

Season's Greetings and Happy New Year to all UK citizens in EU and EU citizens in UK

Last month, we appealed for your help writing to MEPs hoping they will read our letters and support our call for citizens rights to be preserved after Brexit. ECREU members are reporting some positive replies, most from MEPs in other EU states including the following message from Herbert Dorfmann, MEP for the South Tyrolean People's Party received by member Denise Hope in Italy - (Translated from German - Click the [blue links](#) to go to the referred documents)

Dear Ms Hope, Mr Hope,

Thank you for your renewed letter highlighting your concern and personal situation regarding the Brexit negotiations. I have recently dealt with the situation of British citizens in the EU and vice versa here in the European Parliament by organizing a conference on 14 November 2017 (please find attached the invitation). The central theme was exactly those questions you are working for. Answers should be found on how the negotiators on both sides can uphold citizens' rights. I invited three members of the European Parliament from the United Kingdom, Mrs Julie Ward of Labor, Charles Tannock of the Tories and Jean Lambert of the Greens. The invitation was followed by 100 students of the European School of Journalism and other Members of the European Parliament. All three have demanded that both the EU and the UK must protect the rights of citizens on both sides of the channel. It was also underlined that the rights of citizens can not be bargaining chips, but that both sides need guarantees before the conclusion of the negotiations, so that the rights of the citizens are protected and that there is no situation in which goods have more rights (... "that meat has more rights than persons / as if goods should be allowed to be while citizens' rights are restricted"). Furthermore, the argument of dual citizenship was raised.

I would like to take this opportunity to inform you about the current state of negotiations and the decisions of the European Parliament. The last round of negotiations on 9/10 November has made only partial progress in the three main areas of civil rights, Northern Ireland and withdrawal payments (see here the press release by Barnier http://europa.eu/rapid/press-release_SPEECH-17-4545_en.htm?locale=FR). For us as the European Parliament, safeguarding the rights of UK citizens in the EU and EU citizens in the UK is necessary by the end of a Leave Agreement by March 2019 - this is the main concern of the European Parliament, which we mentioned in our resolution in April (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2017-0102+0+DOC+XML+V0//EN>) and that in October 2017 (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2017-0361+0+DOC+XML+V0//EN&language=EN>) under paragraph 4:

4. Emphasizes that the resignation agreement must include the full set of rights that citizens currently enjoy, so that there are no significant changes in their position, and that this agreement applies to Union citizens in the United Kingdom and United Kingdom citizens in the European Union must ensure reciprocity, equality, symmetry and non-discrimination; Emphasizes, in particular, that eligible EU citizens resident in the United Kingdom and children born after leaving the United Kingdom should be considered as family members and not independent rightholders in the scope of the Withdrawal Agreement, that future family members are covered by the same rules as current family members continue to benefit from the right of residence, that documents should be declaratory under EU law, that care should be taken to avoid the need for lengthy administrative procedures, and that all benefits defined in EU legislation should be exportable;

This is our basic requirement for approval of the withdrawal agreement. It is therefore time for a civil rights convention to be reached in December - otherwise the negotiations should not advance to the stage of the future partnership agreement on trade and any transitional treaty with the United Kingdom. Mr Barnier and Mr Juncker have repeated this several times over the last few weeks and I can assure you that I will strongly support this position and the position of the European Parliament in my role in the European Parliament.



Thank you for your communication, I remain Yours sincerely
Herbert Dorfmann - Member of European Parliament

The Irish Question

As we focus on the on our rights in the EU and UK after Brexit, our healthcare and our pensions, there is another issue which has come to the fore in the past few days which has the potential to stall the entire negotiating process - when the UK leaves the EU, Northern Ireland leaves too. So how to manage movement of goods and people between Northern Ireland and Ireland without going back to the days of border controls?



We thought we should get a view from within, so hear are the thoughts of one Irish ECREU member who believes there is a simple answer to this complex question, but one which is an anathema to Brexiteers.....

