

## **Joint statement following the twelfth meeting of the Specialised Committee on Citizens' Rights**

The 12<sup>th</sup> meeting of the Specialised Committee on Citizens' Rights was held on 25 May 2023 in Brussels, co-chaired by officials from the European Commission and the UK Government. Representatives from all EU Member States were also in attendance. The Committee was established by the Withdrawal Agreement to monitor the implementation and application of the Citizens' Rights part of the Agreement, which protects EU citizens in the UK and UK nationals in the EU, and their eligible family members.

The EU and the UK discussed the implementation and application of the Citizens' Rights part of the Withdrawal Agreement. The meeting also allowed both sides to take stock of outstanding issues.

The EU raised their deep concerns about the EU citizens who received a refusal decision between 27 June 2021 and 19 April 2022 but whose digital status did not accurately reflect this until January 2023, due to the operation of the EU Settlement Scheme. The EU asked for full transparency and clarity on this matter and expressed its disappointment regarding the UK's plans on recovery of costs of some services and benefits. The EU called on the UK to find a fair approach for affected citizens. The UK outlined the applicable framework, the protections in place for individuals and the need for consistency with the approach taken with UK nationals as well as other EU citizens.

The EU discussed the implementation of the High Court's ruling on the upgrade from pre-settled status to settled status, and welcomed the preliminary reassurances received from the UK as regards the UK Government's plans to implement the judicial review in accordance with the Withdrawal Agreement. Both sides agreed that correct implementation is crucial for the beneficiaries of the Withdrawal Agreement.

Other issues raised by the EU included the application of temporary protection rules, the calculation of absences and the proportionality assessment, and the effect of imprisonment on acquiring settled status.

The UK raised concerns over the issue of permanent residence within certain Member States, specifically, how UK nationals who do not make an application for permanent residence demonstrate their declaratory right of permanent residence when accessing benefits and services.

The UK also highlighted the lack of publicly available guidance on reasonable grounds for making a late application in some Member States, highlighting the negative consequences in implementation this creates for UK nationals, and the UK's open approach.

Other concerns raised by the UK included issues in some Member States around property rights for UK nationals, UK nationals demonstrating multiple statuses under the long-term residence directive, and UK nationals with special statuses not being able to access rights guaranteed to them under the Withdrawal Agreement.

Both parties raised future priorities, such as upcoming electronic travel authorisation schemes, funding for civil society or specific challenges faced by children, and discussed mitigation measures needed for UK nationals and EU citizens in the coming years, highlighting their determination to work jointly and constructively on these topics.

The EU and the UK reaffirmed their commitment to protecting citizens' rights in accordance with the obligations under the Withdrawal Agreement and agreed to meet again in autumn.