

Inquiry into UK-EU governance – Written evidence submitted by Cillian Lohan, Chair of the EU-UK Follow-up Committee

Introduction

The **European Economic and Social Committee (EESC)**¹ contributes to strengthening the democratic legitimacy and effectiveness of the European Union by enabling civil society organisations from the Member States to express their views at European level.

This EESC fulfils three key missions:

- helping to ensure that European policies and legislation tie in better with economic, social and civic circumstances on the ground, by assisting the European Parliament, Council and European Commission, making use of EESC members' experience and representativeness, dialogue and efforts to secure consensus serving the general interest;
- promoting the development of a more participatory European Union, which is more in touch with popular opinion, by acting as an institutional forum representing, informing, expressing the views of and securing dialogue with organised civil society;
- promoting the values on which European integration is founded and advancing, in Europe and across the world, the cause of democracy and participatory democracy, as well as the role of civil society organisations.

Committed to its monitoring role and acting as a bridge with UK civil society, in 2021 the EESC decided to set up the **EU-UK Follow-up Committee**² to continue maintaining and fostering relations with UK civil society. The overarching objectives of the EU-UK Follow-up Committee are as follows:

- building and fostering strong relations with key actors of the EU-UK relations, most importantly re-building bridges with UK civil society organisations, using outreach and strong communication;
- liaising with the main EU institutions (European Commission, European Parliament, Council, European External Action Service) as well as with UK institutional actors (UK Mission in Brussels, UK Houses of Parliament, devolved nations);
- monitoring the implementation of the most relevant EU-UK agreements, notably the EU-UK Withdrawal Agreement and the Protocol on Ireland and Northern Ireland/Windsor Framework;

¹ <https://www.eesc.europa.eu/en/about>

² <https://www.eesc.europa.eu/en/sections-other-bodies/other/eu-uk-follow-committee>

- monitoring other agreements and potential areas of cooperation;
- monitoring any element of the new EU-UK relationship with particular importance for civil society;
- centralizing EESC feedback on relevant EU-UK issues.

Evidence

At its plenary session on 24-25 January 2023 the EESC adopted the Information Report on the implementation of the EU-UK Withdrawal Agreement, including the Protocol on Ireland and Northern Ireland³. Given that the EU-UK Follow-up Committee can submit evidence only in the form of documents officially adopted by the EESC plenary session, its Chair and Vice-Chairs wish to hereby refer the Senedd's Legislation, Justice and Constitution Committee to the aforementioned Information Report (please find the relevant link in a footnote, and also attached), to the extent the relevant questions are covered in it, for the evidence requested. In line with the EESC's role, the evidence provided focuses primarily on the role of organised civil society in managing EU-UK relations. Please note that some questions by the Senedd's Legislation, Justice and Constitution Committee, may be covered by the evidence submitted by the Chair of the EU Domestic Advisory Group under the EU-UK Trade and Cooperation Agreement in a separate reply.

Furthermore, Mr Cillian Lohan, Chair of the EU-UK Follow-up Committee, and Ms Tanja Buzek, Chair of the EU DAG under TCA, are scheduled to meet the relevant Senedd representatives on 5 September 2023 from 13:30 to 14:30 in Wales House, Brussels, when they can orally complement the written replies by the EU-UK Follow-up Committee and EU DAG under TCA.

Finally, Mr Cillian Lohan wishes to draw attention to the upcoming EESC own-initiative opinion on EU-UK Youth Engagement, which is in course of approval by the EESC Bureau, after which the EU-UK Follow-up Committee will start its elaboration. The work on this own-initiative opinion will likely include a fact-finding mission to the four parts of the UK (to be confirmed), where Mr Cillian Lohan and the members of the EU-UK Follow-up Committee are very much looking forward to also engaging with relevant stakeholders in Cardiff.

Yours sincerely,

Cillian Lohan

Chair of the EU-UK Follow-up Committee

³ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/information-reports/implementation-eu-uk-withdrawal-agreement-including-protocol-ireland-and-northern-ireland>



INFORMATION REPORT

European Economic and Social Committee

The Implementation of the EU-UK Withdrawal Agreement

The Implementation of the EU-UK Withdrawal Agreement,
including the Protocol on Ireland and Northern Ireland

REX/563

Rapporteur: **Jack O'CONNOR**

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Section responsible	Section for External Relations
Adopted in section	20/12/2022
Adopted at plenary	25/01/2023
Plenary session No	575
Outcome of vote (for/against/abstentions)	184/0/0

1. Background

- 1.1 The EU-UK Follow-up Committee was set up in March 2021 for the purpose of maintaining and strengthening relations between EU and UK civil society organisations (CSOs), as well as for monitoring the EU-UK Withdrawal Agreement¹ (EU-UK WA).
- 1.2 The EU-UK WA has significantly affected CSOs in both the EU and the UK, which makes its monitoring all the more important. In addition to its economic implications, challenges regarding the implementation of the Protocol on Ireland/Northern Ireland² (Protocol) have been particularly complex and politically sensitive.
- 1.3 Against this backdrop, the European Economic and Social Committee (EESC) organised a mission to the UK (England, Wales, Scotland, Northern Ireland) from 17 to 21 October 2022 to collect the views of UK CSOs on concerns arising from the EU-UK WA and from other developments in the UK following its withdrawal from the EU.
- 1.4 Based on fact-finding meetings, a targeted survey, and other relevant inputs, this information report examines the state of implementation of the EU-UK Withdrawal Agreement, as perceived by UK CSOs and other relevant stakeholders.
- 1.5 The purpose of the information report is to contribute to the political dialogue between the EU and the UK by providing reflections from CSOs and other stakeholders on their future relationship.

2. General observations

- 2.1 The relationship between the EU and the UK is of vital importance for the citizens of both the UK and the EU. Despite its limitations, implementation of the "zero tariff, zero quota" EU-UK Trade and Cooperation Agreement³ (TCA) and the EU-UK WA still offers the best available avenue to a mutually beneficial, prosperous, and secure future for both the UK and the EU. However, this very much depends on developing a deeply constructive and cooperative EU-UK relationship, built on the secure foundations of the TCA and EU-UK WA and especially the former's level-playing field (LPF) provisions. It is widely believed that such a relationship would enhance the chances of resolving technical issues and that, accordingly, the Parties should invest their best and continued efforts in cultivating it.
- 2.2 At the moment, the EU-UK relationship is heavily burdened by the impasse over implementation of the Protocol on Ireland/Northern Ireland. Despite the fact the UK Government agreed the text of the Protocol and the UK Parliament ratified the Withdrawal Agreement to which the Protocol is annexed, the UK Government is insisting on "concessions" from the EU on the terms of the Protocol. Given the extreme gravity of the situation, it is

¹ https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement_en

² https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement/protocol-ireland-and-northern-ireland_en

³ https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement_en

imperative to find a sustainable solution. The stakes could hardly be any higher, as the impasse has the potential to have significant consequences for the TCA, and also threatens to reverse the gains made in the Northern Ireland peace process under the 1998 Belfast (Good Friday) Agreement. Conversely, a mutually agreed resolution of issues could be key to opening the way towards a constructive and mutually beneficial wider EU-UK relationship, optimising the potential that lies in the TCA. As evident in the inclusive approach observed in Wales and Scotland, such a course of action is entirely possible.

- 2.3 Enthusiasm for engagement and cooperation with the EU, its institutions and CSOs was expressed unanimously across the broadest spectrum of CSOs in each mission location. Given their welcoming and welcome disposition, it is vitally important for all EU institutions to reach out and explore every opportunity for optimising the potential for rebuilding relationships with CSOs in the UK, and conceiving and fostering new ones. However, unless civil society links are nurtured and sustained through formal structures, they will wither away.
- 2.4 While the domestic advisory groups (DAGs) and the civil society forum (CSF) are enshrined in the TCA as statutory mechanisms for CSOs to give their input and monitor its implementation, they need to be fleshed out, developed and supported. It is noteworthy that the DAGs set up under the TCA are the first to monitor an entire trade agreement as distinct from only the trade and sustainable development (TSD) chapters.
- 2.5 The proposals for a formal structure to facilitate participation by organised civil society in Northern Ireland, submitted following discussions involving business, trade unions and the third sector, would provide for the consultation and participation that is essential in the unique circumstances applying in Northern Ireland under the Protocol⁴.
- 2.6 A new Civil Society Alliance UK to scrutinise and influence constitutional, administrative and legal changes was established in the UK following its withdrawal from the EU. The Alliance, along with the social partners, has the potential to be a vehicle for broadening the outreach of the UK DAG and the CSF to wider civil society, as well as for facilitating DAG/CSF engagement. It therefore deserves to be supported and resourced.
- 2.7 A UK Contact Group⁵ has been established by the Committee of the Regions. The CoR's call for the recognition of local and regional authorities in the institutional framework in its opinion adopted on 28 April 2022⁶ highlights an issue to be addressed in the 2025 review of the TCA. There is potential for working with the CoR to develop deeper linkages with CSOs in the UK.
- 2.8 The loss of free EU movement and people-to-people contacts arising from the UK's decision not to remain in EU programmes such as Erasmus+ are two of the most negative and undesirable consequences of Brexit. It is clearly regretted by young people in the UK and their peers across the EU. It is important for the EU and UK to find a way to reopen the opportunity for young UK

4 https://drive.google.com/file/d/1f7Q10W8T6zAO8I_2zZPIsoKPuM9ZdnEV/.

5 <https://cor.europa.eu/en/about/Pages/cor-uk.aspx>

6 <https://cor.europa.eu/en/our-work/Pages/OpinionTimeline.aspx?opId=CDR-108-2022>

citizens to participate in Erasmus+ and other youth programmes. At its meeting in London on 7-8 November 2022, the UK-EU Parliamentary Partnership Assembly unanimously agreed to raise the issue of a future mobility scheme for young people between the UK and the EU with the EU-UK Partnership Council. Regrettably, young people are not represented in either the EU or the UK DAGs. This requires rectification. The 2023 European Year of Skills⁷ could also offer opportunities to involve young people from the UK, in addition to young people from the EU.

- 2.9 Progress has been made towards addressing concerns over the implementation of the provision of the EU-UK WA protecting the rights of citizens. However, many problems persist. These are causing considerable distress and inconvenience and could have dire consequences in the future⁸. Liberal democracies should not allow individual citizens and their families to become collateral damage of their political differences. In view of this, the EU and the UK, through the EU-UK Joint and Specialised Committees under the Withdrawal Agreement⁹, should make it an urgent priority to resolve the issue of pre-settled status of EU citizens in the UK. Additional resources need to be made available to address ongoing technical issues, taking into account that this is a time-limited problem. In addition, "British in Europe", the largest organisation for UK citizens in the EU, should be provided with the necessary financial resources to revive and sustain its important work.
- 2.10 Business in the UK and the EU continues to experience increasing friction in the new EU-UK trade arrangements. This is particularly problematic for businesses operating with cross-border supply chains, which particularly affects small operators. Severe problems are also being experienced by providers of professional services and by performing artists. Farmers are worried about SPS border checks being introduced and increasing regulatory divergence between the UK and the EU. Trade in some products, like seed potatoes, has already become almost impossible. Labour shortages are acute in a number of sectors. These problems are primarily the result of the abrupt transition of the UK to third-country status and the limited provisions facilitating movement contained in the TCA. The general joint review of the implementation of the TCA and supplementing agreements, envisaged to take place five years after the TCA's entry into force, should be an opportunity to move towards a more positive and constructive "partnership", possibly leading to some amelioration of these problems. The situation facing business is further complicated by uncertainties surrounding future regulatory divergence between the UK and the EU both generally and in the specific context of LPF commitments. These issues cannot be made to disappear, but they can be managed. In this regard, there is considerable merit in the concept of an EU-UK regulatory monitoring mechanism or forum¹⁰.
- 2.11 It would be enormously beneficial to the fishers on both sides if the EU and UK would reach a consensus, before 10 December of each year, on the Total Allowable Catches (TACs) for the

⁷ <https://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=10431&furtherNews=yes>

⁸ <https://www.theguardian.com/politics/2022/nov/01/home-office-is-putting-26m-eu-citizens-at-risk-of-removal-court-hears>

⁹ https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement/meetings-eu-uk-joint-and-specialised-committees-under-withdrawal-agreement_en#meetingsofthejointcommittee

¹⁰ <https://ukandeu.ac.uk/research-papers/uk-eu-regulatory-divergence-tracker-fifth-edition/>

following year for the shared stocks, as it would guarantee stability and legal certainty. It would also be equally beneficial if both parties could reach agreement with Norway and other coastal states as soon as possible.

3. **Relations between EU and UK civil society**

- 3.1 The absence of any structured social dialogue in the UK exacerbates the challenge of ensuring effective civil society involvement in policy-making, (e.g. the UK does not have an economic and social council as is commonly found in EU Member States). On the other hand, there is a strong culture of devolved government engagement with CSOs, particularly in Wales and also in Scotland.
- 3.2 Throughout the EESC's mission meetings, UK CSOs expressed no desire to revisit the divisive debate which accompanied the 2016 referendum. At the same time, they are unanimously and enthusiastically in favour of reviving, renewing, maintaining or strengthening their cooperation with the EU, its institutions and organised civil society. This appears to coincide with the outlook of the wider UK population as reflected in polling, as reported in *Moving On: How the British Public Views Brexit and What It Wants From the Future Relationship With the European Union*¹¹, published by the Tony Blair Institute for Global Change.
- 3.3 The uncertainties and the insufficient consultation on the UK Shared Prosperity Fund (UKSPF) replacing the European Structural and Investment Funds are a cause for concern for UK CSOs, many of which are now facing a cliff edge as EU funding is ending while the delivery of the UKSPF is delayed. CSOs expect to have a far weaker role in the delivery and governance of these funds compared to arrangements with EU funding. They also expect the quantum of funding to be lower, which will further reduce the capacity to maintain and build relations, as will the loss of funding associated with the UK's non-participation in other EU programmes.
- 3.4 Given the higher workload involved in monitoring the entire TCA rather than just its TSD chapters, the EU and UK DAGs and the related CSF need to be better resourced. The fact that the UK government, in particular, does not provide the members of the UK DAG with the necessary human and financial resources presents an additional obstacle to the operation and development of links between EU and UK CSOs. The allocation of sufficient administrative support for the UK DAG and the reimbursement of costs incurred by its members attending meetings of the UK DAG and CSF would greatly contribute to the work of identifying problematic issues on the ground and reporting them to the relevant UK, and if appropriate, EU authorities, in order to facilitate their resolution.
- 3.5 In addition, UK CSOs expressed the view that the composition of the UK DAG appears to be imbalanced both in terms of proportionate representation of employers, workers, and the third sector, and in terms of proportionate geographical representation (CSOs from Northern Ireland, Scotland, and Wales said that they do not feel sufficiently represented).

¹¹ <https://institute.global/policy/moving-how-british-public-views-brexit-and-what-it-wants-future-relationship-european-union>

4. Protocol on Ireland/Northern Ireland

- 4.1 The key issue impacting the EU-UK relationship is the impasse over the Protocol. The latter reflects the shared desire of the EU and the UK to protect the gains of the peace process in the island of Ireland as enshrined in the 1998 GFA. In order to avoid a hard border on the island of Ireland, the UK and the EU agreed that Northern Ireland would have unique access to the EU single market for goods, and certain EU laws would continue to apply there. With the UK excluding an EU-UK customs union arrangement and regulatory alignment, the nature of the TCA has meant that certain formalities, checks and controls are formally required on movements of goods from Great Britain into Northern Ireland. This creates new post-Brexit requirements for business, and people in Northern Ireland have expressed concern about certain practical consequences of the application of the Protocol. Some, notably in the unionist community (which supports Northern Ireland remaining part of the UK), have also voiced opposition to the Protocol relating to Northern Ireland's position in the UK and its internal market.
- 4.2 Although Northern Ireland's unique status under the Protocol – with unhindered access to both the EU internal market and the UK market – does attract majority support among voters in Northern Ireland, there are sizeable levels of opposition. Businesses engaged in cross-border trade on the island of Ireland and with the wider EU welcome the Protocol; those that rely on supplies from Great Britain are facing increased formalities and uncertainties from the rules that the Protocol imposes on GB-NI movements, and this is in a context where the Protocol is not being fully implemented. These and other issues of concern to stakeholders were highlighted by the House of Lords in the July 2022 Report from the Sub-Committee on the Protocol on Ireland/Northern Ireland¹².
- 4.3 Some limited progress has been made in addressing some issues, such as the EU amending its law to find a comprehensive solution to ensure the supply of medicines in Northern Ireland. The EU tabled proposals to address issues in "non-papers" in October 2021, two of which were updated in July 2022. Nonetheless, issues remain unresolved, and the UK Government is proceeding with its Northern Ireland Protocol Bill¹³, which, involving the possibility of core elements of the Protocol being unilaterally disapplied by the UK, at the very least is a route into uncharted waters.
- 4.4 Business and civil society representatives in Northern Ireland have been engaging on an ad-hoc basis and informally with the European Commission and the UK Government to raise issues of concern and offer possible solutions. Such engagement has proven extremely valuable for the EU in understanding the practical implications of the Protocol. It also has potential for assuaging concerns identified by civil society players. The Commission has produced draft proposals for a more formal and regularised structure¹⁴, and a more detailed proposal has been

12 <https://committees.parliament.uk/committee/520/protocol-on-irelandnorthern-ireland-subcommittee/publications/>

13 <https://bills.parliament.uk/bills/3182>

14 https://commission.europa.eu/system/files/2021-10/attachment_iv_ni_participation_non-paper.pdf

submitted by CSOs in response. A Civic Forum was actually established following the 1998 Agreement, but it only operated during 2000-2002.

