

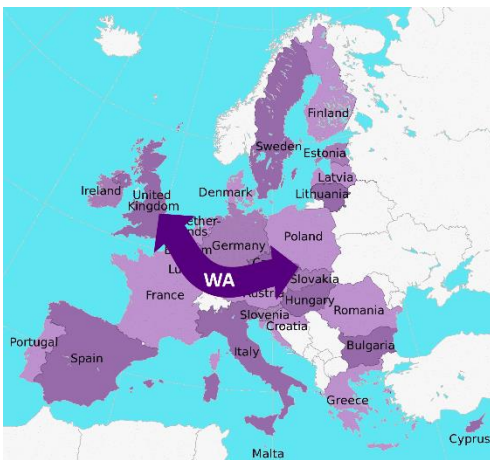
Why is there even a problem? I thought citizens could stay even if there's a no-deal scenario?

To answer this, we need to explain the **difference between a deal and a no-deal scenario** when it comes to us 5 million citizens. We say 5 million because this includes both the 3.5 million EU citizens in the UK, as well as the 1.5 million British citizens in the EU.

If the UK leaves the EU **with a deal**, that means that the UK and the EU sign up to a legally binding international treaty called the Withdrawal Agreement (WA), as well as agreeing in principle to a Political Declaration about the future trading relationship (which will then start being negotiated in detail after the UK leaves).

The WA is like a divorce agreement:

- it settles the financial obligations that the UK had
- it safeguards the Belfast Agreement
- it allows for a transition period to be able to negotiate a future trading relationship
- and last but not least it specifies the rights of the 5 million EU and British citizens who were living in the UK and the EU before Brexit.



The citizens' rights (CR) part of the WA is not perfect; we are still losing rights compared to the UK being a member of the EU, but negotiations have finished and the WA is now closed.

But what the CR **does** give us is:

- **All 5 million citizens protected for their lifetime by an international treaty**
- **Complex issues that require international co-operation are dealt with** (for example adding up pension entitlements from past work in different countries, payment for healthcare in each others' countries and many other matters)

Now consider what happens to citizens' rights if the UK leaves the EU **without a deal**.

The Withdrawal Agreement will have been rejected. This means that the **Citizens' Rights part of that WA will also be shredded**.

- 5 million citizens will then be subject to their rights being determined by national legislation in 28 different countries
- These varying rights, lesser than those in the WA, and now **not protected by an international treaty**, are subject to the whims of future governments of 28 different countries
- The complex issues such as pensions, healthcare and many others, will now need to be painstakingly agreed by 27 separate bilateral arrangements between the UK and 27 countries.



So with less than 4 weeks to go, No Deal is STILL a definite possibility. An extension just moves the deadline, it does NOT take No Deal off the table.

5 million citizens therefore STILL don't know what their rights will be, or how safe those rights will be in future.

A British pensioner living in the EU, currently receiving life-preserving treatment STILL does not know whether that treatment will continue after March 29th. A French citizen living in the UK STILL does not know whether they will be allowed to bring an elderly parent to the UK to look after them 10 years down the line.

So what's the solution and where does the Costa Amendment fit into this?

The solution may seem obvious. We at the3million and British in Europe certainly think so, and have been stating the solution for two years.

Namely – to guarantee that in all eventualities, deal or no deal, the Citizens' Rights part of the Withdrawal Agreement is honoured, as an International Treaty by the time the UK leaves the EU.

After all, there are now such international treaty agreements between the UK and the EFTA countries (Norway, Iceland and Liechtenstein), and between the UK and Switzerland – both will take effect even in a no deal scenario.





Why has this not been done?

The 27 non-UK members of the European Council (which is made up of all the Heads of State of the EU Member States) gave the European Commission its negotiating instructions in April 2017, which included the now well-known phrase 'nothing is agreed until everything is agreed'.

We don't believe that it could have been the intention to march 5 million citizens, most of whom didn't have a voice in the referendum, to the edge of a cliff in quite the way that has happened now.

But we are where we are, and the European Commission is not able to separate out the Citizens' Rights part of the Withdrawal Agreement because it has to follow the European Council's negotiating mandate.

So this is where the Costa amendment comes in. It is the first step in a multi-step process.

1. It requires  THERESA MAY
2. To ask  the EUROPEAN COUNCIL
3. To instruct  the EUROPEAN COMMISSION
4. To make sure  the Citizens' Rights part of the Withdrawal Agreement can be guaranteed in all Brexit circumstances

On Wednesday 27th February 2019, the House of Commons, in an extremely rare show of unity, passed step 1 of this process.

The Prime Minister will soon be writing to the European Council, which is step 2.

This is where the Costa Amendment ends.

We are now dependent on the European Council's decision for steps 3 and 4.

"This House requires the Prime Minister to seek at the earliest opportunity a joint UK-EU commitment to adopt part two of the Withdrawal Agreement on Citizens' Rights and ensure its implementation prior to the UK's exiting the European Union, whatever the outcome of negotiations on other aspects of the Withdrawal Agreement"

-- (Alberto Costa)