



**Rt Hon Amber Rudd MP**  
Home Office  
2 Marsham Street  
London  
SW1P 4DP

Member of the European Parliament

19th October 2017

### Registering EU citizens

Dear Amber,

We are a cross-party group of MEPs both from the UK and other EU countries. We have been working closely on the issue of citizens' rights since the referendum result in June 2016.

We are concerned about a couple of the comments you made in the Home Affairs Committee on Tuesday 17th October. You said "we have made preparations for registering EU citizens in the UK. During a transition period we would expect EU citizens coming to register." However if the UK were to require non-UK EU citizens to register before we left the EU or during the transition period (where we are assuming we would be subject to the EU's full *acquis*) it would be a direct contradiction of the EU's Freedom of Movement rules.

It is true that most EU Member States require their citizens to register their residence (the UK being an exception), but this applies to both nationals and non-nationals. Is the Home Office suggesting that only non-UK EU citizens needs to register? Article 26 of the Freedom of Movement Directive makes it very clear that residency cards are for everyone, or no one. We find it extremely troubling for the Home Secretary of a Member State currently complying with EU laws to make such a statement.

We also heard you say during the Committee hearing that those EU citizens who fail criminal records checks may be rejected. Article 7 of the Freedom of Movement Directive clearly states the necessary areas of compliance for an EU citizen to reside in a Member State and criminality is not one of them. There is ground to restrict residency, but only according to Article 27 when that person may "represent a genuine, present and sufficiently serious threat affecting one of the fundamental interests of society". We are not convinced the type of system of checks the UK intends to introduce while it is still an EU member or in the transition arrangement respects the Freedom of Movement rules.

Finally we want to express to you our absolute dismay at the way EU citizens in the UK have so far been treated. The erroneous letters sent by the Home Office to EU citizens threatening deportation were completely unacceptable and we sincerely hope that your staff now know that this must not happen again.

We look forward to your reply on the issues raised above.

Yours sincerely,

Catherine Bearder MEP,

Sophie in 't Veld MEP,

Seb Dance MEP,

Jean Lambert MEP,

Beatriz Becerra MEP