

**- INFORMATION -**

**RIGHTS OF CROATIAN CITIZENS IN THE UNITED KINGDOM (UK)  
AFTER WITHDRAWAL FROM THE EUROPEAN UNION (EU)**

This document contains information of the general kind for the Croatian citizens wishing to live, work or study in the United Kingdom (UK) after Brexit. For more detailed information, please contact the relevant UK state administration bodies, which have the sole competence to implement and interpret the UK law.

**Brexit in general**

In line with the Article 50 of the Treaty on European Union, which regulates the withdrawal process of a member state from the EU, and in line with the UK law, the UK's membership in the EU will end at midnight on 29 March 2019, CET.

After eighteen months of intensive talks, the UK and the EU reached the Draft Agreement on the withdrawal of the UK from the European Union and the European Atomic Energy Community (Agreement) and the Political Declaration on the future relationship, confirmed at a meeting of the Heads of State and Government of the EU on 25 November 2018.

The Agreement regulates various aspects of the UK's withdrawal from the EU, including the comprehensive protection of acquired rights of EU citizens living in the UK and the rights of UK citizens living in the EU; financial obligations of the UK; protection of the current border regime between Northern Ireland and Ireland in the context of the preservation of peace in Northern Ireland; the role of the EU Court of Justice in monitoring and implementing the Agreement; the transition period by end-2020 (with the possibility of a one-off extension), et al. The Political Declaration on the future relationship establishes a framework for negotiations between the two sides on future relations.

For the Agreement to come into force, it must be ratified by both the European Parliament and the UK Parliament. The agreement has been forwarded to the European Parliament in accordance with the procedure laid down in Article 50 of the Treaty on European Union. In the UK, the approval includes the prior consent of the House of Commons and the formal ratification of the Agreement in both Houses of the UK Parliament. The attempts to secure the consent of the House of Commons have failed, meaning that there is currently no UK consent to the agreement reached.

In the event that the Agreement is not ratified and there is no agreement on the extension of the deadline for withdrawal from the EU provided for in Article 50 of the EU Treaty, the UK membership in the EU will be terminated without the agreement on 29 March 2019. From that moment onwards, the UK will be a third country in relation to the EU, and the EU *acquis communautaire* will no longer apply to it.

## **The rights of Croatian citizens living in the UK post-Brexit**

Croatian citizens, as well as all other EU citizens, currently do not need a permit to reside and work in the EU and can enjoy that right until the UK's withdrawal from the EU.

### ***The rights of Croatian citizens in case the Withdrawal Agreement comes into force***

The Withdrawal Agreement allows the EU citizens (including Croatian citizens) and their family members to continue living, working and studying in the EU under current conditions in line with the UK law (the right to stay in the UK, seek work, work without work permit, have equal access to healthcare and pension, leave the UK for no longer than five years without losing rights etc.). This also applies to those citizens entering the UK during the transition period, currently envisaged to last until 31 December 2020.

For more detailed information on which persons and which rights are protected by the Agreement, please refer to the European Commission's [press release](#), the FAQ on [citizens' rights](#) and a short [video](#) on the topic.

To keep the mentioned rights, the EU citizens should no later than 30 June 2021 regulate their status through the EU Settlement Scheme (EUSS). Croatian citizens who can prove uninterrupted legal residence in the UK of five or more years should apply for a "settled status", while those residing in the UK for less than five years should apply for a "pre-settled status" (which can be changed to "settled" once they accumulate five years of residence in the UK). For more detailed information, visit the UK Government website <https://www.gov.uk/settled-status-eu-citizens-families> and <https://www.gov.uk/staying-uk-eu-citizen>.

The EUSS should be in full operation by 30 March 2019. The UK Government has announced that from that date onwards the status regulation process will be free. Decisions on the status as well as approvals of residence are within the sole competence of the UK Home Office. Croatian state administration bodies and the Croatian Embassy in London are not authorised to evaluate whether criteria have been met. Please note the Croatian citizens with dual Croatian-UK citizenship are not requested to regulate their stay.

### ***The rights of Croatian citizens in case of "no-deal" withdrawal***

In the Policy Paper of 6 December 2018 entitled *Citizens' Rights - EU citizens in the UK and UK nationals in the EU*, the UK Government confirmed its willingness to ensure the rights of the EU citizens wishing to stay in the UK based on reciprocity also in the case of the so called "no-deal" withdrawal, which would also require status regulation through the EUSS.

The difference is that in the case of withdrawal with no agreement reached, the acquired rights are guaranteed only for the EU citizens living, working and studying in the UK until 29 March 2019, and the status regulation deadline is shorter (by 31 December 2020). Croatian citizens should refer to the mentioned [Policy Paper](#).

In the event of “no-deal” withdrawal, those EU/Croatian citizens entering the UK after 29 March 2019 and intending to stay for longer than three months (e.g. for work or study) will need to apply for the so-called *European Temporary Leave to Remain*. If the latter is granted, they will be allowed to stay in the UK for 36 months after applying. This is a temporary and non-renewable immigrant status which does not result in an indefinite right to stay. After 36 months, these citizens will have to apply for an immigrant status in line with the new UK immigration system which is expected to enter into force by January 2021.

Croatian citizens planning to stay in the UK longer than three months after 29 March 2019 should refer to the [UK Government website](#).

According to the UK Government’s announcements, the UK legal framework will be adapted during March 2019 so as to reflect the commitment to secure the acquired rights of the EU citizens, and will include elements relevant to the “no-deal” exit scenario.

### **Further information**

Croatian citizens should regularly check the websites of the UK Government and the UK Home Office, websites of the EU institutions, as well as the [website](#) and [Facebook](#) page of the Croatian Embassy in London.