- 4.5 The UK has also made an important commitment in Article 2(2) of the Protocol to continue to facilitate the work of the Human Rights Commission and the Equality Commission, established under the 1998 Agreement. However, since the rights protections provided for in the Protocol came into effect, the UK Government has proceeded with various legislative undertakings, including the Elections Act and the Nationality and Borders Act, which the Dedicated Mechanism (the Northern Ireland Human Rights Commission and Equality Commission for Northern Ireland) tasked with monitoring Article 2 compliance has identified as potentially breaching this commitment. Moreover, concerns exist regarding the re-accreditation of the NIHRC as a member of the UN Global Alliance of National Human Rights Institutions (GANHRI). The UN Sub-Committee on Accreditation in October 2021 deferred re-accreditation owing to concerns regarding adequate UK government funding for and the financial autonomy of the NIHRC and thus whether it can discharge its core statutory functions¹⁵. An independent review of the NIHRC has been taking place and it is envisaged that the NIHRC's application for re-accreditation will be given further consideration by the UN Sub-Committee on Accreditation in March 2023¹⁶.

5. UK Government's legislative agenda

- 5.1 UK CSOs express deep concerns regarding the UK Government's legislative agenda. In addition to the Northern Ireland Protocol Bill, their concerns apply to the Retained EU Law (Revocation and Reform) Bill¹⁷, which would place a "sunset" on retained EU law, which extends to at least 3 800 measures. It would cause almost all of them to expire at the end of 2023, unless they are specifically re-enacted or extended to 23 June 2026. UK CSOs are particularly concerned by the ambiguity, uncertainty and legal void that could emerge by default, entailing detrimental implications for the conduct of business, workers' rights, environmental protections, and fundamental human rights¹⁸.
- 5.2 UK CSOs are also deeply concerned about the potential implications of the Bill of Rights Bill¹⁹. It aims to repeal and replace the Human Rights Act 1998²⁰. A key driver of this bill is the fact that the Human Rights Act 1998 gives effect to the rights and freedoms enshrined in the European Convention of Human Rights²¹.

15 https://www.ohchr.org/sites/default/files/2021-12/SCA-Report-October-2021_E.pdf

16 <https://ganhri.org/wp-content/uploads/2022/11/SCA-Adopted-Report-October-2022-EN.pdf>

17 <https://commonslibrary.parliament.uk/research-briefings/cbp-9638/>

18 <https://publications.parliament.uk/pa/cm5803/cmpublic/RetainedEULawRevocationReform/memo/REULB10.htm>

19 <https://bills.parliament.uk/bills/3227>

20 <https://www.legislation.gov.uk/ukpga/1998/42/contents>

21 https://www.echr.coe.int/documents/convention_eng.pdf

6. **Devolution**

6.1 The United Kingdom has been going through a process of devolution over the last 25 years. The devolved governments in Scotland and Wales strongly favour a more constructive, cooperative, and friendlier relationship with the EU than that which has been pursued by the UK Government. Both are also in favour of strong arrangements for dialogue with CSOs at all levels. The Northern Ireland Executive is not functioning at present due to a refusal on the part of the largest unionist party, the Democratic Unionist Party, to enter a new Executive until their concerns regarding the Protocol are addressed.

7. **Rights of EU citizens in the UK**

7.1 "Settlement" applications by non-Irish EU citizens are processed through the EU Settlement Scheme (EUSS). Nearly 6.9 million applications have been received²², which equals roughly 10% of the UK population. Irish nationals do not need to apply for such status given the UK-Ireland Common Travel Area that predates ECC entry in 1973.

7.2 In the past, the EU highlighted its concerns as regards the compatibility with the Withdrawal Agreement of the UK's EU Settlement Scheme in that it did not make a clear distinction between the beneficiaries of the WA, (the so-called "true cohort") and non-beneficiaries who are granted status under domestic UK immigration law (the so-called "extra cohort")²³.

7.3 Progress has been made but serious problems persist. The position of the pre-settled category is particularly worrisome. Under the UK government's interpretation of the WA, the status of each individual expires after five years if they fail to apply for "settled" status. This raises the possibility of around 2.6 million EU citizens "falling off a cliff edge". The situation might get worse if for any reason people omit to register dependents, e.g. their children. The Independent Monitoring Authority²⁴ (IMA) has challenged the government's interpretation and the issue is currently pending adjudication in the courts.

7.4 Most EU citizens currently have a digital-only immigration status and can only prove their right to work/rent via a UK Government web portal²⁵. Failure to comply with deadlines can result in the loss of their rights. The procedure for applying for digital status is so complex that even technically savvy people have problems with it, while others are in an even worse position. While it is difficult to assess the full scale of this issue, it is clear that vulnerable groups could be substantially affected by the requirement to acquire digital-only status. Also, the pace of processing is slower than desirable due to limited staff capacity in the Home Office, which is still receiving around 50 000 applications per month.

22 <https://www.gov.uk/government/statistics/eu-settlement-scheme-quarterly-statistics-september-2022/eu-settlement-scheme-quarterly-statistics-september-2022>

23 https://ec.europa.eu/info/publications/joint-statement-following-meeting-specialised-committee-citizens-rights_en

24 <https://ima-citizensrights.org.uk/>

25 https://apply-to-visit-or-stay-in-the-uk.homeoffice.gov.uk/euss?_ga=2.248672199.170194755.1668509959-1954951806.1664869487

7.5 The exercise of EU citizens' rights in the UK still suffers from delays, backlogs, problems with digital-only status, data inadequacies, software glitches, and limited accessibility of helplines, all of which have aggravated the situation. Additionally, there are examples of serious problems being encountered by EU citizens while travelling abroad and returning home, and other issues.

7.6 The EU Delegation to the UK, with the support of and in close cooperation with the European External Action Service, the European Commission and Member States' embassies, has been very actively supporting and assisting EU citizens in the UK in exercising their rights arising from the EU-UK WA. In addition, through its service contract and grants to support *Building a new relationship with the United Kingdom – Policy support and public diplomacy*, the European Commission's Service for Foreign Policy Instruments (FPI) is playing an important part in fostering links between the EU and UK CSOs.

8. **Rights of UK citizens in the EU**

8.1 There are around 1.24 million UK citizens living in the EU²⁶, mainly in Spain, Ireland, France, Germany and Italy.

8.2 A key issue is the general lack of financial and human resources support for organisations looking after the rights of UK citizens in the EU, compared to their counterparts, which provide assistance for EU citizens in the UK.

8.3 EU Member States operate either declaratory residence schemes or constitutive residence schemes²⁷. The deadlines have now all passed in EU countries that operate constitutive residence schemes. In countries such as Denmark and Sweden, anecdotally there appear to be high rates of refusal on late applications, while others, such as the Netherlands, are taking a more generous approach.

8.4 In EU Member States that operate declaratory residence schemes, e.g. Portugal, delays have been experienced in introducing WA-compliant documents. Residence documents for EU citizens have an expiry date there, leaving the UK citizens affected encountering problems. These range from being detained at Schengen frontiers to complications in their daily lives with entities that demand valid proof of residence. This can affect access to healthcare, other social provisions and employment contracts and compound issues of "misunderstanding" the status of UK citizens generally. The authorities there have taken steps to improve things, including the enactment of legislation. New documents are now being issued. However, there are reports of difficulties in securing appointments, and errors in the issued biometric cards. These can have a direct impact later on, for instance, regarding the ultimate conversion from temporary to permanent status.

8.5 Issues in other declaratory Member States, such as Italy, Spain and Germany, centre on inadequate communication from and across the relevant authorities, resulting in an uneven and inconsistent application of procedures. These can result in issues in transiting borders, as well as

²⁶ <https://www.statista.com/statistics/1059795/uk-expats-in-europe/>

²⁷ https://commission.europa.eu/system/files/2022-10/q-a-uk-citizens-declaratory-countries_en_0.pdf

the non-acceptance of employment contracts, medical appointments, etc. Delays in securing appointments continue and there are particular issues related to securing medical cards and converting temporary to permanent status in Italy.

8.6 There are additional issues around family reunification and the status of frontier workers, plus the combination of statuses, and increasingly, when it comes to securing permanent residence status as those UK citizens with temporary residence pass the point of five years' residence in their host state.

9. **Outlook for EU/UK civil society relations**

9.1 The findings of the EESC's mission clearly demonstrate an overwhelming desire across UK CSOs for a deeper, more cooperative, constructive relationship between the UK and the EU, which would optimise the potential of the WA and TCA.

Brussels, 25 January 2023

Christa Schweng

The president of the European Economic and Social Committee

APPENDIX

TECHNICAL REPORT ON THE IMPLEMENTATION OF THE EU-UK WITHDRAWAL AGREEMENT, INCLUDING THE PROTOCOL ON IRELAND AND NORTHERN IRELAND

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1. Introduction

The European Economic and Social Committee (EESC) has drawn up an Information Report on the Implementation of the EU-UK Withdrawal Agreement (EU-UK WA), including the Protocol on Ireland and Northern Ireland (Protocol). The information report presents the views of representatives of civil society organisations (CSOs) and other stakeholders collected in the four parts of the UK (England, Wales, Scotland, Northern Ireland), as well as using other sources. It is accompanied by this technical report.

UK CSOs and other stakeholders were invited to present their views on the state of relations between EU and UK civil society, the state of implementation of the EU-UK WA, citizens' rights under the EU-UK WA, and the implementation of the Protocol. This technical report summarises the input received from the fact-finding meetings in the UK, replies to the online survey, and other relevant submissions.

The overarching objective of the information report and its technical report is to facilitate and encourage interaction between EU and UK CSOs for the purpose of reinvigorating and strengthening their relations.

Furthermore, the information report, together with the technical report, aims to feed into the political dialogue between the EU and the UK and to promote a joint reflection on their future relationship. To this end, it will be shared with the European Commission, the European Parliament (EP), the European External Action Service (EEAS), the Council, and other relevant EU and UK stakeholders.

2. Background

The UK is a closely situated European neighbour, which shares the EU's fundamental liberal democratic values. A highly developed economy, it accounted for 13% of the population of the EU, and 15% of EU GDP (second only to Germany) upon its withdrawal from the EU. Its population is one of the youngest in Europe, ranked by reference to median age¹. However, it is the only G7 country that has not fully recovered to pre-pandemic output levels². The UK Office of Budget Responsibility has consistently estimated the economic cost of leaving the EU at 4% of output³.

A majority (**51.89%**) voted to leave the EU in the UK referendum held on 23 June 2016⁴. Extensive polling analysis concluded that the propensity to vote "Leave" increased with age, (according to Statista, the three oldest age groups voted "Leave" while the three youngest voted "Remain"⁵).

The referendum did not pronounce on what "Brexit" should ensue. That remained to be decided by parliament.

1 <https://www.worlddata.info/average-age.php>

2 <https://www.ft.com/content/4edae69b-c82d-49fb-ae5a-03d14ca8caa6>

3 <https://obr.uk/forecasts-in-depth/the-economy-forecast/brexit-analysis/#assumptions>

4 <https://www.statista.com/statistics/568701/brexit-results-by-nation/>

5 <https://www.statista.com/statistics/520954/brexit-votes-by-age/>

The UK Conservative Party won a commanding majority in parliament in the 2019 general election, campaigning on a hard "Get Brexit Done" manifesto. General elections in the UK are conducted on an exclusively "first past the post" geographic constituency system of voting⁶. Notwithstanding the impressive result for the Conservatives, a majority (**52.1%**) of those voting actually opted for parties which had advocated a "Remain" position in the referendum.

The UK Government had opted to pursue a "hard Brexit", accompanied by a legislative agenda to that end, including:

- the Bill of Rights Bill⁷, which would repeal and replace the Human Rights Act 1998. (It is currently paused);
- the Retained EU Law (Revocation and Reform) Bill⁸, which is known as the "Brexit Freedoms Bill";
- the Northern Ireland Protocol Bill⁹;
- the Procurement Bill¹⁰;
- the Financial Services and Markets Bill¹¹;
- the Genetic Technology (Precision Breeding) Bill¹²;
- the Data Protection and Digital Information Bill¹³ (paused);
- the Trade (Australia and New Zealand) Bill¹⁴.

Since 1998 the United Kingdom of Great Britain and Northern Ireland has been going through an evolving process of asymmetric devolution. Governments have been established in Scotland, Wales and Northern Ireland each with their own specific devolved powers and responsibilities.

Scotland voted decisively for "Remain", (**62%**), with every Council Electoral Area returning a "remain" majority. In the constituency vote in the Scottish Parliament elections in 2021, **77.5%** supported parties that had advocated "Remain" in the referendum. The Scottish Government, which is promoting independence from the UK, strongly favours EU membership and close ties in the interim.

Although Wales voted "Leave" (**52.49%**), a majority of voters (**57.8%**) voted for parties that had advocated "Remain" in the 2019 general election and again in the 2021 Senedd (Welsh Parliament) election (**66.6%**). Whereas the Welsh Government accepts the referendum result, it strongly favours strong ties with Europe and a constructive, cooperative, friendly relationship.

6 <https://www.legislation.gov.uk/ukpga/2011/1/notes/division/3/3/2>

7 <https://bills.parliament.uk/bills/3227>

8 <https://bills.parliament.uk/bills/3340/publications>

9 <https://bills.parliament.uk/bills/3182>

10 <https://bills.parliament.uk/bills/3159>

11 <https://bills.parliament.uk/bills/3326>

12 <https://bills.parliament.uk/bills/3167>

13 <https://bills.parliament.uk/bills/3322>

14 <https://bills.parliament.uk/bills/3152>

Northern Ireland voted "Remain" (**55.78%**). In the 2019 general election, a large majority (**66.2%**) voted for parties that had advocated "Remain", and **62.8%** supported such parties in the Assembly elections in 2022.

Northern Ireland is in a different situation to Scotland and Wales. In accordance with the 1998 Belfast/Good Friday Agreement (GFA), certain decisions of the Northern Ireland Assembly require cross-community consent.

Northern Ireland is also different in the post-Brexit context owing to the specific arrangements found in the Protocol on Ireland/Northern Ireland attached to the EU-UK WA.

Moreover, almost all persons born in Northern Ireland, regardless of the UK's withdrawal from the EU, either remain EU citizens or are entitled to be EU citizens by virtue of Irish citizenship. This is provided for by the Irish Constitution and under Irish legislation, and is endorsed and recognised by the UK in the 1998 Agreement. In addition, part of the constitutional governance arrangements for Northern Ireland are based on a treaty with Ireland, an EU Member State. Such arrangements are set out in Strand II of the GFA¹⁵ and the bilateral treaties establishing (North-South) cross-border bodies.

Additionally, the Protocol provides that a body of EU law continues to apply to Northern Ireland, including provisions on the single market for goods and the customs union, but also equality and non-discrimination provisions relating to the non-diminution of certain GFA rights (Article 2 of the Protocol). There is also the context of Northern Ireland sharing a land border with a Member State, and the context of Irish and other EU citizens resident in the border area who in practice have lived fluid, unhindered cross-border lives for decades.

The arrangements for the devolved legislatures are underpinned by the "Sewel Convention"¹⁶. Essentially, this provides that the UK parliament will "not normally" legislate on matters that are devolved without the agreement of the devolved institutions through a process of "legislative consent". However, the European Union (Withdrawal Agreement) Act 2020¹⁷, was enacted even though all three devolved legislatures had (for the first time) withheld consent.

The absence of any structured social dialogue in the UK does not help to address the challenge facing effective civil society intervention; e.g. the UK does not have an economic and social council of the type common in EU Member States. The National Economic Development Council, established in 1962 (by a Conservative government), known as Neddy, was abolished in 1992.

15 <https://www.dfa.ie/our-role-policies/northern-ireland/the-good-friday-agreement-and-today/>

16 <https://www.parliament.uk/site-information/glossary/sewel-convention/>

17 <https://bills.parliament.uk/bills/2517>

However, there is a strong culture of engagement with CSOs in the devolved nations, particularly in Wales, and also in Scotland. For example, the Welsh Senedd has enacted the ground-breaking Wellbeing of Future Generations Act¹⁸, and the Social Partnership and Public Procurement Bill¹⁹ is in progress. The latter will provide social partnership with a statutory footing in Wales. The "Third Sector Scheme", underpinned by statute, provides for ministerial engagement with and the promotion of voluntary organisations.

3. Main findings

3.1 General

UK CSOs displayed no wish to revisit the divisive debate which accompanied the referendum. However, they are unanimously and eagerly in favour of renewing, maintaining or strengthening their relations with the EU, its institutions and organised civil society, while acknowledging and respecting the UK's decision to withdraw from the EU. This appears to accord with the outlook of the wider population as reflected in polling data, for example in *Moving on: How the British public views Brexit and what it wants from the future relationship with the European Union*²⁰, by the Tony Blair Institute for Global Change.

The devolved governments of Scotland and Wales both strongly favour a more constructive, cooperative, and friendly relationship with the EU than that which seems to have been pursued by the UK Government to date. Neither the Northern Ireland Assembly nor the Northern Ireland Executive is functioning at present due to the impasse over the Protocol.

Business continues to experience difficulties on the movement of goods. Serious problems are also being experienced by companies providing professional services into the EU and by performing artists. Farmers are worried about SPS border checks being introduced and increasing regulatory divergence between the UK and the EU. Trade in some products, like seed potatoes, has already become almost impossible. Labour shortages are acute in a number of sectors. The situation generally for trade is further complicated by uncertainty arising from possible future regulatory divergence.

There is a widespread view that a more cooperative political atmosphere and the cultivation of trust between the partners would facilitate the resolution of technical challenges, leading to smoother trade. Some concern was expressed that the UK Government seems to be more focused on concluding trade agreements with countries like China and Japan, while access to the nearest and biggest market is hindered.

"Make UK" and the Northern Ireland Brexit Business Group put forward an interesting proposal for setting up a "Regulatory Divergence Monitoring Mechanism".

¹⁸ <https://gov.wales/well-being-of-future-generations-wales>

¹⁹ <https://gov.wales/social-partnership-and-public-procurement-wales-bill>

²⁰ <https://institute.global/policy/moving-how-british-public-views-brexit-and-what-it-wants-future-relationship-european-union>

The Retained EU Law (Revocation and Reform) Bill (REUL), which would "sunset" almost all retained EU law by the end of 2023 with an option to extend the timeframe until June 2026, is causing angst across CSOs. It is now estimated that it will extend to more than 3 800 individual measures. CSOs are especially concerned by the ambiguity, uncertainty and legal void that could emerge by default, entailing detrimental implications for business, workers' rights, environmental protections and fundamental human rights.