I am a British ex-pat living in Ireland and I did not have a vote in the referendum. Fortunately though, as Ireland and the UK have a Common Travel Area agreement that predates the EU, I am not subject to the uncertainties of UK ex-pats living on the EU mainland, including my relatives. I wholeheartedly support ECREU's efforts as I can empathise with you in your predicament.

Here in Ireland, there is similar frustration and a conviction that the Brexiteers do not understand the threats that their actions pose. The rights that you have under EU law are now put in doubt, and it is not clear that this is even understood by those trying to call the shots. The loss of rights should not to be taken lightly.



Similarly with the Irish border issue. After decades of horror, a finely balanced and bravely agreed Northern Ireland peace process was signed in 1998. After years of painstaking effort involving the US, the EU and the British and Irish governments, and approved by referendums north and south, the Good Friday Agreement (or Belfast Agreement) was signed and lodged with the United Nations by the two sovereign governments.

Significant funds, over €1.3 billion since 1995, were contributed by the EU to Northern Ireland for cross-community projects in order to consolidate the peace there.

The agreement was formulated on the basis that both Ireland and Northern Ireland were part of the EU. Thus visible signs of a border have been completely removed and business and movement have been greatly facilitated and have mushroomed. John Hume, the Nobel Peace Prize Laureate and incidentally the subject of a new film, has called the European Union: "The greatest peace process in history".

Britain's breezy approach to Ireland's concerns about a re-instated border shows that the issues are not taken seriously. It is decades since people who wanted an EU referendum started agitating for one and Irish premier Leo Varadkar rightly muses: "Sometimes it doesn't seem like they have thought all this through." He insists that a written commitment of no hard border be given before trade talks proceed. It is telling that the UK tabloid press resorts to language such as 'shut your gob' to Mr Varadkar.

Mrs May has stated that there would be no hard border but without explaining how this incompatible aim can be achieved. By definition a customs border is required if Northern Ireland (a part of the UK and outside the EU) is no longer in the Customs Union. As Northern Ireland's economy faces big challenges too from Brexit, concern is mounting there. Some 53,500 Northern Irish citizens applied for an Irish passport in the first six months of 2017, to safeguard their EU rights.

In short, fortunately the problem can be dealt with if the UK stays in the Customs Union and, preferably, also in the Single Market. The British Labour Party's recent stated intention to do so, at least for four years, is an encouraging move in the right direction. This statement by Labour, if supported by other UK parties and fulfilled, will serve the interests of ECREU members and of the whole of Ireland combined.



Susan - Ireland

Keep Calm and Carry On.... and Get Registered!

In Spain, British citizens remain uncertain as to the situation after Brexit: some municipalities and estate agents are reporting British people taking the opportunity to move to the UK, while others report Brits dashing to get to Spain before the 29 March 2019. The British Ambassador, Simon Manley and Consul Sarah Jane Morris, are doing their utmost to persuade everyone to remain calm and make sure they are 'properly registered and not 'under the radar' and to await events.



Those unregistered British people and families living in Spain need to register and children born here must be registered - apparently there are children who do not exist! And let's remember that the statistics say that 60% of British people living in Spain are NOT pensioners.



Margaret (on left), Consul Sarah Jane Norris and Councillor Laura Hillstead (a British citizen living in Tuelada Moraira, near Alicante)

The Ambassador and Consul advise everyone not to rely on rumours for information but to look at reliable web sites. On behalf of ECREU, I keep the Embassy up to date with information from our Coalition 'British in Europe' about the concerns of us all plus issues which are particular to Spain.

At a meeting in Elche, it became evident that the information on the ECREU and British in Europe web sites give more information than the Government allows the Foreign Office to report!

The meeting in Elche demonstrated that there are still hundreds (probably thousands) of Brits who have no idea what is happening or (even worse) believe the most extraordinary rumours. Facebook, sadly, is full of rumour and wrong information so beware.... in today's world of the Internet there is no excuse for not being properly informed.

