

Five areas where resolution and clarity is needed in UK-EU negotiations on citizens' rights

EU citizens living in the UK still face uncertainty over their rights in the UK after we leave the EU. This uncertainty is making it difficult for talented EU staff and students to plan their futures. Some are leaving the UK as a result, which is a great loss to our world-class universities and the UK more broadly. The contribution these individuals make to the world-class research and teaching at Russell Group universities is crucial. We need to do everything we can to ensure they feel valued and supported to stay in the UK.

The Prime Minister's conference speech, which recognised the valuable contribution EU citizens are making to the UK and set out her clear desire for them to stay, was important. We welcome progress made on citizens' rights since Government set out its proposals in June, and the transparency of negotiations with the EU. We support the UK Government's position in:

- Offering EU citizens with settled status a **guaranteed right of return** after periods of absence from the UK, even if these exceed 2 years. Academics and students often spend periods of time abroad for study, training, career development and research collaborations. Such activities should not jeopardise their acquiring or retaining settled status.
- **Continuing to recognise professional qualifications** obtained, or being obtained, by UK and EU nationals across the EU.
- Confirming there will be **no additional eligibility requirements** for temporary or settled status beyond the minimum requirements in the withdrawal agreement.
- Applying a **free or minimal charge** for documentation needed to confirm residency status.

However, some aspects of citizens' rights require greater attention and we urge UK Government to prioritise these in the next round of negotiations:

1. Current holders of **permanent residence should be automatically transferred to settled status and receive the necessary documentation**. There is no need to re-assess these individuals' right to be in the UK. Also, where it is possible to identify individuals eligible for temporary or settled status, the Home Office should contact EU citizens to offer this.
2. The **rights of future family members** need to be clarified. The same citizenship rights for children born in the UK to EU nationals with settled status should apply if the child is born outside the UK.
3. The **cut-off date should be the date the UK leaves the EU**. This prospective notification and certainty is crucial to allow organisations and individuals to plan accordingly.
4. The promise of a streamlined application process that places **minimum burden on applicants** is welcome, as is the 2-year period of grace in which to make the application. However, if Government cannot demonstrate effective processing of applications there must be **flexibility to extend this grace period**.
5. We welcome confirmation that EU **students starting courses in 2017/18 and 2018/19** will be eligible for home fee status and can stay for the duration of their studies. If these students arrive after the cut-off date, we ask for an exemption enabling them to work after their studies as temporary residents and to gain settled status after five years' residence.

The Prime Minister has recognised the uncertainty facing EU citizens and has urged negotiating teams to reach an agreement as soon as possible. Although this is welcome, additional guarantees are needed to provide certainty before the withdrawal agreement can take effect in March 2019.

We urge UK Government to unilaterally guarantee the rights of EU citizens in the UK by incorporating relevant sections of the withdrawal agreement into UK legislation as soon as these have been agreed.