Similarly, the Bill of Rights Bill has given rise to extreme concern. This bill would repeal and replace the Human Rights Act (HRA) 1998, which gives effect to the rights and freedoms in the European Convention on Human Rights (ECHR).

Concerns also exist regarding several other aspects of the UK Government's legislative agenda related to the EU-UK WA.

Indeed, some stakeholders, particularly among trade unionists, environmentalists and human rights activists, suspect that the so-called "Singapore Model"²¹ is the underlying objective of the whole Brexit project.

3.2 Participation and engagement by organised civil society

The removal of EU funding and insufficient or non-existent UK funding has significantly weakened relations between UK and EU CSOs, as well as between UK CSOs and the UK Government. In contrast to this, the UK CSOs with which we engaged are unanimous in their desire to restore and strengthen their relations with EU CSOs, as well as generally with the EU. In this context, UK CSOs express their deep concern about the absence of any UK economic and social structure as a counterpart to EU civil society.

In parallel, some new structures have emerged that support formal, structured relationships after Brexit. One example of such structures is the CoR-UK Contact Group²², which was established in 2020 by the European Committee of Regions for relations with representatives of UK local government and devolved administrations to ensure that political dialogue with these representatives continues after the UK's withdrawal from the EU. A further example is the ad hoc stakeholder engagement being developed for Northern Ireland in the context of identifying and addressing issues of concern regarding the implementation of the Protocol

Civil society structures have so far been dependent on the legal requirements of the EU-UK Trade and Cooperation Agreement²³ (TCA), which prescribe the organisation of a UK-EU TCA Civil Society Forum²⁴ (CSF) and the setting up of domestic advisory groups (DAGs) by both sides. These are the statutory mechanisms enabling organised civil society to monitor and give its input on the implementation of the TCA. However, these have been subject to a learning curve, particularly on the

21 <https://www.theguardian.com/politics/2019/jan/02/why-the-singapore-model-wont-work-for-the-uk-post-brexit>

22 <https://cor.europa.eu/en/about/Pages/cor-uk.aspx>

23 https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement_en

24 <https://www.gov.uk/government/collections/uk-eu-trade-and-cooperation-agreement-civil-society-forum>

UK side, where the DAG's role is still developing. They are also subject to the constraints inherent to their respective attachments to the UK Government and the Commission. The most productive cross-border discussions have emerged from the joint meeting of the UK DAG²⁵ and EU DAG²⁶. Under this informal structure, stakeholders on both sides have articulated a desire to see further cooperation in the future.

UK CSOs have expressed concerns that the UK Government does not provide the members of the UK DAG with the necessary human and financial resources, which presents an additional obstacle to the reinforcement of links between EU and UK civil society. The allocation of sufficient administrative support for the UK DAG and the reimbursement of costs incurred by UK DAG members attending DAG meetings and the Civil Society Forum would greatly contribute to the work of the UK DAG, which, together with the EU DAG, is charged with identifying issues on the ground and reporting them to the UK Government, and where appropriate to the Partnership Council.

Furthermore, in the view of UK CSOs, the composition of the UK DAG appears to be imbalanced in terms of proportionate representation of employers, workers, and the third sector, as well as in terms of geographical representation, where stakeholders from Northern Ireland, Scotland, and Wales feel that they are insufficiently represented.

The loss of mobility and exclusion from programmes such as Erasmus is clearly regretted by organisations of young people and those interfacing with them. They unanimously encourage all stakeholders to ensure that exciting and vital opportunities within Europe remain possible for young people in the UK.

3.3 EU-UK Withdrawal Agreement

Most UK CSOs maintain that there has been a lack of an adequate formalised structure to ensure that the voice of CSOs is heard in the implementation of the EU-UK Withdrawal Agreement.

Based on the survey results, the separation issues that have been the most challenging for UK CSOs following the implementation of the EU-UK Withdrawal Agreement have been:

- accessing citizens' rights as protected by part II of the EU-UK Withdrawal Agreement;
- the phasing-out of involvement in EU programmes;
- customs arrangements for the movement of goods.

The majority of UK CSOs active in the field contend that vulnerable EU nationals in the UK do not receive sufficient support from UK institutions to secure their rights under the EU-UK WA.

The Protocol on Social Security Coordination to the Trade and Cooperation Agreement covers fewer benefits than the Withdrawal Agreement. Almost no devolved social security benefits are included in the Protocol, and this affects their portability and how people can meet the residence requirements to be able to claim them. This affects both EU citizens with disabilities and their carers moving to the

²⁵ <https://www.gov.uk/government/groups/uk-eu-trade-and-cooperation-agreement-domestic-advisory-group>

²⁶ <https://www.eesc.europa.eu/en/sections-other-bodies/other/eu-domestic-advisory-group-under-eu-uk-tca>

UK after 1 January 2021, as well as people with disabilities and carers who move from the UK to EU countries.

3.4 Protocol on Ireland/Northern Ireland

A key concern of the EU and the UK during the withdrawal process was to agree arrangements that would support and protect the achievements, benefits and commitments of the peace process on the island of Ireland. The outcome was the Protocol on Ireland and Northern Ireland, the objectives of which are "to address the unique circumstances on the island of Ireland, to maintain the necessary conditions for continued North-South cooperation, to avoid a hard border and to protect the 1998 [Belfast (Good Friday)] Agreement²⁷ in all its dimensions".

To achieve these objectives, notably the avoidance of a hard border on the island of Ireland, the UK and the EU agreed that Northern Ireland would remain aligned with relevant EU customs and internal market legislation such that goods could move freely across the land border. The effect, however, was to require formalities, checks and controls on the movement of goods into Northern Ireland from elsewhere in the UK. With the UK excluding an EU-UK customs union arrangement and regulatory alignment with the EU, the limited nature of the EU-UK TCA has meant that certain formalities, checks and controls are formally required on movements of goods from Great Britain into Northern Ireland. This creates post-Brexit requirements for business, while people in Northern Ireland have expressed concern about certain practical consequences of the application of the Protocol. Some, notably in the Unionist community (which supports Northern Ireland remaining part of the UK), have also voiced opposition to the Protocol owing to its perceived and actual implications for Northern Ireland's constitutional position in the UK and participation in the UK internal market.

Although Northern Ireland's unique status under the Protocol – with unhindered access to both the EU internal market and the UK market – does attract majority support among voters in Northern Ireland, there are sizable levels of opposition. As far as businesses are concerned, those engaged in cross-border trade on the island of Ireland and with the wider EU welcome the Protocol; those that rely on supplies from Great Britain are dealing with increased formalities and uncertainties arising from the rules that the Protocol imposes on GB-NI movements, and this is without it having been fully implemented.

These and other issues of concern to stakeholders were highlighted by the House of Lords in the July 2022 report of its Sub-Committee on the Protocol on Ireland/Northern Ireland²⁸. The report urged the UK and the EU, "together with the political parties and stakeholders in Northern Ireland, and the Irish Government, to make a renewed commitment to work together to put Northern Ireland's interests first, participate together in constructive engagement, rebuild trust and engage in effective relationship-building".

Business and civil society representatives have been engaging on an ad-hoc basis and informally with the European Commission and the UK Government to raise issues of concern and, importantly, offer possible solutions to address concerns and secure a smooth operation of the Protocol. When presenting

²⁷ <https://www.gov.uk/government/publications/the-belfast-agreement>

²⁸ <https://committees.parliament.uk/committee/520/protocol-on-irelandnorthern-ireland-subcommittee/publications/>

the European Commission's initial non-papers on the Protocol in October 2022, Vice-President Maroš Šefčovič noted: "I have listened to and engaged with Northern Irish stakeholders. Today's proposals are our genuine response to their concerns." On medicines, this led to changes to EU law to maintain uninterrupted supplies into Northern Ireland. There were also revised papers on customs and SPS in June 2022 following "extensive discussions" with stakeholders in Northern Ireland.

Particularly active has been the Northern Ireland Business Brexit Working Group (NIBBWG) which has been urging the EU and the UK Government to proceed with "ambition, flexibility and compromise" in addressing outstanding Protocol issues. It has also been identifying issues of concern as well as pragmatic and practical solutions to address them. These include: a significant reduction in customs bureaucracy for GB goods not at risk of entering the EU single market; bringing the range of traders in the "not at risk" category in line with the EU's definition of an SME; addressing tariff rate quotas such that the competitive position in the EU market of Northern Ireland and Ireland can be assured; and setting up a formal review mechanism that can assess regulatory challenges under the Protocol. The group is also seeking meaningful representation of Northern Ireland when EU policy and legislation impacting Northern Ireland is being discussed²⁹. Business representatives in Northern Ireland have welcomed efforts by the Commission and the UK Government to identify possible ways forward in addressing their concerns and have engaged constructively in critical evaluation of both sides' proposals bearing in mind practicalities.

The NIBBWG is not alone in raising issues of concern about ensuring Northern Ireland's voice is heard in the governance arrangements for the Protocol. Currently, the main formal opportunity that Northern Ireland has to engage directly on the Protocol is through the "Democratic Consent" mechanism. This involves members of the Northern Ireland Assembly (MLAs), from 2024, and potentially every four years thereafter, voting on whether core elements of the Protocol – essentially those governing the movement of goods into the EU – should continue to apply. While the UK Government has been including representation from the Northern Ireland Executive in meetings of the bilateral EU-UK Joint Committee, and of the Specialised Committee on the implementation of the Protocol on Ireland and Northern Ireland and the Protocol's dedicated Joint Consultative Working Group, the Protocol contains no provision for regular and formal engagement with either Northern Ireland's political representatives or stakeholders from its business community or wider civil society.

Engagement with business representatives and representatives of wider civil society has been taking place, and the European Commission has produced proposals to formalise this engagement. Such engagement has proven extremely valuable for the EU in understanding the practical implications of the Protocol in Northern Ireland, and has potential for assuaging concerns that what is happening under the Protocol is being done "to" not "with" Northern Ireland. Civil society organisations – for which a "civic forum" was established following the 1998 Agreement, but which only operated between 2000 and 2002 – have collectively submitted proposals to the UK Government and the Commission on how stakeholder engagement under the Protocol might be developed³⁰:

²⁹ <https://committees.parliament.uk/writtenevidence/113364/pdf/>

³⁰ https://drive.google.com/file/d/1f7Q10W8T6zAO8I_2zZPIsoKPuM9ZdnEV/view



Proposal for
Structured Civic Engage

The UK has also made an important commitment in Article 2(2) of the Protocol to continue to facilitate the work of the human rights and equality commissions established under the GFA. However, concerns exist regarding the re-accreditation of the NIHRC as a member of the UN Global Alliance of National Human Rights Institutions (GANHRI). The UN Sub-Committee on Accreditation in October 2021 deferred re-accreditation owing to concerns regarding to adequate UK government funding for and the financial autonomy of the NIHRC such that it can discharge its core statutory functions³¹. An independent review of the NIHRC has been taking place and it is envisaged that the NIHRC's application for re-accreditation will be given further consideration by the UN Sub-Committee on Accreditation in March 2023³².

Regulatory Divergence Monitoring Forum

A central feature of Brexit is the potential for regulatory divergence between the UK and the EU. How such divergence is to be pursued and monitored and its consequences managed are issues of major concern to stakeholders. Except where it has obligations towards the EU in terms of maintaining a level playing field under the TCA and with regard to Northern Ireland under the Protocol, there are no limits to how far the UK may diverge from the EU acquis. In addition, developments in its acquis will see the EU develop legislation that will not apply in the UK. The resultant regulatory divergence will have implications for UK-EU trade and for business certainty. It will also impact on trading arrangements between Great Britain and Northern Ireland under the Protocol. There is also a fear among UK stakeholders that citizens' rights and, for example, environmental standards, could be threatened. Concerns around regulatory divergence and the uncertainty it is likely to create have recently been heightened by the publication of the UK Government's Retained EU Law (Revocation and Reform) bill which includes a "sunset" clause that envisages EU laws being disappplied at the end of 2023. Suggestions that the UK and EU establish a regulatory divergence monitoring forum might usefully be considered as a means of tracking and assessing the implications of new UK and EU regulation for trade relations.

The UK and EU engage directly but on a generally ad hoc basis with civil society and stakeholders in Northern Ireland to try to resolve the issues arising from the Protocol. If regularised and formalised, such arrangements could serve as a model for EU-UK relations generally. Agreements can cause unforeseen issues, which can be understood only by listening to and taking into account multiple voices. Only when these views are understood, can they be communicated as a basis for finding solutions. For example, civil servants can design a system for the status of citizens, but they cannot see what is happening on the ground.

31 https://www.ohchr.org/sites/default/files/2021-12/SCA-Report-October-2021_E.pdf

32 <https://ganhri.org/wp-content/uploads/2022/11/SCA-Adopted-Report-October-2022-EN.pdf>

3.5 Citizens' rights

3.5.1 EU citizens in the UK

The process of implementing the WA has affected a huge number of EU citizens in the UK, whose total number is estimated to be as high as up to 10% of the entire UK population.

Some progress has been made, but the exercise of citizens' rights still suffers from delays, backlogs, problems with digital-only status, data inadequacies, software glitches, and limited accessibility of helplines, which have all aggravated the situation.

In their written submission, the organisation "the3million"³³ reported on their follow-up on freedom of information (FOI) requests regarding the performance of the EU Settlement Resolution Centre's helpline:

- The first FOI response³⁴, dated 1 December 2021, has attached data for the 12-month period November 2020-October 2021³⁵. The3million wrote to the Home Office about this data on 13 December 2021, and received a reply in January 2022³⁶.
- The second FOI provided data for the twelve months from 22 September 2021 to 22 September 2022³⁷. The average percentage of calls accepted was 80% in this time period, versus 44% in the period covered by the first FOI.

In addition, the3million provided data on how long people remain in the EU Settlement Scheme backlog:

- The3million recently submitted an FOI to ask for the number of applications that had been outstanding for more than 18 months at the end of each reporting quarter. The document inserted below shows that the number has been steadily rising. The latest figure shows that more than 12 000 applications had been outstanding for more than 18 months as at the end of June 2022.



EUSS_applications_o
utstanding_18+montl

Putting numbers on those affected by digital-status problems is hard to do with the resources available to the3million. It was explained that one cohort involved people randomly affected by digital status system glitches, whereby regardless of how digitally literate a status-holder is, they would not be able

33 <https://the3million.org.uk/>

34 [What do they know Response Antoni](#)

35 [What do they know Response Antoni Annex](#)

36 <https://the3million.org.uk/publication/2022012101>

37 <https://www.whatdotheyknow.com/request/900854/response/2143763/attach/3/FOI%20Response%2071969.pdf>

to prove their status. The3million received hundreds of reports of various such glitches through their Report-It tool³⁸. Therefore, extrapolating that to the millions of status-holders who do not know about reporting to the3million, this is likely to be a huge problem. The other cohort is those who struggle with a digital status due to their digital exclusion. In May this year, the3million wrote a briefing to the House of Lords, which includes on its last page some data on digitally excluded cohorts³⁹. EU Settlement Scheme statistics are available on the dedicated UK Government website⁴⁰. Further information on the implementation of the rights of EU citizens in the UK under the EU-UK WA are also available in the Independent Monitoring Authority's Annual Report to the Specialised Committee and the Joint Committee⁴¹.

Another citizens' rights organisation, Settled, shares the concerns of the3million, highlighting the significant difficulties for those reliant on digital status, where even digitally literate people have difficulties. The situation is so much worse for less digitally literate people, let alone for those without any technical knowledge or hardware.

These issues are compounded by problems faced by the elderly, and particularly the Roma, as well as by communities not living in cities. Their general lack of technical knowledge/skills means that they can hardly meet any requirements applying to application for (pre-)settled status or follow up on any update requests. This proves the rigidity of application of the rules, which cannot be adapted to the capacities and capabilities of various groups of persons affected.

Latest EUSS information⁴²:

The report⁴³ covers data from the private testing phases in 2018, up to end of Q3 of 2022 (30 September 2022).

Headlines by 30 September 2022:

- **6.9 million (6,874.700)** applications had been received;
- Highest number of applications: RO (1.35 million); PL (1.17 million); IT (600,000);
- There were 800,000 applications received after the grace period: 334,000 late applications; 273,000 repeat applications (includes those moving from pre-settled status to settled status); 200,000 joining family members; 6,000 derivative rights;
- **6.7 million (6,686.530) applications had been concluded**
 - Of which: 3.3 million settled status results; 2.6 million pre-settled status results; 375,000 refusals;
- **Backlog: 188,000**, of which 153,000 applications have been submitted after the grace period. This means there are 35,000 applications submitted before the deadline who have yet to be

38 <https://the3million.org.uk/report-it>

39 <https://the3million.org.uk/sites/default/files/documents/t3m-JCWI-HKinB-briefing-HoLPhysicalDocsSIDebate-31May2022.pdf>

40 <https://www.gov.uk/government/collections/eu-settlement-scheme-statistics>

41 <https://ima-citizensrights.org.uk/publications/>

42 The headlines, graphs and explanatory notes were provided by the EU Delegation to the UK.

43 <https://www.gov.uk/government/statistics/eu-settlement-scheme-quarterly-statistics-september-2022>

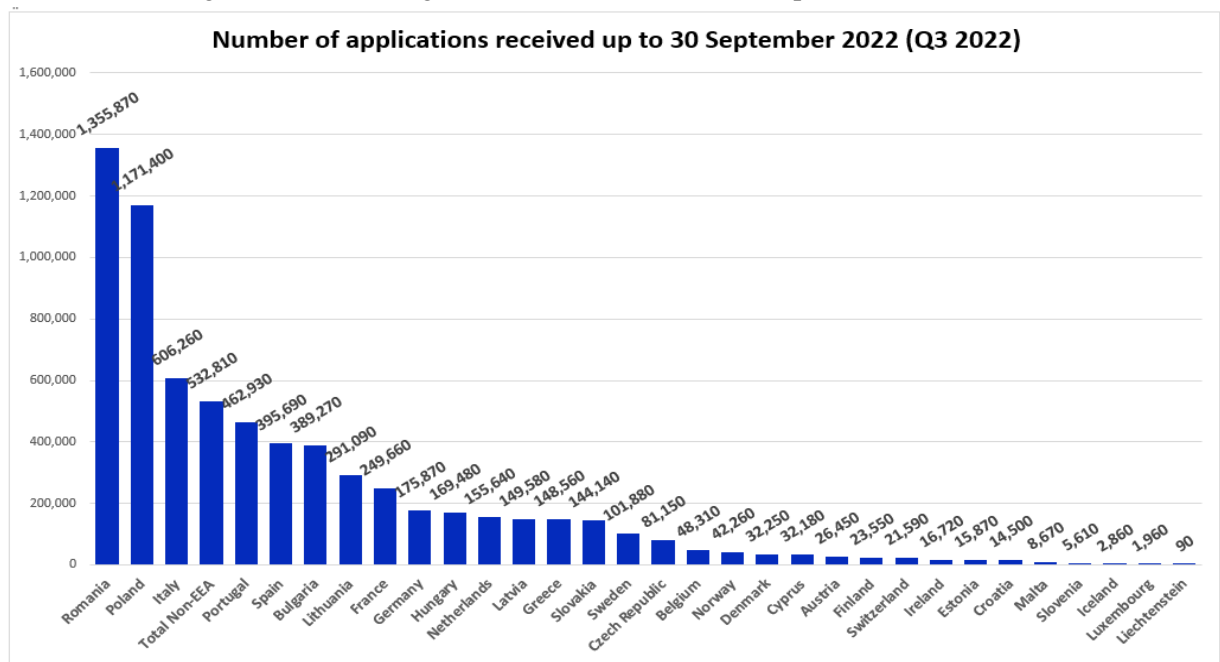
decided and have been waiting for 12 or more months in the backlog. Following a recent meeting with the Home Office, the current backlog has further reduced to 182,000.