All our members should tell their neighbours and friends to join ECREU and to look up the information on our web site

Health can be bad for your wealth

There is still confusion about health care costs in Spain and who pays for what. Pensioners should not rely on the European Health Insurance Card to pay for regular treatments. The EHIC is meant for tourists who require necessary medical care. The S1 system is for the health care of retired British pensioners.

The 'convenio especial' is for early retirees who are not yet pensioners while the Spanish security system is for those who are registered and working here.

Through the S1 system, the British government pays the Spanish government 3,400€ per pensioner per year, irrespective of how much treatment is required (Spain pays Britain for Spaniards in the UK in the same way). Those using the EHIC cost the British government much more because they pay per item of treatment. The payments through the S1 pensioner system will continue after Brexit (according to British government sources) as will the annual pension uplift and payments of the pension to banks in Spain.

So What Might Change? Some thought is being given to what will be different in Spain after Brexit Day. We will be required to change our 'residencia' for a 'residencia non Europeo'. All registered Brits who are working may need to show that they exist here - 'their footprint' - and that process may well require employing lawyers to wade through the bureaucracy.

Taxation may well be different, i.e., more. For example non residency tax is currently 19% for European Citizens and 24% for non Europeans. Inheritance taxation is beneficial for European Citizens and we, of course, will become non Europeans so there are clear cost implications.

Brexit Day is set for 29 March 2019 and just two months later, on Sunday 26 May 2019, there will be local elections in Spain. We British citizens are currently allowed to vote in Spanish local elections because we are European Union citizens. But we will not be EU citizens on 26 May and therefore not allowed to vote. Michel Barnier has indicated that countries can make 'bilateral agreements' allowing British citizens to vote. Britain has offered EU citizens the vote and therefore Spain should reciprocate. I asked the Ambassador if we can start to have negotiations with the Spanish government prior to Brexit day and in time to allow us to vote, permitting the many British people who wish to stand as candidates for their local councils to do so. If you care about voting and like the idea of a British councillor in your local Town Hall, then write to the Ambassador and ask him for action.

Working Together

Through our Coalition, ECREU works with other citizen's organisations in Spain including Eurocitizens and Bremain in Spain. Members of all these organisations have been assisting in the lobbying of Members of the European Parliament. If you helped us, then thank you.

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Our Colleagues at Eurocitizens in Madrid have also been talking to officials in the Spanish government in Madrid and the good news is that a meeting has just been arranged with Minister Alfonso Dastis. He is a Spanish diplomat, currently serving as Minister of Foreign Affairs of Spain. This is a great opportunity to get all our concerns and hopes through to the heart of the government.

Ireland?... what about Gibraltar? As I write this report, the news is full of the issues concerning the boundary between Northern Ireland and the Republic of Ireland. Talks may fail on the lack of agreement about this border. But here in Spain we also have a border between the UK and the European Union where Gibraltar joins mainland Spain. The people of Gibraltar and the Spaniards in the area near to Gibraltar need each other for jobs and prosperity. This issue is not yet top of the agenda in Brussels but watch this space!

A happy Christmas to all in Spain. ¡Feliz Navidad!

Margaret Hales - margarethales@ecreu.com

Legal rights in jeopardy

British citizens will lose any legal protection rights under EU directives if they are arrested in the UK after Brexit, according to a British QC appointed to the EU Commission Experts Group on European Criminal Law Policy.

Paul Garlick QC, a criminal defence lawyer and Recorder of the Crown Court, who has trained judges and lawyers all over the world for the Council of Europe, The Organisation for Security and Cooperation in Europe, the FCO and the US Department of State said: “There has been absolutely no discussion of what will happen to these rights on the day that we leave the EU.



“No one who is arrested in the U.K. will be able to engage the protection that the relevant EU Directives give to accused persons unless they are expressly preserved into U.K. national law. Do we trust our government to do this, or will the rights that we have fought to introduce over the last decade cease to exist in their present form?”



He warns that failure to incorporate those rights will mean regressing to position we were in during the 1980s and 1990s in respect of procedural rights for the accused. “I am a criminal lawyer and I have witnessed the great advances that have been made over the last decade regarding the rights of accused persons within the EU. We need to impress upon our MPs that they need to start considering these matters.”

