



By email: Nick Thomas-Symonds, Minister for the Cabinet Office (Minister for the Constitution and European Union Relations)
Maroš Šefčovič, Commissioner for Trade and Economic Security, European Commission

CC: Mike Tapp MP, Parliamentary Under-Secretary of State for Migration and Citizenship of the United Kingdom
Delivery Director, Future Borders & Immigration System Programme (FBIS)
FBIS ETA Engagement team
Chief Executive, Independent Monitoring Authority for the Citizens' Rights Agreements

19 March 2026

Dear Nick Thomas-Symonds and Maroš Šefčovič,

Impact of ETA and ETIAS on British dual nationals and EU dual nationals

On 17 February 2026, we wrote a letter to the Home Office, in which we requested the Home Office to delay ETA enforcement, and to consider six proposed transitional measures to mitigate the impact of this ETA enforcement on British dual nationals.¹

On 13 March 2026, we received a response from the Delivery Director - Digital Permissions of the Future Borders & Immigration System Programme.²

The Home Office response rejected our request to delay ETA enforcement, and each of the proposed transitional measures, setting out the reasoning for each rejection.

The letter confirms a temporary concessionary measure first announced via the media on 18 February 2026³, confirmed on GOV.UK guidance on 20 February 2026⁴, and announced in the House of Commons on 25 February 2026⁵. This measure states:

In line with temporary guidance, carriers (such as airlines and ferry companies) may allow you to travel if you have both:

- *an expired UK passport, issued in 1989 or later*
- *a valid passport for one of the nationalities that can get an ETA*

The personal details on both passports must match.

It is the carrier's decision whether to allow you to travel.

¹ <https://the3million.org.uk/publication/2026021701>

² <https://the3million.org.uk/publication/2026031301>

³ <https://www.theguardian.com/uk-news/2026/feb/18/ryanair-may-let-dual-nationals-board-uk-flights-without-a-british-passport>

⁴ <https://webarchive.nationalarchives.gov.uk/ukgwa/20260220160616/https://www.gov.uk/guidance/electronic-travel-authorisation-eta-guide-for-dual-citizens>

⁵ <https://hansard.parliament.uk/Commons/2026-02-25/debates/2602255200009/ElectronicTravelAuthorisation>

While this measure - only at the carrier's discretion - may benefit some people, we note that many British dual nationals will not benefit, including:

- Children who are born dual nationals and will not have an expired passport;
- Dual British citizens, disproportionately women, whose names do not match on both passports due to conflicting naming conventions between UK and foreign national legislation on identity documents.

The letter also confirms a recent policy change for British dual nationals who were previously granted EU Settlement Scheme (EUSS) status - as set out on Home Office guidance at [Dual citizenship - GOV.UK](#).⁶ This page was changed on 10 March to include the following section:

When you can travel with another passport or national identity card

If you got British citizenship after settling in the UK under the EU Settlement Scheme, you can travel to the UK using a valid:

- *passport of your other nationality*
- *national identity card from the EU, Norway, Iceland, Liechtenstein or Switzerland*

Before you travel, you'll need to:

- *check that your pre-settled or settled status under the EU Settlement Scheme is still valid - you can view your eVisa to check*
- *update your UKVI account if your passport or identity card has changed*

Although this was not one of the measures we had asked for in our letter, we welcome this change for the cohort who can benefit from it. We note it is a significant departure from the general Home Office position that for a British citizen there is "a legal requirement to hold a valid British passport or Certificate of Entitlement" as stated in the Home Office response to our letter. At the same time the letter also states "Whilst there is no single requirement that a British citizen travel to the UK on a British passport, it has long been the case that any British citizen seeking to enter the UK may only evidence their right of abode in the UK at the border with a valid British passport, or a certificate of entitlement (CoE)".