- **The total number of applications waiting for a decision is over 188,000 with around 160,000 (85%) from EU citizens. Of those waiting for a decision the highest numbers are from RO (66,000), PL (17,000), BG (16,500) and PT (9,000). The highest backlog rate (number of pending applications in view of total applications submitted) is from RO (4.9%), SE (4.4%), BG (4.3%) and SK (3.7%) citizens.**
- **Over 532,000 non-EU family members applications have been submitted out of which 506,000 have received an outcome with 26,000 still waiting a decision.**
- **Home Office assesses that 5.5 million applicants had obtained a grant of status – when accounting for repeat applicants.**



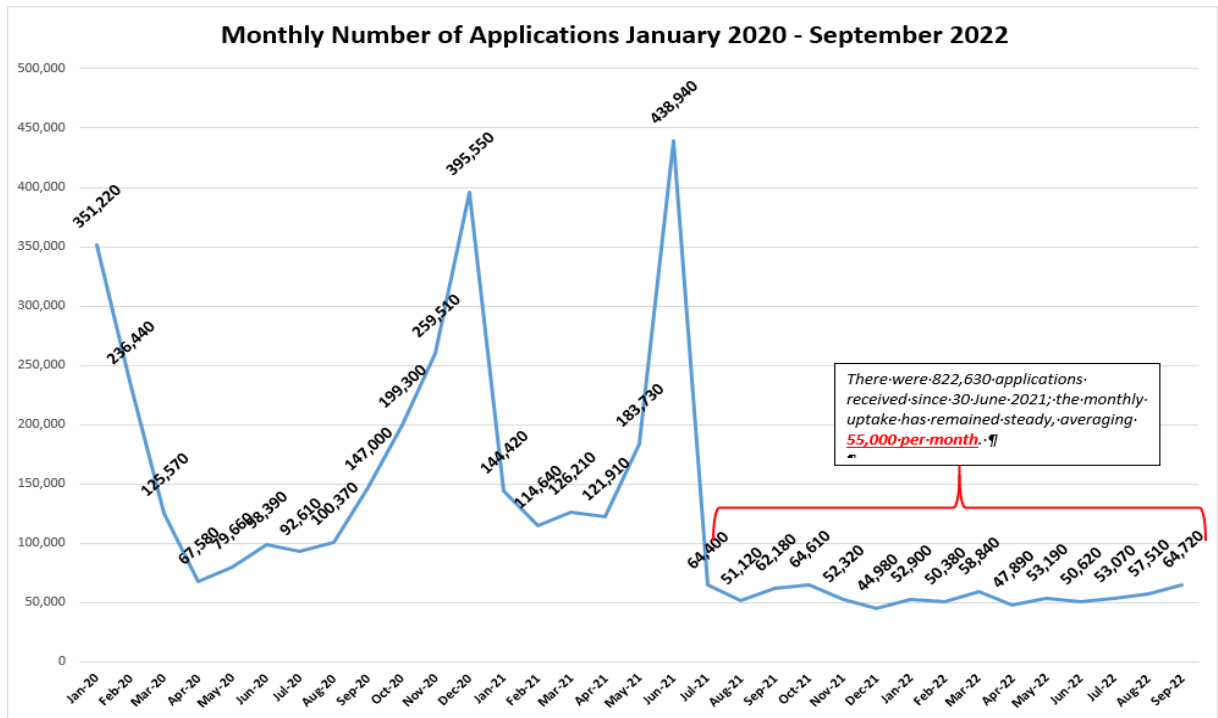
CR issues log
28112022.pdf

Graph 1: Number of applications received up to 30 September 2022 (Q3 2022) in descending order, showcasing which are the largest nationalities in the EUSS uptake.

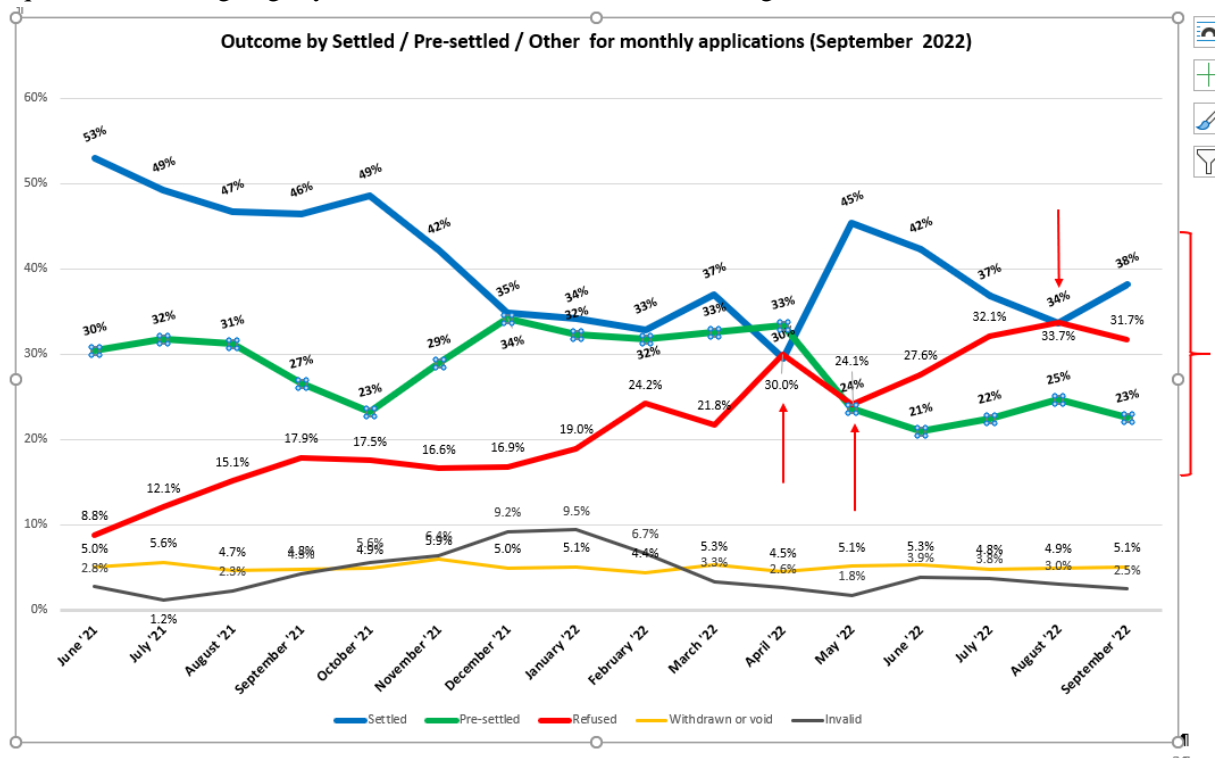


Total no-of-received-applications—6,874,700—of-which-EU27:—6,274,550—
 - → **Romanian-nationals-accounted-for-a-third-(33%)—of—all-applications-received—from-1-July-2021-to-30-September-2022.**

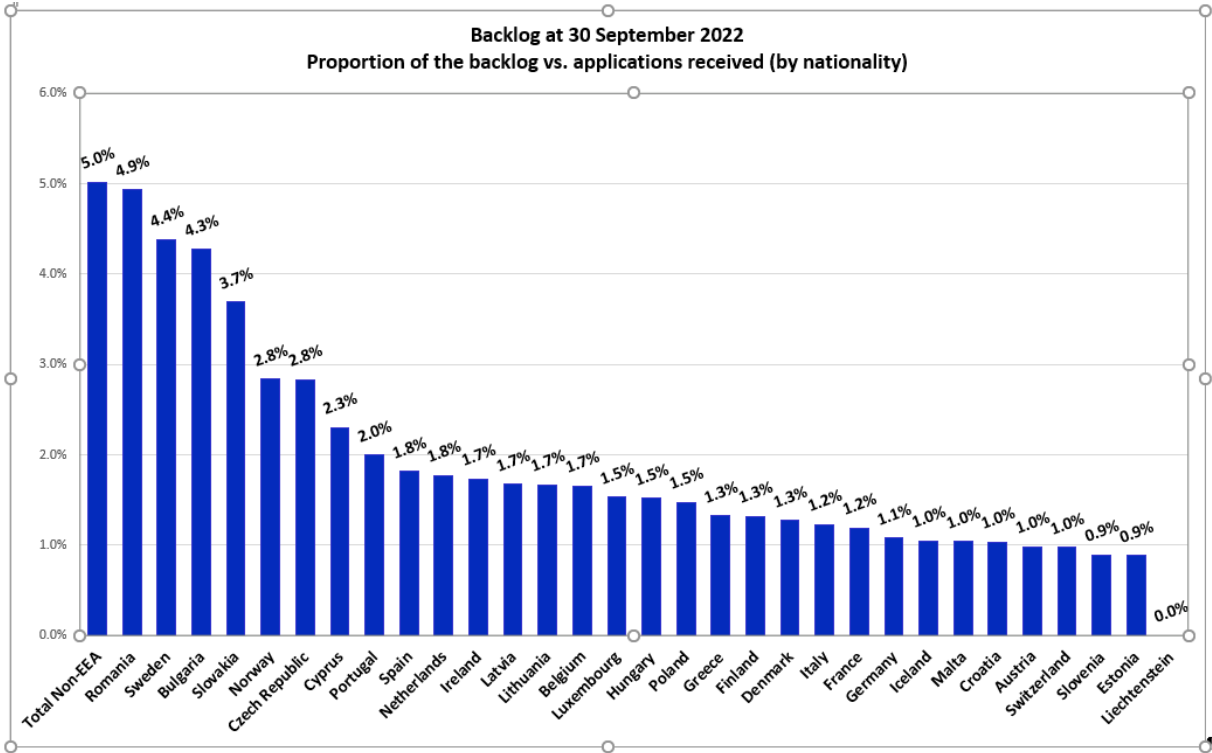
Graph 2: Monthly number of applications at the end of Q3: you can see the 3 historic peaks around key dates and negotiation announcements up to the end of the grace period. From then on, you can note a 15 mos. steady intake averaging 55 000 applications per month.



Graph 3: Outcome proportions per month – It showcases 3 meaningful events in the applications solved post-grace: April, May and August 2022 have seen the number of rejected applications being equal or overtaking slightly the number of Settled or Pre-settled grants.

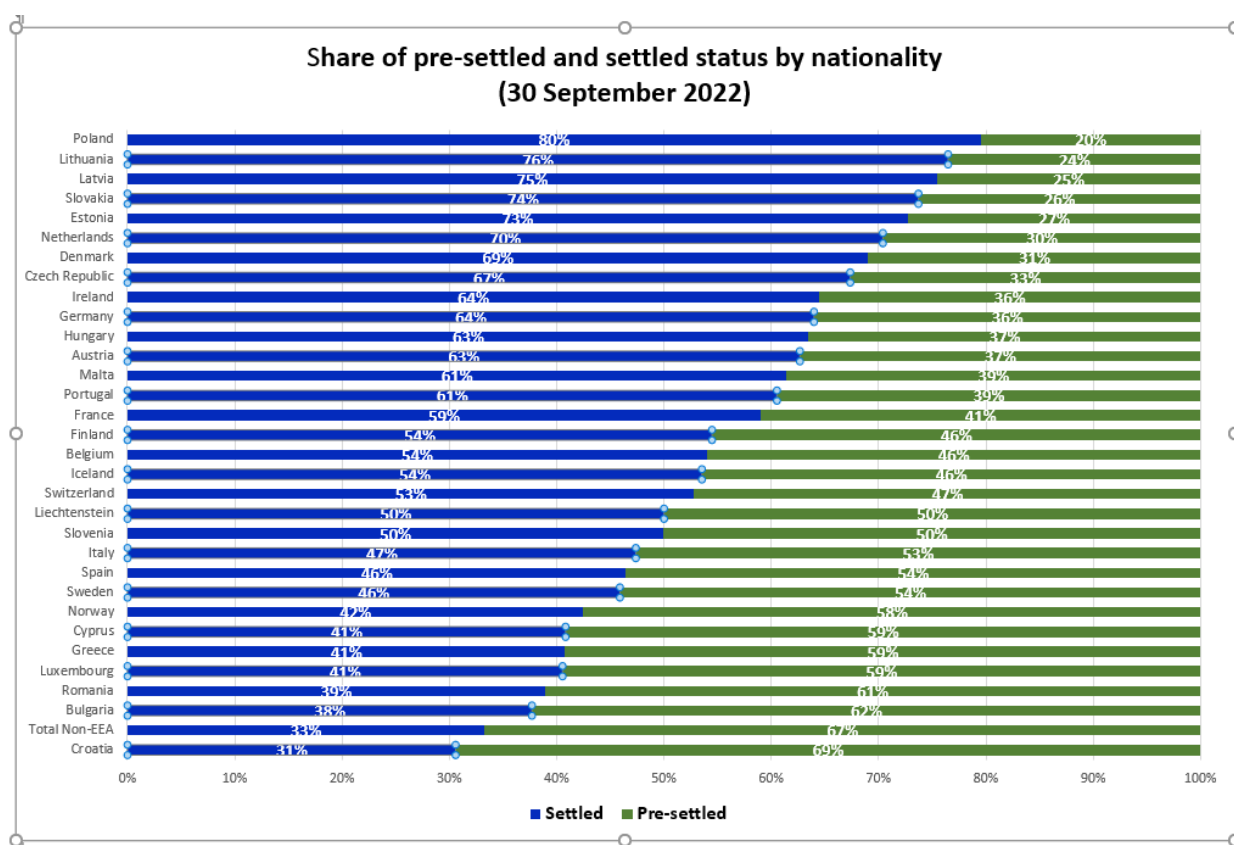


Graph 4: Backlog at 30 September – around 188,000 at 30 September 2022. At the nationality level, non-EEA nationals and RO have 5% of the total applications send to the Scheme waiting in the backlog to be solved, followed by SE, BG, SK and NO



Graph 5: Pre-settled and settled outcomes by nationality and their pondering in the overall results obtained. The graph helps us visualise which EU nationalities have the highest rates of pre-settled status results and where we have EU nationals at risk of lapsing out of their immigration status if they are not able to exchange the PSS for SS.

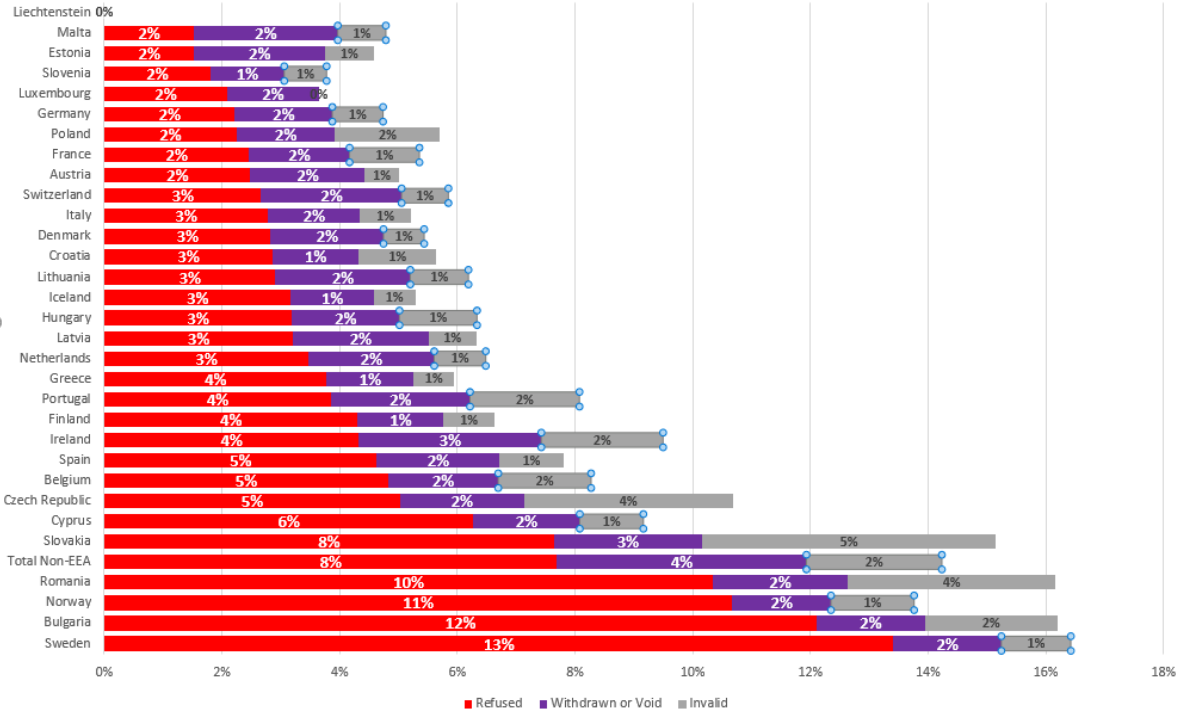
- The largest communities with pre-settled status holders are from RO (660,000), IT (298,000), PL (222,000) BG (194,000), Spain (191,000) and Portugal (164,000). The average rate of upgrading to settled status among pre-settled status holder has so far been 16%. Nationalities that are doing better than this average rate include Italy (23.7%), HU (22.9%), PT (20.0%) and SI (20.1%). Lagging behind the average are BG (11.7%), CY (11.4%), DK (10.8%), SK (11.6%), DE (12.9%), CZ (13.5%) and BE and LT (both 13.7%).



