



## Post-Brexit Citizenship Status: Divided by the Rules?

**Moot Court Room, School of Law, Queen's University Belfast  
10am-4pm, Monday 4 March 2019**

This one-day conference from BrexitLawNI and the Equality Coalition will examine the risks of hardened entitlement boundaries between different groups of citizens in post-Brexit Northern Ireland. The existing paradigm of two main citizenship categories (EU and non-EU) will be expanded to include many more sub-divisions should the current Brexit proposals proceed (as is shown in the table below). Topics explored at the conference will include: entitlements differentials, citizenship status and rights, racial profiling, compliance with the Belfast/Good Friday Agreement, 'hostile environment' measures, the scope of the 'Common Travel Area', and the retained EU citizens' rights provisions under the EU Settlement Scheme.

The conference will include input from a wide range of experts.

Chairs and facilitators: Prof Colin Harvey (BrexitLawNI & QUB), Patricia McKeown (Equality Coalition & UNISON), Daniel Holder (Equality Coalition & CAJ), Prof Kieran McEvoy (QUB), Dr Anna Bryson (QUB), Brian Gormally (CAJ).

Panel on the implications of Brexit for EU26, EEA and non-EU migrants in NI: Bernadette McAliskey (STEP), Una Boyd (CAJ Immigration Project Coordinator), UNISON speaker (name tbc).

Panel on the implications of Brexit for British and Irish citizens in NI: Emma DeSouza (campaigner), Jane Morrice (UK member of the EU ESSC Committee), Terry Wright (community unionist), Niall Murphy (solicitor).

There will also be a panel of political representatives (details tbc) and other speakers. Further details and a full agenda to follow soon at: [www.caj.org.uk/news/events/](http://www.caj.org.uk/news/events/)

Citizenship status when in NI	Access to work, public services & benefits in NI after Brexit Day (1)	Basic freedom of movement in EU after Brexit Day	Access to other related EU rights, opportunities & benefits after Brexit Day
1. British citizens	✓ Secure under domestic law	✗ No - cease to be EU citizens	✗ No - no arrangement in place
2. Irish citizens who do not apply for settled status under the EU Settlement Scheme (2) before Brexit Day	? Political promise of some rights under CTA (3) but not currently secured in domestic law	✓ Yes - still EU citizens	✗ No - not provided for by CTA & EU-UK Joint Report commitment not in place
3. Irish citizens in NI for 5+ years who apply for and get full settled status before Brexit Day	✓ Yes, range of equal rights retained, with (qualified) lifetime guarantee	✓ Yes - still EU citizens	✓ Yes - significant retained rights under settlement scheme
4. Irish citizens in NI for less than 5 years who get temp settled status before Brexit Day	✓ Range of equal rights temporarily; permanent with continued residence	✓ Yes - still EU citizens	✓ On temporary basis
5. Irish citizens who apply but are refused EU settled status	? Political promise of some rights under CTA but not currently secured in domestic law	✓ Yes - still EU citizens	✗ No - not provided for by CTA & EU-UK Joint Report commitment not in place
6. Irish citizens who arrive in NI (including by birth) after Brexit Day	? Political promise of some rights under CTA but not currently secured in domestic law	✓ Yes - still EU citizens	✗ No - not provided for by CTA & EU-UK Joint Report commitment not in place
7. EU26 citizens in NI who get EU settled status before Brexit Day	✓ Yes range of equal rights retained, with (qualified) lifetime guarantee	✓ Yes - still EU citizens	✓ Yes - significant retained rights under settlement scheme
8. EU26 citizens refused EU settled status	✗ Heavily restricted	✓ Yes - still EU citizens	✗ No (not when resident in NI)
9. EU26 citizens who arrive after Brexit Day	✗ Heavily restricted	✓ Yes - still EU citizens	✗ No (not when resident in NI)
10/11. EEA citizens (except EU26) (Norway/ Iceland, Lichtenstein & Swiss citizens)	✓ If covered under EEA-EFTA Separation Agreement & Swiss Separation Agreement respectively	✓ Yes - through EU-EEA agreements	? Subject to EU-EEA agreements and settlement scheme
12. Non-EEA citizens	✗ Heavily restricted	✗ No - not EU citizens	✗ No
13. Frontier Workers in NI (non resident - CTA only likely to cover residents)	? Heavily restricted unless EU and covered by settlement scheme	? Depends on citizenship	? Depending on status in Ireland/ other EU or any settled status

(1) Brexit Day: end of Brexit transition period (planned for December 2020). (2) EU Settlement Scheme: new scheme provided for under the Withdrawal Agreement for EU citizens wishing to apply for 'settled status' to remain in the UK after Brexit. (3) CTA: Common Travel Area

**To book a place at the conference, email [events@caj.org.uk](mailto:events@caj.org.uk). Please state any access or dietary requirements.**



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