The above guidance on dual citizenship does not clarify the legal basis for this policy change. However, we note that the Home Office Naturalisation Guidance⁷ was updated on 13 March 2026, making clear that this change was made to ensure the upholding of rights under the Withdrawal Agreement (WA). The following paragraph was added to the section "Travelling to and from the UK after naturalising":

⁶ <https://www.gov.uk/dual-citizenship>

⁷ <https://www.gov.uk/government/publications/form-an-guidance>

Some British citizens may also hold rights under the EU Withdrawal Agreement, or equivalents with other EEA states or Switzerland. If this is the case, you do not need to travel to the UK using a British citizen passport or a certificate of entitlement to the right of abode, unless you choose to do so.

Instead, you may travel to, and enter, the UK using a valid foreign passport or, in the case of EEA and Swiss nationals only, a national identity card. You must ensure your travel document is linked to the UKVI account in which you received your EU Settlement Scheme status to avoid travel delays.

We are writing to you today to request that:

1. All UK-based WA beneficiaries who naturalised as dual British citizens can benefit from this policy change to travel to and enter the UK with their non-British passport;
2. Policy change is implemented in the EU such that all EU-based WA beneficiaries who are EU/non-EU dual nationals can benefit from an identical, reciprocal measure to travel to and enter the EU with their non-EU passport;
3. Both parties, the UK and the EU, implement reciprocal measures such that UK-based WA beneficiaries can travel to the EU on a non-EU passport, and EU-based WA beneficiaries can travel to the UK on a non-British passport;
4. Both parties, the UK and the EU, consider extending these measures to all respective dual nationals who are not WA beneficiaries, to ensure uniformity of treatment while respecting the sovereignty of each party and their desire to have improved data on their nationals entering their respective territories.

We will expand on each of these in turn.

1. Allow all UK-based WA beneficiaries who naturalised as dual British citizens to use non-British passport

There are two cohorts of British citizens who hold rights under the EU Withdrawal Agreement or equivalents with other EEA states or Switzerland, who will not benefit from this policy change because they were not granted status under the EUSS before naturalising to become British citizens, or because they were dual British citizens without the need to naturalise.

Firstly, EU citizens who were resident in the UK by 31 December 2020 may have children who were born after 31 December 2020 and who are therefore:

- Withdrawal Agreement beneficiaries as joining family members as per Article 10(1)(e)(iii); and
- Dual British nationals at birth due to a parent being British or settled in the UK.

These children will be dual British citizens without having passed through the EUSS, and will therefore still be obligated to permanently maintain two passports in order to travel between the UK and the EU.

Secondly, there are EU citizens and family members who naturalised as dual British citizens without needing to apply to the EUSS. They are *Lounes* dual nationals⁸ who are WA beneficiaries by article 10(1)(a), yet they

⁸ https://commission.europa.eu/publications/guidance-note-citizens-rights_en - section 1.2.1.

will not have passed through the EUSS, and will therefore still be obligated to permanently maintain two passports in order to travel between the UK and the EU.

Furthermore, neither of these two cohorts will be able to travel to the UK with an EEA/Swiss national identity card, since neither cohort has a UKVI account to which that card may be linked.

This is something that the3million has raised to both parties before. In correspondence with the EU Commission in November 2020, the EU Commission stated that host states with a constitutive scheme should allow dual EU/UK nationals, who fall within personal scope of the Withdrawal Agreement, to apply for a new residence status under Article 18(1) of the Withdrawal Agreement. In evidence to the House of Lords European Affairs Committee we raised:

- In May 2021⁹ that **“Not everyone who has WA rights can obtain evidence of their WA rights.**

There is a group of people who, as EU citizens, exercised their free movement rights to move to the UK, and subsequently naturalised as dual EU-British citizens. (I personally fall into this category myself, as a Dutch-British citizen). These dual nationals are known as Lounes dual nationals (so named after a case in the CJEU), and have rights under the Withdrawal Agreement (this is not contested by either the EU or the UK, and follows established CJEU case law).