Paul Garlick is the latest member to join the ECREU team. He is a barrister (Queen’s Counsel) practising in the areas of European and international criminal law, extradition, human rights and judicial review.

Paul has been a Recorder of the Crown Court in England and Wales since 1992, working as a part time judge dealing with serious criminal cases.

Since 2012, he has been one of the experts appointed to the EU Commission Experts Group on European Criminal Law Policy. He has trained judges and lawyers all over the world for the Council of Europe, The Organisation for Security and Cooperation in Europe, the FCO and the US Department of State.

Since 2015, Paul has been a visiting lecturer at The Hague University of Applied Sciences, where he teaches comparative criminal law, the rights of accused persons and anti-money laundering compliance. He now lives in The Hague.

Service Personnel Update

Whilst you are still a serving member of HM Forces based in an EU country, you and your family should be covered for health issues, social issues, pension rights etc.

However this may not be the case if you retire from HM Forces and decide to stay on in the country you were serving in at the time of retirement. If any of you are planning such action before or after the leave date ECREU would be interested to learn if you have any concerns about the possible effects Brexit may have on your rights to reside, health cover, social cover etc once you leave the Forces and begin your new civilian life.



Please contact Brian Kemp, our HM Forces Co-ordinator at: brian.kemp@ecreu.com

Latest from.....

Meeting with M Barnier

It's was a busy November for our colleagues at group coalition, British in Europe. Along with members of the3million, they met with Michel Barnier and Guy Verhofstadt in an attempt to ensure that discussion of citizens rights reach a satisfactory conclusion before the EU agrees 'sufficient progress' to move on to trade.



The team stressed the importance of all the fundamental issues including free movement, the right of return and status of EU citizens in the UK. Discussions also covered recognition of professional qualifications, economic rights such as running a business, cross-border working and ring-fencing.

Michel Barnier re-confirmed the red lines mentioned in his press statement on 10 November including administrative procedures facing EU citizens in the UK, family reunification, export of benefits and the future role of Court of Justice of the European Union (CJEU)

All are still on the UK/EU negotiation table, but if sufficient progress is agreed on citizens' rights, both sides would then begin drafting the detail to implement it. It was not possible to say if sufficient progress will be reached, but our continuing input into process was discussed and M. Barnier offered to meet again with both British in Europe and the3million after the European Council meeting in December.

Meanwhile, European parliament Brexit coordinator Guy Verhofstadt, made very clear that the European Parliament stands strongly by the identified red lines and that there will be no 'sufficient progress' agreement unless there is real progress on citizens' rights. He agreed that EU citizens in the UK should not have to apply for a status (Settled Status) but instead have their current status confirmed.

Family reunification is considered a red line, including future family reunification. Our team also raised the issue of how this affects returning UK citizens to the UK, along with free movement and a lifelong right of return, plus professional qualifications, economic rights and ring-fencing.

Chair of British in Europe, Jane Golding and vice chair Fiona Godfrey along with Anne-Laure Donskoy of the3million then made a presentation to AFCO, the EU's Committee on Constitutional Affairs.

You can see Jane's presentation to this influential committee of the European Parliament from this British in Europe YouTube link: [HERE](#)

(The presentation starts with legal points. Fast forward to 8 minutes for the human aspects of our campaign)



Web site: www.britishineurope.org

As we focus on our rights after Brexit, there are other complex issues facing the UK come the day of leaving, not least the impact on the City. Will financial services really abandon London in preference for locations in the EU and where will they re-locate?



Paris and Frankfurt, we are told, are possible front runners, but other cities are bidding for the business. Here, Shellie Karabell a contributor to influential US magazine Forbes, takes a look at Amsterdam.....

Amsterdam Deputy Mayor Udo Kock says the city is ready for more international business as Brexit nears. “We’ve been a prosperous city for more than 700 years,” he says.