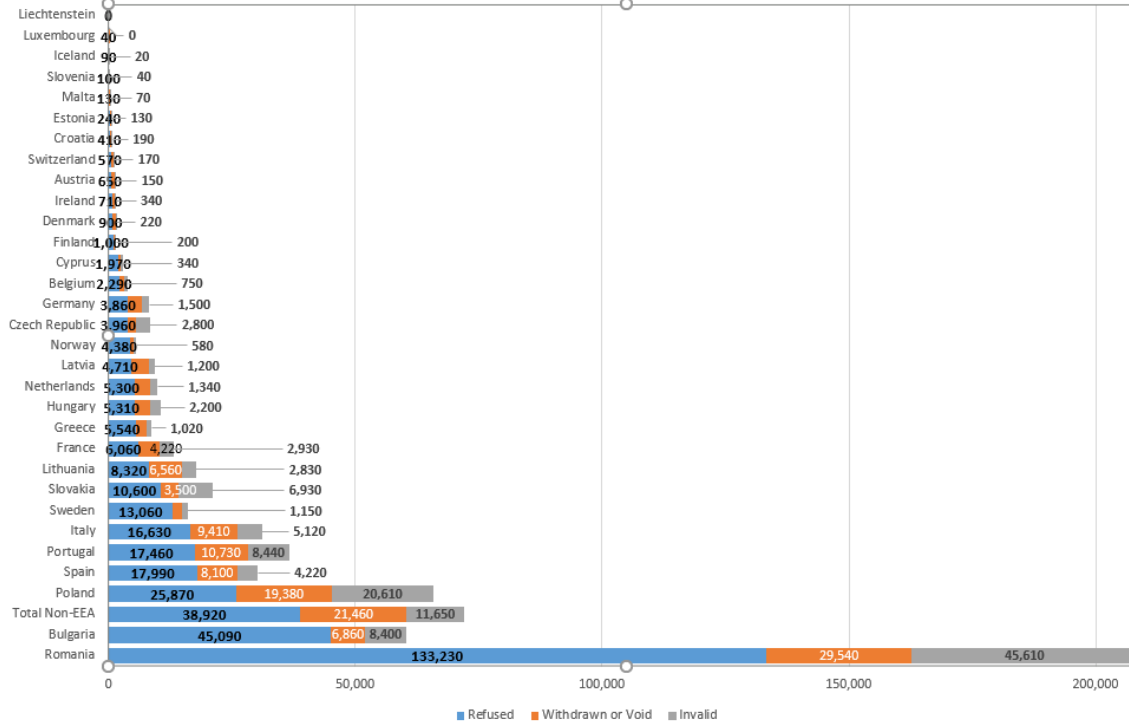
Graphs 6 and 7: Other outcomes by nationality: Refusals, Withdrawn/Void applications and Invalid applications to understand which nationalities are struggling with higher rejections rates.

- Within the total no of rejections there are 331,000 EU citizens refused, the average rate of refusal across all EU nationalities has been 3.9%. The highest rate of refusals occurred within SK (7.5%), RO (5.8%), CZ (5.7%), IE (5.2%) and PT (4.2%) citizens. The lowest refusal rates have been among citizens from LU (1.8%), SI (2%), FI (2.3%), IT (2.4%) and AT (2.5%). The highest number of refused citizens are from RO (133,000), BG (45,000), Spain (18,000) and IT (16,500).

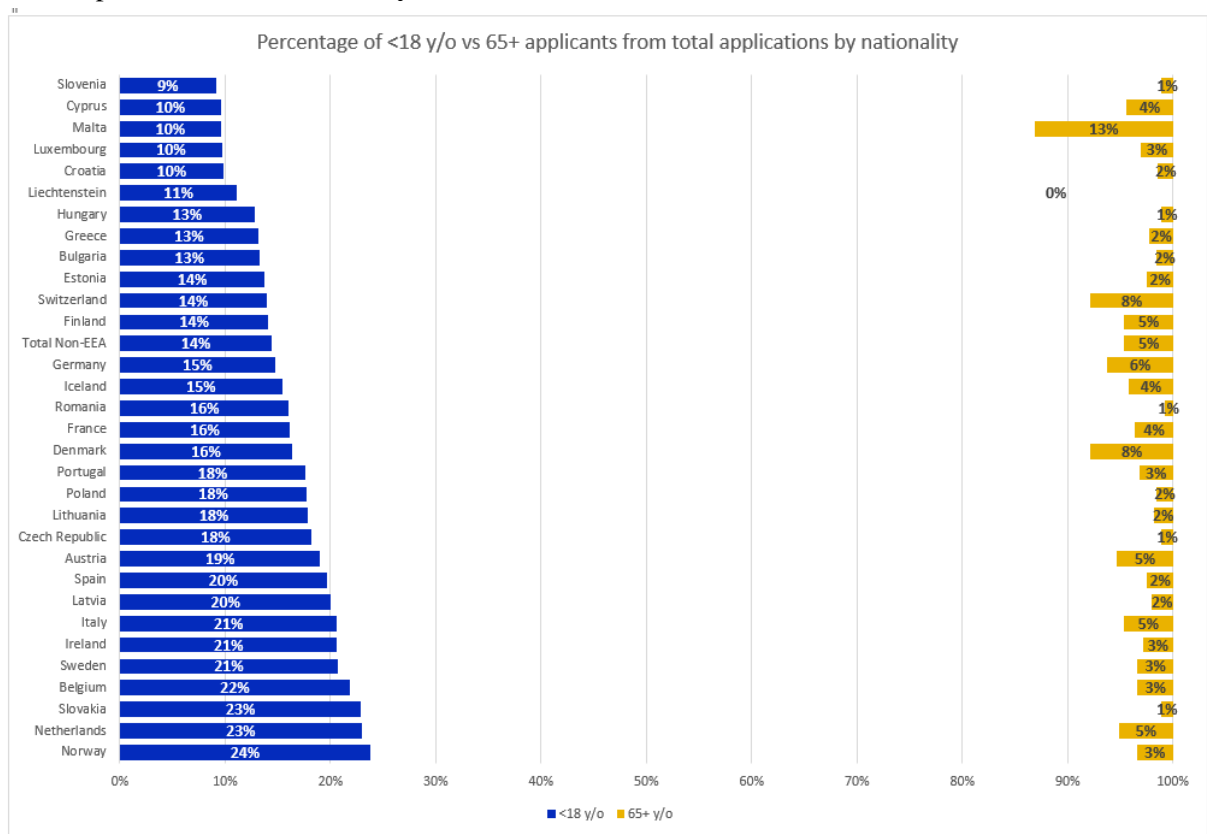
Other outcome by nationality as of 30 September 2022 - percentages in relation to total no of applications



Other applications by numbers



Graph 8: A side by side comparison, by nationality of the 2 cohorts that are under-represented in the EUSS uptake: **minors and elderly EU nationals.**



According to the Migration Observatory there were 3.9m EU citizens in England and Wales on Census Day 2021, i.e. 1.6m fewer than the 5.5m applications to the EUSS.

3.5.2 UK citizens in the EU

A key issue is a general lack of support for UK citizens in the EU compared to EU citizens in the UK. While the Commission provides good assistance, it has limited resources for monitoring citizens' rights arising from the EU-UK WA. Resources are currently decreasing at UK and national level, including for information and communication. Applications under the EU-UK WA are not always straightforward and UK citizens facing issues in the EU often do not have funded organisations to turn to. Furthermore, there is a lack of specialised lawyers, especially in some countries.

Each EU Member State was required to choose between operating either a constitutive system or a declaratory system. In constitutive systems, the status depended on a successful application within a specific deadline. In certain countries (e.g. Sweden), there have been higher rates of refusal of status compared to other similar countries and more statistics are needed to pinpoint why. The deadlines have all passed in constitutive countries and UK citizens in the EU who did not apply (often due to weak outreach) may make late applications if justified by reasonable grounds. In certain constitutive countries (Denmark and Sweden), there appear to be high rates of refusal for late applications and data is needed to confirm why, while other countries (Netherlands) are taking a more generous approach.

UK citizens have also encountered difficulties in declaratory countries. Serious problems have been reported in Portugal due to delays in introducing EU-UK WA-compliant documents. The situation is acute as Portuguese residence documents for EU citizens have an expiry date, and many UK citizens now have expired documents and no replacement. Consequently, UK citizens have encountered problems, ranging from being detained at Schengen frontiers to complications in their daily lives with official and other entities that demand valid proof of residence, pending issuance of the new documents. This includes access to healthcare, other social provisions and employment contracts and compound issues of "misunderstanding" the status of UK citizens generally. The Portuguese authorities have taken measures to improve the situation, including the enactment of legislation. Portugal has now begun the process of issuing new documents; however, this process is slow and coverage is patchy, with difficulties in securing appointments, and reports of errors in the issued biometric cards. These errors then have a direct impact on, for example, the ultimate conversion from temporary to permanent status.

Issues affecting UK residents in other declaratory Member States (Italy, Spain, Germany) centre on inadequate communication from relevant authorities, resulting in inconsistent application of WA procedures. Problems at both national and local levels range from failure to recognise document status, resulting in issues in transiting borders, to non-acceptance when it comes to employment contracts, etc. Delays in securing appointments continue to be rife and there are particular issues related to securing medical cards and converting temporary to permanent status in Italy.

There are additional issues around family reunification and the status of frontier workers, plus the combination of statuses, and increasingly, securing permanent residence status as those UK citizens with temporary residence pass the point of five years' residence in their host state.

The Sixth joint report on the implementation of residence rights under part two of the Withdrawal Agreement⁴⁴ was published on 26 January 2022. The tables on pages 34-37 show the numbers of UK citizens in the EU as well as the numbers who had either successfully applied for their status or been refused in constitutive countries under the WA, and how many UK citizens in the EU had obtained residence cards proving their status deriving from the WA in declaratory countries.

On 4 November 2022, the Commission published its first annual monitoring report⁴⁵, together with an annex⁴⁶. The report itself is a high-level summary, while the annex contains more detailed data. The problem is that the data is for 2021 and, in many cases, there is incomplete or missing data, for instance relating to refusals of residence applications, frontier worker status, and professional qualification recognition. There is also an evidently low level of applications in declaratory countries for residence cards overall in both the annual monitoring report and the Sixth joint implementation report. Given the poor communication campaigns across many EU countries for UK citizens in the EU, this is not surprising, but not positive, either. More up-to-date data is needed to check if this is still the case. Some countries seem to have higher levels of refusals than comparable countries, for instance Sweden, where about 9% of residence applications have been refused (in the Sixth implementation report, which is slightly more up to date, this figure appears closer to 11%) and a high

44 https://ec.europa.eu/info/system/files/final_sixth_joint_report_on_residence_rights.pdf

45 https://ec.europa.eu/info/sites/default/files/c_2022_7851_1_en_act_part1_v2-withdrawal-agreement-report_en.pdf

46 https://ec.europa.eu/info/sites/default/files/c_2022_7851_1_en_act_part1_v2-withdrawal-agreement-annex_en.pdf

level of frontier-worker status refusals. Again, more up-to-date data would be needed, given that many countries set their deadlines for the end of 2021, and full data is available only until the end of 2021. Therefore, there can be no real clarity regarding how many refusals and late applications there have been until data is published for 2022. Denmark already mentions late applications for 2021, which is strange, given that the deadline was 31 December 2021. For Portugal, it is known that, until recently, the estimated 34 500 UK citizens in Portugal were all facing problems as their cards had not been issued. The process has begun, but it appears to be very slow.

Another publication monitoring the rights of UK citizens in the EU is the YEA Annual Trends 2021⁴⁷. The report shows that UK citizens residing in EU Member States inquired about the consequences of Brexit on their rights in their host Member State, where some administrations have appeared to be unfamiliar with the EU-UK WA. As a result, difficulties or excessive delays have been reported in obtaining relevant information. Administrative practices are often clearly in conflict with EU law. Excessive delays and formalities in obtaining residence were again reported. Additional documentation to support applications for residence cards was required. Some administrations question whether the conditions of the right to stay have been met and treat both EU citizens and their non-EU family members as though they are newcomers. Delays and excessive administrative formalities were reported. The COVID-19 crisis has intensified these issues.

3.6 Fishing industry

The issues around the fishing industry proved one of the most difficult during the negotiations on the TCA and they remain contentious. The subject is complex and multifaceted. One aspect was highlighted for our attention. According to Article 498(2) of the TCA, the UK and EU shall hold consultations annually to agree, by 10 December of each year, the TACs for the following year for the shared stocks. The Parties shall agree those TACs:

- (a) on the basis of the best available scientific advice, as well as other relevant factors, including socio-economic aspects; and
- (b) in compliance with any applicable multi-year strategies for conservation and management agreed by the Parties.

Unfortunately, the Parties have not been able to agree on this issue on time this year and have set provisional TACs following the procedures established in Article 499, creating uncertainty for fishers.

4. Methodology of data collection

The members of the EESC delegation collected the views of CSOs and other stakeholders via a number of sources: a fact-finding mission to the four parts of the UK, a targeted online survey, remote interviews with some CSOs that did not participate in the fact-finding meetings, and written contributions received from some CSOs.

The above information is complemented by secondary data in the form of previous work done by the EESC on the topic, as well as other relevant publications.

⁴⁷ https://ecas.org/wp-content/uploads/2022/05/Your-Europea-Advice_YEA_Annual_Trends_Report_2021.pdf

4.1 Fact-finding meetings

The fact-finding meetings included interviews with local civil society organisations and representatives of public authorities, generally following the thematic structure of the online survey. The fact-finding meetings took place in the following locations:

- London, on 17 October 2022, in the premises of the EU Delegation to the UK;
- Cardiff, on 18-19 October 2022, in the premises of the Senedd and the Welsh Government;
- Edinburgh, on 20 October 2022, in the premises of St Andrew's House; and
- Belfast, on 21 October 2022, in the premises of the Northern Ireland Council for Voluntary Action (NICVA).

4.2 Other meetings

Given that not all CSOs could participate in the fact-finding meetings, the EESC delegation conducted a few remote meetings after the fact-finding mission, focusing on youth organisations that were under-represented in the fact-finding meetings. The two youth organisations that were interviewed were:

- Young Scott, interview conducted on 4 November; and
- the British Youth Council, interview conducted on 16 November.

In addition, an informal in-person meeting was held with representatives of the Committee of the Regions on 7 November in London. This meeting was followed by the 2nd EU-UK Parliamentary Partnership Assembly (PPA) on 7 and 8 November, which was attended by the Chair of the EU-UK Follow-up Committee and the Chair of the EU Domestic Advisory Group under the TCA, at which the Chair of the EU-UK Follow-up Committee presented the preliminary findings of the EESC delegation's mission.

The Chair of the EU-UK Follow-up Committee also held a few coordination meetings with representatives of the European Commission and the EEAS.

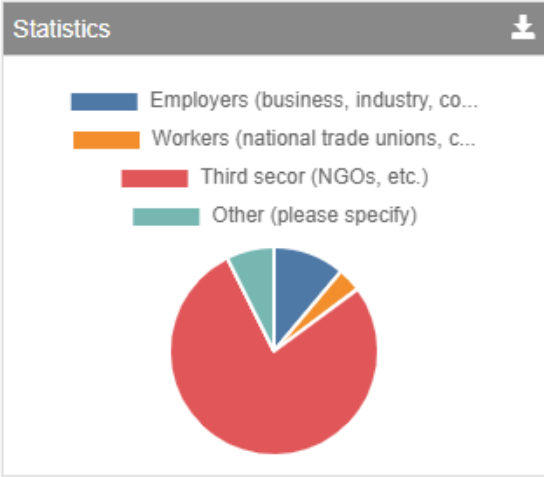
4.3 Survey

The survey was created on the EU Survey online portal, using a combination of closed, open-ended, and matrix questions. The survey consultation was open from 17 October to 8 November 2022. The purpose of the survey was to complement the information obtained from the fact-finding meetings, as well as to provide the meeting participants and other respondents with the possibility to contribute to the information report using an additional channel. The survey was distributed to CSOs headquartered in the four parts of the UK, and not only to CSOs that attended the fact-finding meetings, but also to other relevant organisations. It was distributed via the EESC's networks in the four parts of the UK, via Civil Society Alliance UK, as well as via the EU Delegation to the UK. The results of the open-ended questions of the survey are presented in chapter 6 of this technical report.

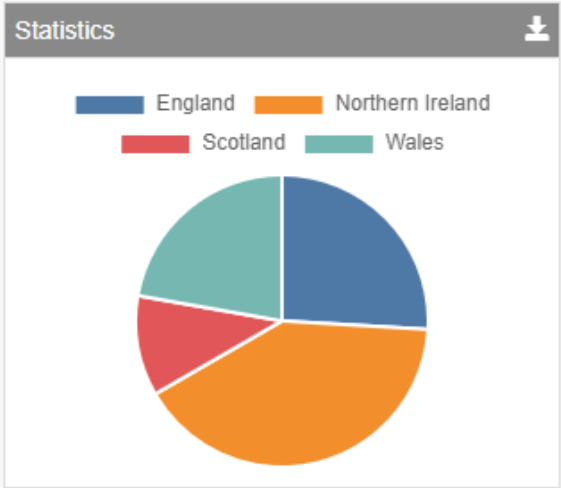
4.4 Respondent breakdown

For the purpose of collecting data for the information report, the EESC delegation consulted 69 CSOs and nine political bodies.