[...]

The European Commission has stated that EU countries which have chosen the constitutive Article 18(1) route should allow Lounes dual nationals to apply to those constitutive schemes in order to evidence their WA rights. For example, the Luxembourg website states that dual nationals “are not required to apply for a new residence document, but they are free to do so if they so choose;”

However, in the UK, Lounes dual nationals are barred from obtaining evidence of their WA rights, as the EUSS does not allow applications from citizens who hold British nationality.”

- In February 2023¹⁰ that **“Not everyone who has WA rights can obtain evidence of their WA rights.**

This has not changed. Dual nationals are still unable to get proof of their WA rights.

Dual nationals are still unable to get proof of their WA Rights. An extra impact has emerged, namely the inability to travel with a national identity card after October 2021 (when the UK stopped accepting national identity cards). If I were a Dutch citizen with settled status, I would be able to travel to the Netherlands on my Dutch national Identity Card. However, because I am a dual British Dutch citizen, I was unable to apply for settled status, I'm unable to prove that I am a WA beneficiary, and am therefore not able to travel with my national identity card.”

The recent policy change set out above means that the UK Government has now clearly acknowledged that EUSS status provides evidence of being a WA beneficiary even once British citizenship has been obtained.

⁹ <https://the3million.org.uk/publication/2021052501>, ‘Additional memo on WA/EUSS mismatch’

¹⁰ <https://the3million.org.uk/publication/2023022701>

This is a departure from their previous position that EUSS status is a domestic UK immigration status (leave to remain or indefinite leave to remain) that becomes void once someone becomes a British citizen.

We therefore ask that *Lounes* dual nationals, or dual nationals who are WA joining family members of WA beneficiaries, can apply to obtain a UKVI account that allows them to link a non-British passport to it, such that they can travel to, and enter, the UK with that non-British passport should they wish to do so.

We note that this can be easily achieved by means of the mechanism of the UK's Certificate of Entitlement, which is now digital and results in a UKVI account being created, to which other passports can be linked. However, this would need to be free for WA beneficiaries rather than cost £589, so that the cost is the same as applying for EUSS status (which is free).

2. Allow all EU-based WA beneficiaries who naturalised as dual EU citizens to use non-EU passport

We note that currently, the EU proposes that when ETIAS comes into force, dual British/EU citizens must enter the EU on their EU passport.

This is set out on the official ETIAS website of the European Union¹¹, which states (our emphasis):

You will not need an ETIAS travel authorisation if you are:

- *a national of a European country requiring ETIAS or of Ireland*

*If you have multiple nationalities and one of them is from a European country requiring ETIAS or Ireland, **you must use your travel document issued by that European country** during your trip to any of the 30 European countries requiring ETIAS.*

- *a dual national of a European country requiring ETIAS or Ireland and of a visa-exempt country*

*If you are a citizen of any of the European countries requiring ETIAS or Ireland, you are exempt from ETIAS regardless of any other nationality you may hold. **In this case, you must travel with the passport issued by the European country requiring ETIAS or Ireland.** If your passport has expired or cannot be used, you should contact the diplomatic or consular authorities of the country that issued it, who can advise you on how to obtain a new travel document. **Otherwise, you will not be able to travel to the European countries requiring ETIAS.***

This will, once ETIAS is enforced, clearly create an identical, reciprocal, problem for EU dual nationals to the one recently created for British dual nationals by ETA enforcement.

We therefore ask that the EU ensures that similar reciprocal policies are introduced in advance of ETIAS being implemented, such that:

- all EU-based WA beneficiaries, whether British citizens or their non-British family members,
- who naturalise as EU citizens and become dual EU/British or other dual EU/non-EU citizens,
- can choose to continue travelling to, and entering, the EU with their non-EU passport.