As the clock ticks towards the U.K.’s departure from the European Union, cities such as Frankfurt, Amsterdam and Paris are scrambling to present themselves as the best place to relocate London’s largest financial services business. Amsterdam city leaders admit to having had conversations with more than 100 companies thus far, and are already arranging re-location for 18 of them.

And, proving the real estate adage that the most important item is “location, location, location,” Amsterdam business and government leaders also say the city has a built-in location advantage – technically and physically.

“Paris, Frankfurt and London are an hour away by train or plane,” says Irishman Patrick Ryan, whose technology and services provider KYCnet (Know Your Customer) was purchased by London-based Equiniti last year. The combined company chose to maintain its EU operations in this city of canals in 2008, with Ryan as CEO, even before the Brexit vote, largely because of the city’s convenience. “In London it can take you two hours just to get to an airport.” Indeed, Amsterdam’s Schiphol Airport consistently finds itself in the top-ten list of world’s best airports, with daily flights to world capitals and modern efficient rail links that can take you into the center-city train station in under 15 minutes.

Digital Central



Amsterdam is also centrally located in the digital world of fibre optic cable and satellites, which makes connectivity possible and has already turned Holland into one of the world’s main Internet hubs, along with London, Frankfurt and Hong Kong. “80 percent of Europe’s population is reachable within a 50 millisecond network reach of Amsterdam,” says Michiel Eielts, Managing Director, Benelux, of Equinix, which has two multi-million dollar 70-meter-tall (230-foot) data center providers at Amsterdam’s Science Park, just beyond the city center, which will ultimately provide space and power for 4,200 IT cabinets. Founded in 1998 in Redwood City, CA,

Equinix boasts 73 European data centers in Frankfurt, Dublin, and Amsterdam; the latter, founded in 2008, has been located since 2012 at Amsterdam’s Science Park - where one of the first three websites in the world was built in 1992, creating the foundation for the Internet itself.

Equinix already has a flight of international clients - such as Philips and some 250 telecomm companies - accessing global customers from its huge data centers, AMX 3 & 4, just outside the city center. “Video games, data processing, phone calls...it all comes together here,” Eielts says. “Your smart phone is just a pretty fashion accessory.”

Brexit will ultimately result in legislation that changes the borders of the European Union, but the digital infrastructure in hubs such as Amsterdam probably won’t be changing much – at least not right away. “Companies won’t be moving their hardware until there is more clarity on Brexit and they’re absolutely sure of their next move,” Eielts continues. “A sea cable takes 3-5 years to install and it’s costly. But the digital world will finally follow Brexit.”

more.....



Financial Passport

A lot of that digital following will depend on what happens to the U.K.'s so-called financial passport, which allows financial products, such as loans and mortgages and investment vehicles created under London's more risk-oriented financial rules, to be sold across the EU. If the passport remains valid despite Brexit, then the digital support necessary to servicing those financial products can remain in London. But if not, then U.K. companies or

multinationals with EU headquarters in London will have to relocate at least their data processing to a location within the EU. A "hard Brexit" would most probably not renew the financial passport, but for the moment no one knows what will happen. "The opportunities for Amsterdam will come when companies realize they have to move their hardware," Eielts continues. "And they will not do this until they are absolutely sure. We can serve customers from this data center wherever they are, and we still have the biggest capacity for infrastructure expansion of any hub."

Moving people is a little less complicated. For one thing, in today's interconnected Internet world, it's possible to shift your business without shifting all of your staff. "International banks now based in London are not going to be moving in their entirety from London to another city," says Dr Udo Kock, City of Amsterdam Deputy Mayor for Finance and Economics, with 15 years at the IMF in Washington, DC, under his belt. Indeed, one thing that might keep high-flying, high-earning financial traders from moving to Amsterdam is the Netherlands' cap on bonuses. "It is what it is," Kock admits, "and it's not going to change. But any job not bonus-driven would be ideal for Amsterdam: fin tech, treasury, clearing, back-office jobs, even jobs in the creative sector such as software." There are clearly more of these backend jobs around than the high-flying ones that grab all the headlines.

