



Department  
for Exiting the  
European Union

**Rt Hon Steve Barclay MP**  
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Michel Barnier  
European Chief Negotiator Taskforce on Article 50  
negotiations with the UK  
Rue de la Loi 200 Berlaymont - 1049 – Brussels

04 March 2019

Dear Michel,

The UK and the EU have always shared the ambition of providing certainty to both EU citizens in the UK and UK nationals in the EU on their rights following our exit.

We continue to believe that the agreement that we have reached is the best way of providing confidence to citizens that their rights will be protected, and for that to be provided for in the Withdrawal Agreement as part of a deal between the UK and the EU. Reaching an agreement remains the Government's primary focus.

On 27 February, our Parliament supported a proposal by Alberto Costa MP which requires the Government to seek a joint UK/EU commitment to preserve the citizens' rights section of the Withdrawal Agreement whatever the outcome of negotiations. I know that a Commission Spokesperson made a statement on these issues on 28 February. However, I wanted to write to you to explain our position on the amendment and to seek your formal views on our Parliament's proposal.

The Prime Minister made clear during her statement to the House on 26 February that the Government recognises the significant challenges related to concluding a ring-fenced agreement. Nevertheless, the Government supported the intention of the amendment, namely of providing certainty to citizens whatever the outcome of negotiations.

In light of our aim, we have already set out a fair and comprehensive unilateral offer of how we will protect the rights of EU citizens in the UK that is based on the Withdrawal Agreement.

The EU Settlement Scheme is already underway to enable those resident in the UK by 29 March to secure their status. Over 130,000 applications have been granted by the Home Office so far and thousands more are being considered each week. We have also chosen to waive the application fee to ensure there is no financial barrier for those who wish to stay.



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The UK is also ensuring that these EU citizens will be able to continue to access healthcare and social security as before. The UK is taking practical steps to deliver the protections for the 3 million EU citizens living in the UK. They are our friends, our neighbours and our colleagues and we want them to stay.

We welcome the progress made by Member States to provide public reassurances on how they will protect the rights of UK nationals in the EU. Although there is currently some variation in the way in which this is being taken forward by some Member States, we welcome the Commission's request that they adopt a generous approach.

The Government nonetheless has particular concerns in relation to healthcare arrangements as these are not covered by the current proposals published by the Commission. Given the significance of the issues, we will continue to discuss these matters bilaterally with Member States. I would be happy to explore this further with you to consider solutions that will ensure that the arrangements for citizens, in particular vulnerable citizens, are safeguarded in all scenarios.

The Government's position remains that the Withdrawal Agreement provides the best way of providing confidence to citizens. Nonetheless, given our shared commitment to protecting the rights of citizens in all scenarios, I would welcome your views on the proposal put forward by our Parliament to ring-fence citizens' rights and I propose that we discuss this issue in more detail when we meet.

I am copying this letter to Guy Verhofstadt MEP the European Parliament's Brexit Coordinator.

Yours sincerely,

The Rt Hon Steve Barclay MP  
**Secretary of State for Exiting the European Union**