Twenty-seven contributions were collected via the online survey, including from three representatives of the business sector (11%), one representative of workers' organisations (4%), 21 representatives of various interest stakeholders (78%), and two representatives of "other" organisations (7%). The response rate was relatively low, particularly by business and workers' organisations, which is why the results of the survey function as complementary to the results of the fact-finding mission, rather than self-standing results.



Regarding the origin/headquarters of the responding organisations, 26% of the survey respondents were based in England, 22% in Wales, 11% in Scotland, and 41% in Northern Ireland.



The complete list of all organisations consulted is available in chapter 8 of this report.

5. Summary of views expressed by CSOs and other data collected

5.1 England

Ahead of the meetings with CSOs, the EESC delegation met with representatives of the EU Delegation to the UK (EU Delegation), led by the Deputy Head of the Delegation.

Rebuilding linkages and relationships between the EU and the UK has been the EU Delegation's key objective, which, however, was somewhat hindered by the COVID-19 pandemic. In the recent period, the EU Delegation has continued to engage with stakeholders, including UK MPs, civil society organisations and others.

The EESC delegation received an update on issues related to some of the devolved nations, starting with the state of play in Scotland. In power for 15 years, the SNP and their leader in particular are pushing for another independence referendum. Although the SNP had lost the 2014 independence referendum, there was a large Scottish majority in favour of remaining in the EU (62%) in the 2016 Brexit referendum. Following a profound change in context (Scotland was taken out of the EU against its democratic will), the SNP considers this to be the main argument for Scottish independence. The SNP is working on demonstrating how independence would work economically⁴⁸, as well as on explaining how Scotland could achieve EU membership.

The EESC delegation then received an update on Northern Ireland. While the Protocol remains a central outstanding issue, the Retained EU Law Bill⁴⁹ is becoming a new cause for serious concern. The 25th anniversary of the Belfast/Good Friday Agreement could be a key milestone, with the US President Joe Biden expected to visit Northern Ireland on this occasion⁵⁰. In the meantime, it would be good if the parties focused on resolving technical issues with the implementation of the Protocol.

The EESC delegation was informed that the EU Delegation has good relations with representatives of all sections of civil society via direct contacts/meetings. The EU Delegation maintains particularly good engagement with citizens' groups on issues around the applications for settled status, as a condition to exercise citizens' rights. There are special concerns about marginalised/vulnerable groups, many of whom did not apply for (pre-)settled status. It was reported that the UK Government appears to have a different interpretation of the Withdrawal Agreement, whereby failure of citizens to comply with deadlines meant loss of rights. This issue has been taken to the courts by the Independent Monitoring Authority⁵¹. Some 500 000 people have been refused settled EU status to date; as the overall figures are so high, it is very likely that this will become a political issue at some point.

Business

Relations with the EU are essential for UK companies to do business with the rest of Europe, though new trade barriers flowing from the TCA are still hindering UK-EU trade. Nearly all companies have faced challenges during the transition, though the majority have adapted to the new circumstances. Companies based in Northern Ireland were considered to have significant benefits due to the Protocol. Despite difficulties, the overall situation is assessed to have improved recently.

Small businesses still view the EU as the most important market, which is why they are trying to preserve good relations with counterpart organisations. Like larger UK companies, small businesses are also keen to engage with the EU and counterpart organisations.

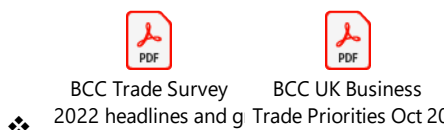
48 [Building a New Scotland: A stronger economy with independence](#)

49 <https://bills.parliament.uk/bills/3340>

50 <https://www.belfasttelegraph.co.uk/news/northern-ireland/uk-eyeing-state-visit-for-biden-to-mark-25-years-since-good-friday-agreement-42010869.html>

51 <https://ima-citizensrights.org.uk/>

According to the latest data from the British Chambers of Commerce (BCC), 61% of members have been able to meet the TCA requirements. On the other hand, there was not much evidence that trade with markets other than the EU market could compensate for the partial loss of EU trade. The key issues identified were transportation costs and disruption, tariffs, customs procedures, etc. There is a general dissatisfaction with the TCA, which from the point of view of business should offer more than just a mechanism for managing divergence.



At this point, Brexit has been generally accepted as a *fait accompli*, which, however, is accompanied by a desire for close and functional trade relations.

Insufficient supply of seasonal labour remains a serious concern in some sectors. Increased immigration from the rest of the world had failed to replace lost and more specialised and skilled EU labour. This is an issue for which it is difficult to see how it can be effectively addressed. Technical skills are vital but are not addressed via temporary immigration and in a context of a limited framework. Hiring suitable staff is reportedly a major issue for UK businesses across multiple sectors. They are therefore in favour of expanding the number of "shortage occupation" visas⁵².

Companies including food and drinks producers are generally in favour of remaining in the single market. There is little appetite for opening up the re-join debate, which means that the focus is likely to be more on how to enhance the EU-UK trade relationship.

In this regard, business representatives stressed the need for negotiated Protocol solutions, disapproving of unilateral action. Indeed, UK business has been concerned by threats of unilateral action by the UK Government and the effects such action could have on Northern Ireland, as well as generally on EU-UK relations. There is thus a consensus on the need for the UK and EU to proceed in a more collaborative manner and in good faith in resolving differences over the implementation of the Protocol

Farmers

Farmers' representatives pointed to a fall in agri-food exports, which is most likely due to border controls (SPS checks). Consequently, some have abandoned the EU market due to rising costs. Some engagement has been maintained via Brussels offices and Copa Cogeca⁵³. The mounting trade issues, including adaptation to post-CAP conditions and the removal of free movement of workers, have reinforced the need for ongoing engagement.

52 <https://www.gov.uk/government/publications/skilled-worker-visa-shortage-occupations/skilled-worker-visa-shortage-occupations>

53 <https://copa-cogeca.eu/>

EU citizens

Progress has been made but the exercise of citizens' rights still suffers from delays, backlogs, problems with digital-only status, data inadequacies, software glitches, and limited accessibility of helplines, which have all aggravated the situation.

In their written submission, the organisation "the3million"⁵⁴ reported on their follow-up on freedom of information (FOI) requests regarding the performance of the EU Settlement Resolution Centre's helpline:

- The first FOI response⁵⁵, dated 1 December 2021 has attached data for the 12-month period November 2020-October 2021⁵⁶. The3million wrote to the Home Office about this data on 13 December 2021, and received a reply in January 2022⁵⁷.
- The second FOI provided data for the twelve months from 22 September 2021 to 22 September 2022⁵⁸. The average percentage of calls accepted was 80% in this time period, versus 44% in the period covered by the first FOI.
- The3million recently submitted an FOI to ask for the number of applications that had been outstanding for more than 18 months at the end of each reporting quarter. In the resulting attached PDF, you can see that the number has been steadily rising. The latest figure shows that more than 12 000 applications had been outstanding for more than 18 months as at the end of June 2022.

EU Settlement Scheme statistics are available on the dedicated UK Government website⁵⁹. In addition, the 3 million provided data on how long people remain in the EU Settlement Scheme backlog:



EUSS_applications_o
outstanding_18+montl

Putting numbers on those affected by digital-status problems is hard to do with the resources available to the3million. It was explained that one cohort involved people randomly affected by digital status system glitches, whereby regardless of how digitally literate a status-holder is, they would not be able to prove their status. The3million received hundreds of reports of various such glitches through their Report-It tool⁶⁰. Therefore, extrapolating that to the millions of status-holders who do not know about reporting to the3million, this is likely to be a huge problem. The other cohort is those who struggle

54 <https://the3million.org.uk/>

55 <https://www.whatdotheyknow.com/request/776525/response/1927535/attach/html/5/FOI%20Response%2066645%20A%20Antoni%20V1.0.pdf.html>

56 <https://www.whatdotheyknow.com/request/776525/response/1927535/attach/6/FOI%20Response%2066645%20Axe1%20Antoni%20Annex.pdf>

57 <https://the3million.org.uk/publication/2022012101>

58 <https://www.whatdotheyknow.com/request/900854/response/2143763/attach/3/FOI%20Response%2071969.pdf>

59 [EU Settlement Scheme Statistics](#)

60 <https://the3million.org.uk/report-it>

with a digital status due to their digital exclusion. In May this year, the3million wrote a briefing to the House of Lords, which includes on its last page some data on digitally excluded cohorts⁶¹.

Another citizens' rights organisation, Settled, shares the concerns of the3million, highlighting the significant difficulties for those reliant on digital status, where even digitally literate people have difficulties. The situation is so much worse for less digitally literate people, let alone for those without any technical knowledge or hardware.

These issues are compounded by problems faced by the elderly, and particularly the Roma, as well as by communities not living in cities. Their general lack of technical knowledge/skills means that they can hardly meet any requirements applying to application for (pre-)settled status or follow up on any update requests. This proves the rigidity of application of the rules, which cannot be adapted to the capacities and capabilities of various groups of persons affected.

Equality

The UK Shared Prosperity Fund (UKSPF) is expected to replace the EU Structural and Investment Funds (ESIF). The ESIF funding was designed to promote equality of opportunity between people as well as places, with more than half of the GBP 9.3 billion allocated to the UK in 2014-2020 linked to equality objectives.

Equality activists insist that this level of investment and strategic focus must be sustained in the UKSPF, which should:

- provide *at least* the same level of investment in education, training and support to disadvantaged and discriminated against individuals and groups as the European Social Fund;
- fund provision missed by mainstream support, creating a clear route to employment and other support for individuals and groups furthest from the labour market; and
- hard-wire equality drivers into the UKSPF from the outset, with mandatory requirements to address equal opportunities and narrow employment gaps.

The GBP 2.6 billion UK-wide Shared Prosperity Fund – the second largest funding stream earmarked to tackle regional inequalities (behind the Levelling Up Fund) – illustrates the limitations of the government's approach. The Shared Prosperity Fund will be allocated over three years: GBP 400 million in 2022-23, GBP 700 million in 2023-24 and GBP 1.5 billion in 2024-25. This funding settlement, equivalent to GBP 873 million per year, falls short of its predecessor, the European Structural and Investment Funds, which provided businesses with GBP 1.5 billion each year over seven years. It is estimated that the Shared Prosperity Fund is the equivalent of a 43% cut in funding each year.

Environment

Environmental protections could be threatened by the UK Government's insistence on the Retained EU Law Bill, especially in the absence of any mechanisms for monitoring and/or assessing the effects of its enforcement.

⁶¹ <https://the3million.org.uk/sites/default/files/documents/t3m-JCWI-HKinB-briefing-HoLPhysicalDocsSIDebate-31May2022.pdf>

Trade unions

Workers' protections could also be threatened by the UK Government's insistence on the Retained EU Law Bill, especially in the absence of any mechanisms for monitoring and/or assessing the effects of its enforcement.

The UK Government is seeking to reduce the impact of EU law and principles to the greatest possible extent. The enactment of the Retained EU Law Bill would mean that the UK could revert to earlier laws, which in turn could remove or threaten many rights acquired through EU law, such as workers' rights, fundamental rights, maternity rights, etc.

In terms of social effects, concerns were expressed at potential job losses and additional administrative burdens on businesses, such as new checks and controls, especially in the textile industry, but also across all supply chains. There are also uncertainties around regulatory regimes (e.g. REACH), the movement of people, and the mutual recognition of professional qualifications, which are perceived as gaps in the TCA. Attacks on rights are reportedly coming from everywhere, particularly from the Retained EU Law Bill.

The question of what and how many rights might be removed by the Retained EU Law Bill was of particular concern to trade unions. They are interested in how the EU might respond in terms of ensuring level-playing field (LPF) compliance. Such an LPF compliance response would be welcomed by UK CSOs.

Other concerns are linked to ensuring and preserving equal pay⁶², as referenced in EU law; the removal of equal pay clauses could lead to disarray. The social partners are concerned about MPs' apparent lack of understanding of the Retained EU Law Bill and its ramifications, and would very much welcome clear messages from the UK Government on what its plans are regarding rights.

The trade unions would welcome a UK structure along the lines of an economic and social council that would support the UK-EU Trade and Cooperation Agreement Domestic Advisory Group⁶³ (UK DAG), particularly because the Foreign, Commonwealth and Development Office provides very modest administrative support, thus making the participation of some UK DAG members very difficult.

5.2 Wales

The Welsh Government strongly supports a constructive and cooperative approach with the EU. It is also very firmly in favour of social dialogue.

Relations between civil society and the Welsh Government are still in the process of reinvigoration. There has been a fragmentation of civil society due to the removal of EU funding, an issue exacerbated by the fact that it has been difficult to sustain good relations due to political interventions. The trade effects of post-Brexit arrangements have been variable, while business is keen to play its role in maintaining and developing both cultural and trade links with the EU and its Member States.

⁶² https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay_en

⁶³ <https://www.gov.uk/government/groups/uk-eu-trade-and-cooperation-agreement-domestic-advisory-group>

Business has been exposed to the adverse effects of Brexit, which are still to be measured, given that they are difficult to disentangle from the effects of the pandemic. Concerns were expressed that the UK Government seems to be more focused on concluding trade agreements with countries like China and Japan, while access to the nearest and biggest market is hindered. On the other hand, EU businesses appear to be reluctant to include the UK in supply chains due to various complexities. The situation has been made worse by the massive loss of skilled labour since 2016. Combined with the COVID-19 pandemic and currency rate fluctuations, the UK has not been attractive for business. Certain high-tech operations, such as blood cancer treatment, have fully withdrawn from the UK market for these reasons.

While the effects of Brexit are still to be disentangled, there is still scope for Welsh companies to focus on the rest of the UK market, which is why the loss of the EU market has not been that consequential, especially because the vast majority of Welsh companies are small in size.

Serious issues have been caused by the increase in courier costs for EU trade, which, however, also need to be disentangled from the costs caused by other factors. Regardless of the causes, increases in most costs, particularly administrative costs, have been evident.

Although the UK Government has been working through a list of trade agreements that it plans to conclude, this seems to be without strategic intent, focusing on rolling over deals rather than on value.

The list of general post-Brexit challenges is fairly straightforward: the movement of goods, movement of people, loss of capacity and skills, loss of R&D expertise, loss of cultural exchange, potential for reduced education opportunities. These apply in either direction and are well known to both sides.

The Welsh Labour Party assesses Brexit to be a multidimensional failure. There is a need to re-establish human relations, as currently there is no real or substantial relationship between Wales and the EU. There is therefore a desire to get representation on the Committee of the Regions, to develop learning about policy implementation and to do so with other EU counterparts.

Some challenges remain the same as before Brexit, prompting the need to learn from each other. For the purpose of creating a framework for conversations, there is a need to develop and establish a secretariat, which the Welsh Government is willing to fund, for the moment focusing on the Committee of the Regions Contact Group.

Concerns were again expressed regarding the renewal of settled status, especially because marginal and vulnerable groups were not engaging with digital media campaigns.

There have been some serious issues surrounding fruit and vegetables arriving from continental Europe, including obstacles, delays, availability and quality; one particular issue for Wales has been very limited lamb exports to the EU. Though farming is not a major component of Welsh GDP, it is a formative element of its economy.

The Well-Being of Future Generations (Wales) Act requires public bodies to consider the longer-term impact of decision-making. This includes the need to adapt behaviours to address climate change.

There is scope for much greater day-to-day cooperation, which could be facilitated by new intergovernmental governance arrangements, including an independent secretariat and dispute-settlement mechanism. However, this architecture will only work if politicians and civil servants work together and with mutual respect.

Civil society concerns need to be taken into account by the UK Government within the framework of its relations with the EU; this is important, as there has been no consultation with civil society whatsoever on pursuing a combative relationship with the EU or on trade agreements, which, inter alia, could have ramifications on farmers.

EU-UK engagement could be strengthened to ensure a voice for Wales/Scotland by drawing on the experience of the Partnership Council, with the participation of ministers from the devolved governments.

The rush to pass the Retained EU Law bill creates a great deal of uncertainty, as the process appears to be rapid, with civil society effectively being locked out. The process of adoption of the Retained EU Law should at least be slowed down to ensure engagement and to avoid missing anything.

The devolved countries should take greater advantage of following relations/meetings between the EU and UK DAGs under the TCA and the joint DAG statements. The UK Government should be pushed to facilitate the related Civil Society Forum and involve Wales and Scotland, for example by not hosting DAG meetings only in London. Wales and Scotland should intensely promote this.

The EESC delegation was informed that the Senedd requested Welsh attendance at the Withdrawal Agreement Joint Committee to discuss a number of issues, but that this was rejected by the UK Government.

Wales is keen to ensure a positive working relationship with the EU and has structures in place to formalise relations, though there is also a need to ensure informal relations. Wales is also particularly keen on re-establishing links with the EU on research and student mobility.

The Welsh Government has launched a new international learning exchange programme called Taith, to try to partially offset the loss of Erasmus, etc. A fund of GBP 65m is being provided.

A possible approach to reset their relations and rebuild trust in each other would be for the EU and UK to identify up to ten issues that would be relatively easy to resolve, thus ensuring "quick wins", which could then serve as a basis on which to build the resolution of more serious issues.

While it is true that the relationship has not fully healed yet, that political tensions are high and that this makes UK-EU conversations about supporting structures for cooperation difficult (as evidenced at the recent Civil Society Forum), it is also clear that there is a time-sensitive risk of relations between Welsh-UK and EU civil society organisations diminishing over time.

Even after the UK's withdrawal from the EU, we have plenty of examples of how, when given the opportunity to cooperate, civil society players will get involved in innovative partnerships. There is

also no shortage of areas to share knowledge and good practice. Stakeholders at the Welsh meetings expressed fear that without structure, even basic information-sharing could vanish. A statement on the Settlement Scheme for EU Citizens, issued by the Catholic Bishops' Conference in December 2018, was also subsequently submitted.

A consensus seemed to emerge from the meetings that a structured, funded framework for UK-EU civil society relations, akin to the CoR Contact Group, is needed to ensure that information-sharing, and strategic partnerships continue to be a feature of the UK–EU relationship. It was also generally agreed that having an element of formality to these would be necessary so that they endure. Even if initially just to explore how these relations are changing, by mapping what is emerging, where gaps in cooperation are being felt the most and what long-term structures might be needed to reconfigure how UK and EU civil society organisations work together in such a way that is better suited to the new context and competing demands of the new UK–EU relationship, this would be worthwhile.