Kock is a good example of the full campaign mode in Amsterdam as the city sets out to attract some of the Brexit business fall out. "We are the only location that offers the whole package," he says. "Great connectivity, a huge talent pool and a quality of life." Indeed the city's three universities and ambitious startup entrepreneurial ambience mean young people with ideas are everywhere. "You find yourself surrounded by people who are trying to achieve something," Ryan points out. "The caliber of people in Amsterdam is very high – it's a destination city for young talent."

Where To Put Everyone?

The one big drawback in Amsterdam is space: all those houses lining the canals for the past 400 years look charming but they are seriously tiny and leave no room for much more to be built in the scenic parts of town. Where to put all those newly arrived workers? The Dutch are not experts at logistics for nothing. Besides reclaiming and converting former military and industrial buildings from organizations themselves relocating outside the city, Amsterdam is also using a marketing ploy by employing the now ubiquitous term "Greater Amsterdam." (Note: There is also a greater Paris" on the horizon)



It's all down to the city's transportation connectivity. "Amsterdam is more than just a city – it's Metropolitan area," says Kock. "Cities like Haarlem are just 15-minutes away by train."

Kock has also cut the waiting list for seats in classrooms by expanding by 1500 the number of places in schools available for children of visa-holders from the elementary to high school to vocational level, thanks to a boost to the city's budget from the regional and national governments of 10-million Euros. And not just for the children of CEOs, but also children whose parents are at the worker-bee level, or even PhD candidates. "Two years ago we were told by the international community that having a waiting list for schools was hurting our competitiveness, so we fixed it. We want to be one of the most attractive places in Europe to live and work, and if we have problems, we'll fix them," he says. It also helps that virtually everyone in the country speaks English.

Finally, Amsterdam leaders like to point – and within reason – to the city's long record of having managed prosperity and working in cooperation, from the Golden Age spanning the 17th century to the present. "When you live eight feet below sea level, you have to be able to work together to build structures to hold back the waters," Kock says, pointing out that Amsterdam is the fourth largest harbor in Europe, while the city itself has been around since 1275. "This has been an economically stable city for more than 700 years," he continues. "We're not a fluke."

See the original story and more from here: [Forbes.com](https://www.forbes.com)

Shellie Karabell covers leadership - people, politics & policy - from a European view.



What is British in Europe?

Early this year, ECREU and other like minded citizen's groups in France, Spain, Italy and Germany agreed to form a 'coalition' to coordinate our efforts and give a more effective voice to our members.

British in Europe now has a very experienced and knowledgeable team which is able to meet and influence key negotiators and politicians far more effectively than could ever be achieved by individual groups working alone.

We have had meetings with Mr Verhofstadt and Mr Barnier who has scheduled two further sessions for the new year. We have also met with the UK team, but have yet to come face-face with Mr Davis. Meetings with the UK side have been 'off the record'.

Web site: www.britishineurope.org



We recently emailed members in France about a series of Brexit Outreach Forums in November and December, organised by the British Embassy in Paris. They are hosted by either the Ambassador, Lord Llewellyn, or Ministre Plénipotentiaire, Matthew Lodge (no2 in the Embassy). More forums are being planned for next year, but meanwhile, do check out the Embassy Facebook page from <https://www.facebook.com/ukinfrance> and sign up for the Embassy newsletter 'Voisins Voice' (<http://bit.ly/VoisinsVoices>) which is where you will find details of the next round of Brexit outreach events.



Need to contact someone at ECREU?

If an email address is not shown in this newsletter, please email to: contact@ecreu.com

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At the time of writing this newsletter, ECREU has 9,722 members living in 28 EU countries:

Austria	Estonia	Italy	Portugal
Belgium	Finland	Latvia	Romania
Bulgaria	France	Lithuania	Slovakia
Croatia	Germany	Luxembourg	Slovenia
Cyprus	Greece	Malta	Spain
Czech Republic	Hungary	Netherlands	Sweden
Denmark	Ireland	Poland	United Kingdom

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