

Michael Barnier
Chief Negotiator on Brexit, European Commissioner

10th July 2017

Dear Michael,

I am writing to you regarding the status of the children of EU nationals living in the UK and the children of UK nationals living in other EU countries. As the Children's Commissioner for England, I have a statutory role to act as a voice and champion for children and I am independent of government.

Many children I have spoken to over the last year have told me they are very worried about the uncertainty surrounding their status after Britain leaves the EU. I have been concerned that the rights and outcomes of children have so far been little more than a footnote in the debate about immigration and residence rights following Brexit.

So I am pleased that both the British Government and the EU have now made a substantial offers in regard to future residence rights. This will provide some reassurance to the hundreds of thousands of children with EU national parents that they will not be forced to leave the country they feel is their home. However, it is vital that agreement on this question is now reached.

I notice that EU representatives, in particular Guy Verhofstadt, have emphasised the notion of 'citizenship' as the basis for a residence offer. However, the young people I have spoken to are wary of the complexities associated with citizenship. In particular, they are concerned that taking-up British citizenship may lead to them being stripped of the citizenship of their birth. Can you guarantee that any EU national child living in the UK who accepts British citizenship will not, as a result, have to relinquish their nationality of birth?

Clearly, jurisdiction over the 'Withdrawal Agreement' is a complex question that will have to be decided during the course of negotiations. However, it would be totally unacceptable if a decision on citizens' future rights – a matter of the most immediate concern for millions of people – was held-up until an agreement was made on this issue. Hundreds of thousands of children do not want to be left in limbo while a complex jurisdictional question is debated.

Therefore I would urge the EU to separate out the issue of jurisdiction from citizens' immigration rights in order for an agreement to be made promptly. Refusal to do this would suggest the EU is not prioritising citizens' rights and is instead attempting to use adults and children as a bargaining chip.

I am writing to both the EU and UK Government urging them to engage positively, constructively and immediately on the issue of citizens' rights alone so that an agreement can be reached that has children's interests at its heart.

Best wishes,



Anne Longfield OBE

cc. Guy Verstofaht MEP

Children's Commissioner for England: [Anne Longfield OBE](#)