¹¹ <https://travel-europe.europa.eu/etias/about-etias/who-should-apply>

This is clearly required by the Withdrawal Agreement which notes in its preamble that “*it is necessary to provide reciprocal protection for Union citizens and for United Kingdom nationals, as well as their respective family members, where they have exercised free movement rights before a date set in this Agreement*”.

We assume that the EU will implement some mechanism, potentially similar to the UK’s digital Certificate of Entitlement, to allow EU/non-EU dual nationals to register their EU nationality in a database and link it to their non-EU passport, to allow for evidence of ETIAS exemption and permission to travel to the EU.

3. Allow all WA beneficiaries who are dual nationals to travel to the EU/UK on any passport

The above two measures will have ensured that:

- UK-based British dual nationals who are WA beneficiaries can choose to maintain only their non-British passport in order to travel to and enter the UK; and
- EU-based EU dual nationals who are WA beneficiaries can choose to maintain only their non-EU passport in order to travel to and enter the EU.

We consider that both of these cohorts should also have the choice to travel on just the passport of their host state (rather than just the passport of their nationality/ies before naturalising to become dual nationals). This need can arise where people maintain both sets of passports but one has expired and it is taking a long time to renew; or, for example, where families cannot afford to maintain both sets of passports and choose to maintain only the passport of the newly acquired nationality of their host state; or where people want to maintain both sets of passports but encounter difficulties due to conflicting national legislation on naming conventions in identity documents.

To illustrate for clarity, take the example of a Belgian citizen who moved to the UK in 2019 under EU Free Movement law and continued to reside there. He applied for and was granted status under the EUSS. He later naturalised as a dual Belgian / British citizen.

The UK’s recent policy change allows him to travel to and enter the UK on either a Belgian or a British passport. He is no longer required to obtain a British passport.

What we are asking for in this section is that this same person should also be able to travel to the EU on either a Belgian or British passport, even when ETIAS is fully implemented and enforced.

Once ETIAS is enforced, he can self-evidently travel to the EU on his Belgian passport, but we ask the EU to implement measures such that he can also register his Belgian nationality digitally, and travel to the EU on his British passport.

The ask to the UK is the same in reverse, allowing for example a British WA beneficiary living in Germany to travel to the UK on their German passport, again possibly using the digital Certificate of Entitlement facility but without having to pay £589.

4. Allow all EU or British dual nationals to travel on their non-EU or British passports

We see no reason that the above mechanisms should not extend to all dual nationals of either the UK or the EU.

We understand that both the UK and the EU may want to know who is travelling to and entering their respective territories, and that they may want to know whether they are doing so as a British or an EU citizen, respectively.



We understand it may be important for data gathering and statistics. It is also clearly important for the citizens themselves. This is because a dual British citizen entering the UK on a non-British passport should be recognised by UK Home Office systems as a British citizen, so that they are not wrongly considered to commit any immigration offences whilst in the UK, such as overstaying or exercising a right to work.

As the world moves towards digital travel documentation, we do not see that dual citizens should be forced to maintain two sets of expensive physical documents if they do not want to do so. Equally this means that we reiterate our ask to the UK Government to reconsider their extremely expensive £589 fee for a digital Certificate of Entitlement. We are fully aware that these no longer need to be renewed; however, £589 is still more than six times the cost of an adult British passport, each of which lasts for 10 years. It would therefore take more than 60 years before the cost of a CoE outweighs the cost of passport renewals, and for a family the multiplied cost is likely to be unaffordable.

We thank you in advance for your consideration of our letter, and look forward to receiving your response to our four requests for dual nationals of your respective territories, in the context of both ETA and ETIAS implementation and enforcement. We trust that reaching agreement over such proposals could form part of the continuing reset of the EU-UK relationship.

Yours sincerely,

Monique Hawkins, Head of Policy and Advocacy, the3million

Zoe Bantleman, Legal Director, Immigration Law Practitioners' Association (ILPA)

Jane Golding, Chair, British in Europe