citizens living in the UK? | Photo credit: Rob Grasso

The UK and EU positions on citizens' rights are poles apart, writes Roger Boaden.

An interview with Reuters in July 2016, reported John Redwood, a senior Conservative backbencher, and former cabinet minister, saying, "We voted to take back control. That means control of our laws, control of our borders, control of our money, and those things are not going to be negotiated - they cannot be."

During the EU referendum campaign in the UK, Redwood and other senior Tories repeatedly stated that they had a one line bill ready to put to the UK Parliament, the day after the EU referendum on 23 June. That bill would end any control the European Court of Justice might have over UK law, and end the UK involvement with the European Union.

Before that interview, on 18 June 2016, a UK national tabloid newspaper ran the headline, 'No more shackles: UK could break free of EU laws as early as June 24 if Brexit wins'.

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It must have been a shock to some Conservatives who campaigned to leave the European Union to read in the White Paper published by the UK government in February to explain what would be in the Great Repeal bill, "The bill will provide that historic European Court of Justice case law be given the same binding, or precedent, status in our courts as decisions of our own Supreme Court."

It was probably even more of a shock to read the speech given last Friday in Florence by the EU's chief Brexit negotiator, Michel Barnier, when he said, "For UK citizens in the EU, the European Court of Justice will play its role to ensure the application of the withdrawal agreement. Similarly, in the UK, the rights in the withdrawal agreement will need to be directly enforceable and the jurisdiction of the European Court of Justice maintained."

The two positions - that of leading Conservatives like John Redwood - and that of Michel Barnier and the European Commission - are poles apart.

Therein lies the nub of the real fears which are afflicting the 1.2 million UK citizens living and working in the EU, and the 3.2 million EU citizens living and working in the UK.

It's one thing for UK Prime Minister Theresa May to claim that, "We want to guarantee the rights of EU citizens who are already living in Britain, and the rights of British nationals in other member states, as early as we can"; but it's entirely something else if one of the reported alleged statements leaked from the Downing Street dinner between May and Commission President Jean-Claude Juncker happens to be anywhere near the truth.

Did Theresa May say that, "there should be a migrant status of 'former EU citizens', for the three million EU citizens living and working in the UK"?

If she did, or anything close to it, then it proves that the UK side in their preparations for the negotiations, really have no idea of what the EU27 see as their negotiating position.

We, those who will be affected, hope with the publication last week of the European Commission's negotiating directives, followed by the carefully drafted speech by Michel Barnier, there is now much more transparency, which should help the UK to listen, and then to understand, what our fears and worries are all about.

About the author

Roger Boaden is a former European elections officer and election campaign chief for the Conservative party. He is a leading campaigner for expats in Europe and helps run ECREU (Expatriate Citizen Rights in the EU).

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