5.3 Scotland

Government

Every single Council Area in Scotland voted "Remain". The Scottish Government is promoting independence and re-joining the EU. A cooperative rather than an adversarial approach is favoured in UK -EU relations. The Scottish Government has decided to keep its Brussels office. There is considerable concern regarding the potential erosion of devolved powers in the aftermath of Brexit. Reliance on these mechanisms is envisaged as a means of preserving citizens' rights, which have evolved during the years of EU membership. The Government supports a culture of social dialogue and wishes to support engagement between Scottish and EU CSOs. A civic forum actually functioned there from 1999 until 2005, but was discontinued due to a lack of financial support.

Farmers

There was an understanding that the TCA would continue to provide fair-trade arrangements, provided there was no divergence in standards and that there were SPS checks regarding purchases of quality produce. However, this does not seem to be functioning as envisaged.

In addition, there are challenges concerning exports to EU Member States, which is why it must be ensured there would be no divergence in standards. There is a general perception that there has been a fall in EU trade. On the other hand, EU trade partners are reportedly keen to return to Scotland.

Scotland is committed to producing food at home and in a sustainable manner in a way that protects and enhances the environment. Scotland's objective is not to rely on others in terms of food production, but to achieve self-sufficiency. Scotland also prides itself on some of the best products in the world, like its whisky, beef and salmon.

Scotland wishes to avoid importing food from elsewhere, as this might deprive local populations elsewhere in the world of essential nutrition. In addition, a possible loss of critical-mass production might result in infrastructure collapse. Furthermore, this would also impact the labour force, as the agrifood industry is the biggest economic driver in Scotland in terms of jobs. Significant increases in labour costs and fuel prices have been a great cause of concern for agriculture.

There is a strong desire to preserve links with the EU and a belief that a more cooperative, constructive relationship would yield better results in terms of trade. The National Farmers Union (NFU Scotland) is committed to maintaining a Brussels office, along with the other UK farming organisations.

The UK DAG is a new structure whereby Scotland, via the UK, has an opportunity to monitor and oversee the TCA. Scotland is very satisfied that the CSF and DAG function as vehicles for communication, while looking for pragmatic solutions. In addition, Scotland also wishes to set up a

Scottish civil society forum that would listen to views from stakeholders across Scotland. A Civic Forum actually functioned there from 1999 until 2005, but was discontinued due to a lack of financial support.

Trade Unions and Women's Organisations

Brexit has been very disappointing for women from agricultural backgrounds, for fishing communities and for other rural communities. Women across Scotland hear that there are opportunities for them but these assurances do not seem to come to fruition; young women were particularly disappointed in Scotland being pulled out of the EU, which is also the main reason why many Scots in general want to vote for independence. They are convinced that the EU was one of the most positive things in their lives and therefore wish to get back to the EU.

The disproportionately large focus on the Retained EU Law Bill completely diverts attention from the Withdrawal Agreement and the TCA.

It was regrettable that the EU's role in funding major infrastructural and community projects had not been made clearer across the UK.

The issues faced by Scottish civil society organisations and Scottish society as a whole as a consequence of Brexit are multiple, and include:

- human rights;
- workers' rights and freedom of movement (for workers and volunteers);
- young people's rights and opportunities;
- commitment to addressing environmental issues;
- loss of European Structural Funds; the lack of EU funding also affects small businesses, the arts sector and others, which are particularly missing this funding;
- opportunities to participate in international research;
- general connectivity with what is happening in the EU;
- decline in the health service due to the lack of labour supply from Europe.

Business

The voice of global companies which have a locus in Scotland was expressed. The Scottish Council for Development and Industry was represented. Alongside business they also include civil society bodies and universities among their affiliates.

Brexit has had a severe economic impact on the Scottish economy, particularly on corporate industries such as the pharmaceutical industry, which has been faced with difficulties relating to health certificates and the availability of ingredients for products.

Edinburgh has been the second most important UK centre for financial services, and Scotland is therefore expecting the EU and UK to elaborate and agree on the structure for regulatory cooperation on financial services.

Services, including engineering services, are very important to Scotland and its world class universities need not be disadvantaged by Brexit.

There is a need to work with industry to understand the frictions and the details of those tough domestic issues through the TCA and try to minimise trade frictions caused by overseas offices.

The EU must work with UK counterparts to close any gaps, and deliver secure and digital borders. In addition, the UK should engage with the EU on policy development and impact assessment.

At the heart of those disadvantaged in Scotland are small enterprises – there is evidence that those exporting to EU businesses are likely to suffer the loss of potential to achieve market scale and to grow. There is a growing concern about the UK Government's reluctance to be involved in a dialogue with the EU.

Unless companies are thinking about environmental and social outcomes, alongside profitability, in five to ten years customers are not going to want to buy from them. Various organisations provide a platform to showcase companies' contribution towards social goals, and also to send the message that they are keen to work in partnership with the EU.

What constitutes a successful economy in north-east Scotland will be different from the Highlands. It is not a one-size-fits-all, which is something that needs to be considered in future decision-making for Scotland.

Some companies have had to make big changes, e.g. relocating storage units to EU countries.

Medicines regulation and policy: trade policy should increase regulatory coherence between the UK and its trading partners, and encourage all countries to regulate medicines to the highest international standards. Developing formal channels of cooperation on medicines regulation will remove duplicative processes that cause inefficiencies – leading to unnecessary costs and delays to patient access – and help to align important regulatory approaches as they emerge.

The Protocol on Ireland/Northern Ireland should be included on the agenda of the CSF as it relates to a variety of aspects important to the economic and social sectors – including the GFA, peace on the island of Ireland, trade and human rights. There are also "knock-on effects", for instance around the UK's association with Horizon Europe. The importance of the forthcoming REUL review taking account of the impact of any resultant divergence (active or passive) on Northern Ireland has been raised with the UK Government.

They expressed concern regarding deregulation-related complexity, red tape and the implications for financial services, mobility and rights of establishment. The loss of Erasmus was described as "a big miss". SMEs are the most severely affected part of the economy. The part of their activity that helps them "scale up", is the part that connects with the EU.

Business representatives were unanimously in favour of a cooperative relationship with the EU. Many of their affiliates would remain connected with their respective Brussels-based bodies.

The Third Sector

UK and Scottish civil society organisations are trying to survive, following the UK Government's cutbacks and the cost-of-living crisis. This effect has been exacerbated by Brexit. Although there are good relationships on specific themes, for instance there are connections between learning disability organisations, as well as connections on young people's issues, there is "no single point of contact" on broader issues. Also, there is no vehicle to find ways to improve relationships. There is also an understandable sense that European organisations do not really see the point of engaging with their UK counterparts any more.

From a Scottish perspective, people feel that they are associated with the antipathy towards Europe that is more prevalent in England, whereas in fact in Scotland there is a much stronger affection for Europe and desire to be European.

The formal mechanisms put in place by the UK Government to comply with the TCA do not appear to be inclusive. They are focused on business/the private sector, which some would not regard as part of "civil society" as such. For this reason, discussions have so far been focused on trade, rather than on social issues.

Scottish CSOs would need much better support from the Scottish Government in terms of providing mechanisms to participate. At the moment there is a will, but no resources to back that up.

Scotland did not vote for Brexit and the Scottish people see themselves as Europeans. However, the Scottish people are now faced with the cost-of-living crisis. Moreover, the view was expressed that Scotland feels that all workers' and women's rights are set to come under attack from the UK Government.

The whole of the TCA is underpinned by mutual respect for the European Convention on Human Rights. However, the UK Government has just introduced a bill to Westminster which, whilst technically involving the UK remaining a party to the ECHR, could "water down" human rights protections in law for people living in the UK. The proposed new law will repeal and replace the Human Rights Act (which incorporates the ECHR into UK law). It will make it more difficult for individuals to uphold their rights in court, and more likely for individuals to have to resort to Strasbourg for rights accountability, while watering down positive/proactive obligations on public authorities related to human rights. It would be very helpful for the CSF to consider recommendations around the mutual importance of not only remaining a party to the ECHR but retaining its fundamental place in protecting and advancing human rights both in EU countries and in the UK.

CSOs have already raised a range of issues that arise through the deregulation agenda, for example where there is divergence that does not trigger the non-regression/level playing field provisions but which nevertheless has an impact on civil society, for instance on human rights, data protection, labour rights, environmental standards and procurement.

The European Convention on Human Rights and the EU Charter of Fundamental Rights were the two human rights pillars for Scotland. Brexit has taken away one pillar, i.e. the EU Charter of Fundamental Rights, and has threatened the other pillar in the form of continued membership of the European Convention on Human Rights.

Three principles that should guide Scotland post-Brexit:

- to try to ensure lower divergence from the protections Scotland enjoyed in the EU;
- to keep pace with progressive developments in EU;
- to demonstrate leadership in advice and encouragement, which has led to the Human Rights Bill being prepared and introduced in the Scottish Parliament, reaffirming the rights in the European Convention on Human Rights that are at risk in the UK, as well as advancing rights in the economic, social, cultural and environmental spheres.

Strengthening relations between Scotland and the EU is the European Network of National Human Rights Institutions and the administrative rights commission as part of the Network.

While Scotland is forward looking and internationally engaged, there are divergences between the UK Government's views and the aspirations of the devolved jurisdictions and limits to how far devolved jurisdictions can go on issues such as migration or macroeconomics.

There are difficulties faced by the devolved countries, particularly in terms of what can be done from their point of view vis-à-vis the EU. These difficulties are even bigger for CSOs with their limited capacity to bring their experience into play. This is exacerbated by the absence of collaboration invitations and partnership opportunities.

Before Brexit, immigration advice was usually provided at a higher level. A long-term solution is needed to the fact that limited resources are being significantly restrained. In addition, there are massive evidential requirements that the Home Office is insisting on.

The Justice Together⁶⁴ initiative is an umbrella body of organisations that have pooled resources and ideas to ensure that people who use the UK immigration system can access justice fairly and equally. Areas like immigration, asylum and equality standards are deteriorating in Scotland. There is a hope, however, that standards will improve with the adoption of the Human Rights Bill.

This may then have a knock-on effect, whereby people in England would see that the situation is better in Scotland, and would thus hold the UK Government accountable, to demand the same level of social and economic protection that people enjoy in Scotland. Similar actions are already taking place in Northern Ireland.

⁶⁴ <https://justice-together.org.uk/>

Representatives of the youth organisation "Young Scott" submitted the following written statement: "The young people we work with always tell us how important international opportunities are for them. As such, we would like to do all that we can to encourage stakeholders to ensure these exciting and vital opportunities within Europe remain possible for young people in Scotland".

The Health and Social Care Alliance (a major third-sector organisation, also known as "the Alliance") would like to see increased consistency across the specialist committees and their approach, as there is a view that they are not currently functioning as efficiently as they could. The committees deal with thematic areas, but some of these can have a disproportionate effect on certain communities e.g. rural communities. It is not clear where the geographic approach fits in with the current structures. At present, all of the work is directed at specialist, technical areas, with little assessment of the impact on communities.

The Alliance also argued for further opportunities for civil society to come together, separate from the CSF and the DAGs, if it would be possible for the EESC to facilitate this in future.

The Social Security Protocol to the Trade and Cooperation Agreement covers fewer benefits than the Withdrawal Agreement. Almost no devolved social security benefits are included in the Protocol, and this affects their portability and how people can meet the residence requirements to be able to claim them. This affects both EU citizens with disabilities and their carers moving to the UK after 1 January 2021, as well as people with disabilities and their carers who move from the UK to EU countries. What is being done by the UK and the EU to make sure that people with disabilities can access social security benefits in all countries?

Blue badge: there are currently about 2.5 million people in the UK who have a Blue Badge parking permit, a permit that is essential to many people with disabilities being able to fully participate in society. This Blue Badge used to be valid across the EU but after the UK's withdrawal from the EU, it is no longer recognised in several countries, including France, Italy, Portugal and Croatia. It is understood that the UK Government is negotiating bilaterally with EU countries for recognition of the Badge for travellers with disabilities. The UK recognises the EU/EEA equivalent parking permit. The UK Government's recent response on this gap for travellers with disabilities is that they should "check with embassies" before travelling, which seems a completely unacceptable response to a negative impact of leaving the EU. The CSF could usefully recommend that agreement on mutual recognition of the Blue Badge and its equivalents is hurried up and clarified to make this much easier for drivers with disabilities

5.4 Northern Ireland

The discussions had a significant focus on the question of civil society and engagement mechanisms on the EU-UK WA.

As pointed out by the Centre for Cross Border Studies (CCBS), Northern Ireland is in a different situation to other jurisdictions that are part of the third countries to the EU. This includes the significant differences between Northern Ireland and Great Britain. These differences are not limited to the specific arrangements for Northern Ireland in the WA, including the Protocol. Northern Ireland

is a jurisdiction whereby almost all persons born there now and in the future, regardless of the UK exit from the EU, either remain EU citizens or are entitled to be so by virtue of optional Irish citizenship. This is provided for by the Irish Constitution and under Irish legislation and is endorsed and recognised by the UK in the 1998 Good Friday/Belfast Agreement (GFA). In addition, part of the constitutional governance arrangements for Northern Ireland are treaty-based with Ireland, an EU Member State. Such arrangements are set out in Strand II of the GFA and the bilateral treaties establishing (north-south) cross-border bodies.

Furthermore, the Protocol provides that a body of EU law continues to apply to NI, which includes provisions relating to the single market for goods and the customs union, but also equality and non-discrimination provisions relating to the non-diminution of certain GFA rights (Article 2 of the Protocol), and other supporting provisions of EU law that have provided a legislative underpinning to GFA rights in NI. There is also the context of NI sharing a land border with a Member State, and the context of Irish and other EU citizens resident in the border area who in practice have lived fluid unhindered cross-border lives for decades.

Despite these particular differences, civil society in NI can be considered in the same way as Great Britain and essentially as any other third country for the purposes of institutional engagement with the EU, with little by the way of specific structured provision made. This is not to say there has not been an openness and access for engagement with EU officials dealing with the implications of Brexit – this has occurred to a significant and meaningful extent and continues but is on an ad-hoc basis rather than through a standing structure. The broader issue, however, relates to other engagement with the EU, as not only has NI lost representation in the EP, the main vehicle for civic society to engage with the EU, but also in other relevant EU structures. For example, the EU Fundamental Rights Agency and Fundamental Rights Platform, in which Northern Ireland civic society could previously participate is only open to civil society organisations that operate within a Member State or within a state with observer status – no specific provision is made for the above particular circumstances of Northern Ireland.

There are standing structures under the TCA in which NI civic society can participate (on the same basis as UK bodies); we consider, however, that there is a significant gap in view of the particular circumstances of Northern Ireland relating to the WA – in relation to the Protocol on Ireland/Northern Ireland and the Part II citizens' rights provisions which are of particular relevance to civil society players in Northern Ireland.

The UK has also made an important commitment in Article 2(2) to continue to facilitate the work of the human rights and equality commissions established under the GFA. In practice, however, the UK has acted incompatibly with this commitment, in particular in running down the NI Human Rights Commission to such an extent that the UN accreditation committee has declined to renew its "UN A Status" on the grounds that it does not comply with core provisions of UN rules for national human rights institutions (the Paris Principles.). The key problems relate not to the work of the NIHRC itself but to the UK authorities' actions in stripping the NIHRC of resources to the extent that it cannot discharge its core statutory functions. In October 2022, the UN accreditation committee deferred a

decision to formally strip the NIHRC of its UN status on the grounds that the UK authorities have agreed to conduct a short review of the NIHRC arrangements⁶⁵.

Bearing in mind that the primary function of the Centre for Cross-Border Studies (CCBS) is to support, promote and advocate for improved cross-border cooperation between all sectors, particularly in terms of cooperation between Northern Ireland and the Republic of Ireland, but also in terms of cooperation between the island of Ireland and Great Britain, and between these islands and counterparts in the EU, the most pressing issues faced by organisations involved in cross-border cooperation resulting from the UK's withdrawal from the EU are:

- the predominantly negative political context and relations between the UK and the EU, as well as between London and Dublin, and between a certain political faction in Northern Ireland and the Irish Government;
- the emergence of obstacles to cross-border cooperation and mobility resulting from the fact that although the Protocol on Ireland/Northern Ireland gives Northern Ireland access to the single market for goods, it does not do so in terms of the single market for services. One of the most pressing issues as a result of the latter is the difficulty in obtaining cross-border insurance.

The CCBS's quarterly surveys on north-south and east-west cooperation and its engagements with a range of civic society organisations involved in such cooperation point to the emergence of an initial trend (which hopefully will dissipate, if mitigating measures are put in place) where CSOs in the Republic of Ireland (particularly smaller ones with more limited resources) are reducing their collaborations with counterparts in Northern Ireland. The reasons for this are the "chilling effect" arising from the negative political context and relations surrounding discussions on the Protocol, and the emergence of obstacles to cooperation. This means that such organisations begin to prioritise their activities within their own jurisdiction, as well as within the European networks they may be involved in, where it is reported that there is no longer a presence of counterparts from Great Britain and, in some cases, of counterparts from Northern Ireland.

From the particular perspective of the CCBS, as a founding member of the Transfrontier Euro-Institut Network (TEIN)⁶⁶, which brings together CSOs and academic institutions from across the EU involved in cross-border cooperation, the CCBS remains committed to maintaining relations with EU counterparts. Moreover, from its engagements with other organisations in Northern Ireland, the CCBS has witnessed the same determination to continue relations and collaborations with CSOs in the EU.

However, given the UK's withdrawal from the EU, and the pressures placed on organisations within Northern Ireland to address the consequences of Brexit (with the added pressures arising from the cost-of-living crisis), the ability of organisations to commit the necessary resources to maintaining their relations with EU counterparts will be restricted unless mitigations are put in place. This will be even more important as pre-Brexit platforms, supported by the EU, are no longer accessible to UK CSOs.

