

To: Mr Michael McGrath, Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection
Ms Hadja Lahbib, Commission for Equality, Preparedness and Crisis Management

16 September 2025

Dear Mr McGrath, Ms Lahbib,

We write as civil society representatives of 6 million EU citizens and their family members living in the UK, and 1.2 million British citizens and their family members living in the EU27, all of whom exercised free movement rights before December 2020, and in follow up to our meeting with you Commissioner Michael McGrath in Manchester on 11 July at the Citizens' Gathering.

At that meeting we set out the current situation regarding implementation of Part 2 of the Withdrawal Agreement and the many ongoing breaches of implementation for EU citizens living in the UK and UK citizens living in the EU27.

For EU citizens in the UK, initial fears that a large number would fall through the cracks due to the UK's historic lack of any registration scheme have proved well founded. Since the June 2021 deadline, there have been 254,000 grants of status to late applicants. There continue to be 7,000 grants of status to late applicants every month. These are increasingly complex applications and are unlikely to succeed without support and legal representation. Over 140,000 citizens are still waiting for a decision, a quarter of those for longer than a year, without travel rights while they wait. For those 6 million who do have status, we see a continuing stream of difficulties accessing rights due to the UK's implementation of a digital-only status - resulting in loss of jobs, housing and denial of boarding. Among those affected are ethnic minority EU citizens, who face disproportionate barriers both in securing status and proving it under the UK's digital-only system. Invariably, consequences fall most heavily on the most vulnerable, including those already experiencing structural and intersectional discrimination.

For British citizens in the EU27 these implementation breaches have resulted in a range of consequences, including loss of access to housing and jobs and the break-up of families arising out of orders to leave, travel bans for the Schengen zone, and a denial of WA and Charter of Fundamental rights, contrary to what was promised by then UK Prime Minister Theresa May and EU chief negotiator, Michel Barnier, in early 2017. Problematic countries continue to include constitutive Member States Sweden and Malta and, because of the size of the UK populations and the introduction of EES in October, declaratory countries such as Spain and Germany, as well as Portugal where there are general difficulties within the immigration system.

These examples illustrate the fact that ongoing support is still needed for civil society organizations working in the UK and in the EU to support Withdrawal Agreement beneficiaries and their family members. The cases our organizations encounter are potentially life changing and time-consuming, yet our financial and human resources to deal with them are limited and dwindling. British in Europe currently benefits from funding under the CERV programme to work on WA implementation and its interaction with the Charter of Fundamental Rights. British in

Europe appreciates this funding but our project ends on 31.10.2025. After that we will once again be unfunded volunteers. The UK government (the FCDO and Cabinet Office) tells us our case identification and information and awareness raising activities are important to its own monitoring work but clearly not important enough for the UK to fund.

Equally in the UK, ongoing support for EU citizens is essential. The UK government's funding to support vulnerable citizens applying for status is in its final year and has reduced sharply. Over half the organisations that were funded to provide complex advice, precisely the type of advice most needed, no longer receive any funding. the3million was pleased to receive EU funding to deliver its Common Ground project, building bridges and raising awareness of citizens' rights among civil society organisations. We remain immensely grateful for the ongoing substantial support provided by the EU Delegation in the UK and the expert legal policy advice by Seraphus, made possible by EU funding. This enables us to widely disseminate ongoing changes to the EU Settlement Scheme, provide an in-depth knowledgebase, and to support and signpost vulnerable citizens.

It was acknowledged with the adoption of the 2021 [Brexit adjustment reserve](#) that there would be an impact on communities and businesses from Brexit, yet very little of the available €5.47 billion in funding was dedicated to supporting the 7 million citizens most affected or the civil society organizations in the UK and EU trying to help them.¹ Article 1 (h) facilitates Member States to support the reintegration of Union citizens who left the UK as a result of Brexit back into the EU, but not UK citizens living in the EU27 or EU citizens who chose or who had little choice but to stay in the UK.

Brexit is not going away and neither is its impact on our communities. We are told our work is needed and valued but it is insufficiently funded. If we are to continue to bring cases to the attention of your Commission services so that they can carry out their evaluation and monitoring function of the WA effectively we need more support. Accordingly, we are writing to you to ask for a dedicated fund to facilitate the work carried out by civil society in the UK and the EU to support WA beneficiaries on both sides of the Channel. This would allow us to continue to collect cases and bring them to the attention of the Commission, including the EU delegations to the UK, the UK government, including the Independent Monitoring Authority, and Member States.

We appreciate the hybrid nature of our request and the potential straitjackets of funding streams determined on the basis of EU and non-EU based activities but there are examples we can point to: For example, the scope of the EU's Gender Equality Strategy is global. However, as the Commissioners for Equality and Democracy and Citizens' Rights, we would also like to point out that the scope of the EU Anti-Racism Strategy remains limited to the EU's internal territory, creating a significant gap in policy and funding lacuna that urgently needs to be addressed.

We would also like to acknowledge that all our grassroots hard work can only be effective if we have engaged interlocutors in the Commission services who can take up complaints on behalf of UK citizens in the EU and EU citizens in the UK. The EU's engagement with civil society organisations in the UK following Brexit has been one of the most meaningful examples of external action in support of EU citizens abroad. This work, including supporting

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legisum:4555799>

rights monitoring and community outreach, demonstrates what is possible when the EU takes an active role in safeguarding its citizens outside its borders. We would also like to take this opportunity to highlight the support British in Europe receives from the citizens' rights and WA teams in the EC Secretariat-General and DG JUST, not to mention the Your Europe Advice service for UK citizens living in the EU. We were concerned to see a proposal from DG GROW in 2023 to close down Your Europe Advice, but were happy that after a campaign by NGOs, including British in Europe, and MEPs it was decided to keep it open.

These experiences continue to generate valuable lessons in rights protections and the importance of innovative close partnerships, which should be taken forward and reflected in the upcoming MFF. Brexit and its effect on 7 million citizens should be considered a pilot scheme of what is possible when the EU supports EU citizens outside its borders as well as former EU citizens within them.

We note the publication on 16 July 2025 of the EC proposal on the 2028-2034 MFF and we look forward to receiving more information from the Commission Services about their vision and proposed level of support via the MFF for citizen beneficiaries of the Withdrawal Agreement and the overall EU UK reset over the coming weeks and months. We will, of course, also be taking this up with the Member States and European Parliament, as well as Commissioner Šefčovič given his responsibilities for the EU-UK relationship.

Our strength as organizations comes from our shared work and objectives since 2017 to maintain and protect citizens' rights post-Brexit. As volunteers we took on that challenge and we are still here, more than eight years later. We are confident that where there is a will there will be a way and that as two Commissioners tasked with protecting fundamental rights, we can all work together to find that way for us to continue supporting our communities as a fundamental part of the wider EU-UK reset in an increasingly turbulent world.

We appreciate your busy schedules, but we would appreciate the opportunity to meet with both of you for a more extended discussion and we look forward to hearing from you in due course.

Yours sincerely,

Jane Golding, Chair, British in Europe and Fiona Godfrey, Director, British in Europe

Monique Hawkins, Head of Policy and Advocacy, the3million