⁶⁵ <https://thedetail.tv/articles/un-decision-on-accreditation-of-ni-human-rights-commission-deferred-again>

⁶⁶ <https://transfrontier.eu/>

An immediate mapping of the existing channels of communication and collaboration between EU and UK CSOs should be undertaken. What are the networks that were established pre-Brexit, and which of those are continuing with full representation from UK CSOs? Within the UK, support should be given to CSOs to continue their relations with EU CSOs, and efforts have been made in this direction by, for example, the Welsh Government.

Of course, the mechanisms established under the Trade and Cooperation Agreement offer some means for relations between UK and EU CSOs, but this is limited to monitoring the implementation of the TCA and can only involve a small number of CSOs.

The deterioration in the political context as a result of political divisions regarding the Protocol has led to uncertainty and to an unsatisfactory landscape for those organisations involved in cross-border cooperation. From the discussions CCBS has had with other organisations on the island of Ireland, not least through its convening of the Ad-Hoc Group for North-South and East-West Cooperation, there is a clear sense that the views of CSOs are not being taken into account by the UK Government in its approach to the Protocol.

In order for the Protocol to be implemented in a way that does not undermine the necessary conditions for north-south cooperation, as per Article 11 of the Protocol, it is absolutely vital that CSOs involved in such cooperation are included within a formal and effective structure for engagement with the mechanisms established by the Protocol, namely the Specialised Committee and the Joint Consultative Working Group. Although the Centre and the Ad-Hoc Group for North-South and East-West Cooperation have been able to meet representatives from both these bodies on a number of occasions, as well as with the Joint Council, there is a clear lack of structured engagement and of engagement that takes into proper account the voices of CSOs.

The end of the recognition of professional qualifications is causing service delivery problems, particularly for all-Ireland bodies.

The area which appears most impacted is the higher education/research field due to current uncertainties around funding from EU programmes – a chilling effect in practice. Therefore, there is a need for a reset of the overall environment, including the development of new language and expectations of what a new relationship between the EU and UK might look like.

There is an evident reduction in "core" funding from EU sources, for instance from the ESF. This is a major risk for the third sector in Northern Ireland.

There is a risk of the Good Friday/Belfast Agreement being undermined, if issues of rights and unimpeded flows across the Irish border are not safeguarded.

There is a sense that civil society organisations in the UK are losing out from reduced participation – and opportunities to participate – in EU civil society networks. This has a detrimental impact on values and exchange of good practice.

There should be provision made for the UK – and specifically for Northern Ireland – for civil society organisations to continue participation in EU networks and initiatives.

The lack of a Northern Ireland voice is a major issue as is the potential for major disinformation, which is detrimental to community relations.

The trade unions expressed frustration that while workers' rights are a devolved competence there, progress is being impeded because the Executive is not functioning. There is a multiplicity of employer organisations, most of which do not have an industrial relations arm. Talks are conducted with Northern Ireland's Department for the Economy, but there has been no minister there for four of the past six years. There is no formal structure for social dialogue and the situation compares poorly with that of Wales and Scotland. The industrial unions do engage with the "Manufacturing NI" campaigning organisation. The uncertainty around the future of the Protocol as well as the "on/off" nature of the devolved government is hindering the potential to attract investment. Major reputational damage is being incurred and, even allowing for resolution, this will take time to heal. The establishment of a formal structured social partnership would introduce consistency and contribute to "certainty". Union members and working-class people are the "collateral damage" of the way politics is playing out. Even before Brexit, Northern Ireland was at a disadvantage because of its peripherality, and the competitive difference was reflected in lower wages. North-south relations are not as good as they should be and this is not helping.

Women's Platform is the Northern Ireland link to the European Women's Lobby, the largest network of women's organisations in Europe, and forms part of the UK membership of the Lobby, along with sister organisations in England, Scotland and Wales. The European Women's Lobby amended its statutes in 2019 to enable the UK to remain a member post Brexit, and therefore this mechanism for ongoing learning and information-sharing remains in place. The women's sector in Europe has been supportive of the UK throughout the process; however, collaboration on concrete projects is increasingly difficult as the context is different and reporting would need to be done separately for the EU and the UK.

The loss of membership of EU networks in general is an issue that is affecting access to information and also keeping pace with requirements under Article 2 of the Protocol on Ireland/Northern Ireland. For example, the UK is no longer a member of the European Institute for Gender Equality, and therefore comparable data are no longer routinely available. There is also the potential for divergence in available statistics over time, which will act as a further barrier to monitoring the realisation of rights.

As noted above, relations on the whole are positive, but practical collaboration beyond information-sharing is increasingly complex. In Northern Ireland, collaboration with civil society in Ireland continues with limited changes to date, which may be related to initiatives focused on exploring shared island action and networks, including the Irish Government's Shared Island initiative. However, relationships with organisations elsewhere in the UK vary in nature from a women's sector perspective, which may have longer term implications for UK-wide collaboration. The issue of the Protocol has limited or no relevance for women's organisations elsewhere in the UK, which is making it difficult for women's organisations to seek solidarity, while regulatory and policy divergence between the within the UK is also making concrete collaboration more complex. This appears, so far,

an anomaly in civil society, as collaboration in the human rights sector has strengthened, but it would be important to explore shared priorities across the UK as a mechanism for maintaining positive relationships.

Ensuring opportunities for collaboration exist and are strengthened would be important, through mechanisms such as the DAG. However, as participation in such high-level mechanisms necessarily is limited, options and additional mechanisms for sharing information and learning across civil society should be explored to ensure transparency and access to information across civil society. This is important especially for smaller organisations, which may not have the capacity to engage on an ongoing basis. Resourcing such work is vital, in particular considering the complex nature of much of the information shared.

The lack of clarity on the Protocol on Ireland/Northern Ireland continues to create instability and uncertainty in Northern Ireland, and the politicisation of the issues has contributed to deepening division and polarisation. This is nevertheless based on limited knowledge and understanding of the Protocol at a community level, since clear and fact-based communication is difficult to access, made even more complex by the technical nature of many of the issues addressed. This uncertainty is creating major challenges for civil society organisations in Northern Ireland, as it creates additional issues requiring resources and time. The lack of functioning institutions in Northern Ireland is related to these issues, but has impacts beyond this, as it prevents effective and meaningful action on concrete local issues, including cost of living rises, timely access to high quality healthcare and investment in education and services to underpin a modern future economy. It is very difficult for local people and communities to disentangle the impacts of different issues from each other, and this increases uncertainty and anxiety. Stability and clarity are urgently needed to enable Northern Ireland to begin charting a way forward and to rebuild trust across society.

The Retained EU Law bill stands to undermine Article 2 of the Protocol, which states that "the United Kingdom shall ensure that no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from its withdrawal from the Union, including in the area of protection against discrimination, as enshrined in the provisions of Union law listed in Annex 1 to this Protocol".

The loss of EU funding is huge and negatively impacts a lot of civil society organisations in service delivery.

The risk to human rights means that organised civil society is now in a defensive position lobbying for rights and doing research, which is an unexpected use of time and energy. There is also a need to combat disinformation about what the NI Protocol actually means.

The Ulster Farmers' Union, the largest union of farmers in Northern Ireland expressed its views during the meeting in Belfast, summarised in their paper attached below.



Ulster Farmer Union
position on the NIP.pc

6. Survey results

The replies to the open-ended questions of the survey are summarised in Chapter 3 of this report, complementing the views collected via other channels (such as meetings and written submissions). This chapter therefore covers only replies to the closed questions, where the main results precede the inserted graphs.

6.1 Relations between EU and UK civil society

A significant majority of respondents (56%) either strongly disagree or disagree with the statement that adequate formalised structures have been put in place to ensure that the voice of CSOs is heard in the implementation of the EU-UK Withdrawal Agreement.

3.1) To what extent does your organisation agree with the following statements? : a) Adequate formalised structures exist to ensure the views of civil society organisations are heard in the implementation of the EU-UK Withdrawal Agreement.

		Answers	Ratio
Strongly agree		1	3.70 %
Somewhat agree		6	22.22 %
Neither agree nor disagree		4	14.81 %
Disagree		9	33.33 %
Strongly disagree		6	22.22 %
Don't know		1	3.70 %
No opinion		0	0.00 %
No Answer		0	0.00 %


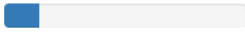
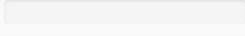
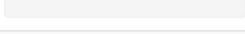
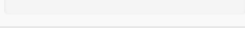
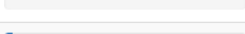
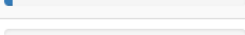

An overwhelming majority of respondents (89%) agree that the CSF established under the TCA should annually review the implementation of the EU-UK Withdrawal Agreement.

3.1) To what extent does your organisation agree with the following statements? : b) The Civil Society Forum established by the EU-UK Trade and Cooperation Agreement should review annually the implementation of the EU-UK Withdrawal Agreement.

		Answers	Ratio
Strongly agree		20	74.07 %
Somewhat agree		4	14.81 %
Neither agree nor disagree		0	0.00 %
Disagree		0	0.00 %
Strongly disagree		1	3.70 %
Don't know		1	3.70 %
No opinion		1	3.70 %
No Answer		0	0.00 %


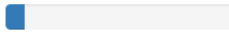
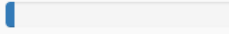
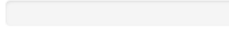
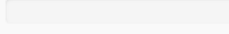
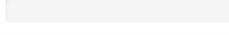
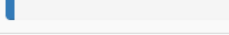
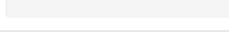
There is nearly unanimous (96%) support for the statement that the EU-UK Joint Committee should report annually on engagement with CSOs in the implementation of the citizens' rights provisions of the EU-UK Withdrawal Agreement.

3.1) To what extent does your organisation agree with the following statements? : c) The EU-UK Joint Committee should report annually on engagement with civil society organisations in the implementation of the citizens' rights provisions of the EU-UK Withdrawal Agreement.

		Answers	Ratio
Strongly agree		22	81.48 %
Somewhat agree		4	14.81 %
Neither agree nor disagree		0	0.00 %
Disagree		0	0.00 %
Strongly disagree		0	0.00 %
Don't know		0	0.00 %
No opinion		1	3.70 %
No Answer		0	0.00 %

Similarly, respondents (93%) nearly unanimously agree that the EU-UK Joint Committee should report annually on engagement with CSOs in the implementation of the Protocol.

3.1) To what extent does your organisation agree with the following statements? : d) The EU-UK Joint Committee should report annually on engagement with civil society organisations in the implementation of the Protocol on Ireland/Northern Ireland.


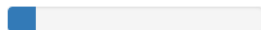


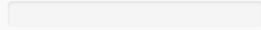
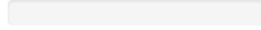
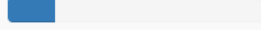
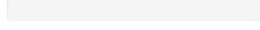
		Answers	Ratio
Strongly agree		23	85.19 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		1	3.70 %
Disagree		0	0.00 %
Strongly disagree		0	0.00 %
Don't know		0	0.00 %
No opinion		1	3.70 %
No Answer		0	0.00 %

6.2 EU-UK Withdrawal Agreement

The three aspects of the EU-UK Withdrawal Agreement that are of the greatest concern to survey respondents are:

- 1. Citizens' rights (78%)**
- 2. Protocol on Ireland/Northern Ireland (56%)**
- 3. Governance (44%)**

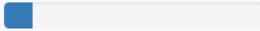
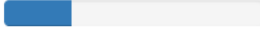
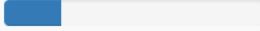
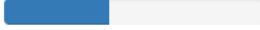
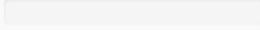
4.1) Which aspect(s) of the EU-UK Withdrawal Agreement has/have been of most concern/interest to your organisation?

		Answers	Ratio
a) Citizens' rights		21	77.78 %
b) Financial settlement		3	11.11 %
c) Governance		12	44.44 %
d) Protocol on Ireland and Northern Ireland		15	55.56 %
d) Protocol on Gibraltar		0	0.00 %
d) Protocol on Cyprus		0	0.00 %
e) Separation issues		5	18.52 %
No Answer		0	0.00 %

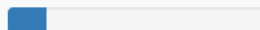

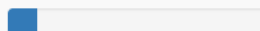
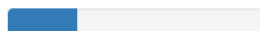
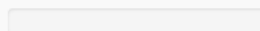
The most problematic separation issues for the members of the responding organisations are:

- 1. Accessing citizens' rights as protected by part II of the EU-UK Withdrawal Agreement (78%)**
- 2. Phasing out of involvement in EU programmes (78%)**
- 3. Customs arrangements for the movement of goods (63%)**
- 4. Functioning of the EU institutions, agencies and bodies (63%)**

4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : a) Placing goods on the market

		Answers	Ratio
Major problems		3	11.11 %
Some problems		7	25.93 %
No problems		6	22.22 %
Don't know		11	40.74 %
No Answer		0	0.00 %

4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : b) Customs arrangements for the movement of goods

		Answers	Ratio
Major problems		4	14.81 %
Some problems		13	48.15 %
No problems		3	11.11 %
Don't know		7	25.93 %
No Answer		0	0.00 %

4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : c) Protection of intellectual property rights

		Answers	Ratio
Major problems		0	0.00 %
Some problems		9	33.33 %
No problems		5	18.52 %
Don't know		13	48.15 %
No Answer		0	0.00 %

4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : d) Ongoing police and judicial cooperation in criminal matters

		Answers	Ratio
Major problems		1	3.70 %
Some problems		5	18.52 %
No problems		6	22.22 %
Don't know		15	55.56 %
No Answer		0	0.00 %

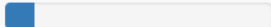
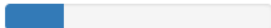
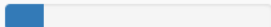

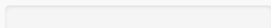
4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : e) Ongoing judicial cooperation in civil and commercial matters

		Answers	Ratio
Major problems		0	0.00 %
Some problems		5	18.52 %
No problems		5	18.52 %
Don't know		17	62.96 %
No Answer		0	0.00 %

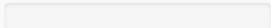
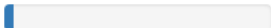
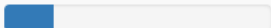

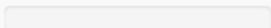
4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : f) Data and information exchanged before end of transition

		Answers	Ratio
Major problems		3	11.11 %
Some problems		8	29.63 %
No problems		6	22.22 %
Don't know		10	37.04 %
No Answer		0	0.00 %

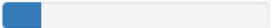
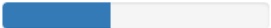
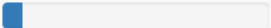
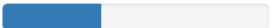
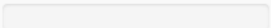
4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : g) Ongoing public procurement

		Answers	Ratio
Major problems		3	11.11 %
Some problems		6	22.22 %
No problems		4	14.81 %
Don't know		14	51.85 %
No Answer		0	0.00 %

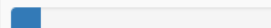

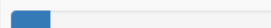
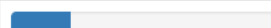
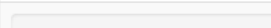
4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : h) European Atomic Energy Community (Euratom)

		Answers	Ratio
Major problems		0	0.00 %
Some problems		1	3.70 %
No problems		5	18.52 %
Don't know		21	77.78 %
No Answer		0	0.00 %


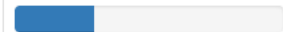
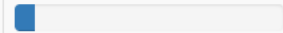
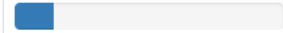
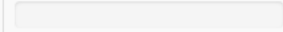
4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : i) Ongoing judicial and administrative procedures

		Answers	Ratio
Major problems		4	14.81 %
Some problems		11	40.74 %
No problems		2	7.41 %
Don't know		10	37.04 %
No Answer		0	0.00 %

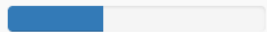
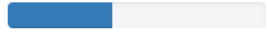
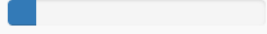
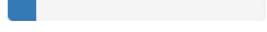
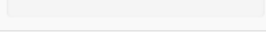
4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : j) Functioning of the EU institutions, agencies and bodies

		Answers	Ratio
Major problems		3	11.11 %
Some problems		14	51.85 %
No problems		4	14.81 %
Don't know		6	22.22 %
No Answer		0	0.00 %

4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : k) Phasing out of involvement in EU programmes

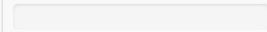
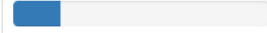
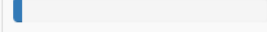
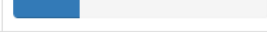
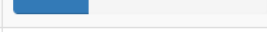
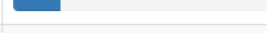
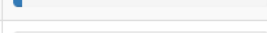
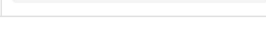
		Answers	Ratio
Major problems		13	48.15 %
Some problems		8	29.63 %
No problems		2	7.41 %
Don't know		4	14.81 %
No Answer		0	0.00 %

4.2) To what extent have members of your organisation reported problems regarding the following separation issues? : l) Accessing citizens' rights as protected by part II of Withdrawal Agreement

		Answers	Ratio
Major problems		10	37.04 %
Some problems		11	40.74 %
No problems		3	11.11 %
Don't know		3	11.11 %
No Answer		0	0.00 %

A considerable majority of respondents strongly disagree or disagree (55%) with the statement that vulnerable EU nationals in the UK receive sufficient support from UK institutions to secure their rights under the EU-UK Withdrawal Agreement.

4.3) To what extent does your organisation agree with the following statements? : a) Vulnerable EU nationals in the UK receive sufficient support from UK institutions to secure their rights under the Withdrawal Agreement

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		5	18.52 %
Neither agree nor disagree		1	3.70 %
Disagree		7	25.93 %
Strongly disagree		8	29.63 %
Don't know		5	18.52 %
No opinion		1	3.70 %
No Answer		0	0.00 %

Close to half of respondents strongly disagree or disagree (48%) with the statement that vulnerable EU nationals in the UK receive sufficient support from UK institutions to access WA rights after those rights have been secured.

4.3) To what extent does your organisation agree with the following statements? : b) Vulnerable EU nationals in the UK receive sufficient support form UK institutions to access Withdrawal Agreement rights after those rights have been secured.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		2	7.41 %
Disagree		6	22.22 %
Strongly disagree		7	25.93 %
Don't know		8	29.63 %
No opinion		2	7.41 %
No Answer		0	0.00 %

Some 41% of respondents strongly disagreed or disagreed with the statement that vulnerable WA beneficiaries in the UK are known to UK governmental support institutions. A relatively large share of respondents (30%) replied that they did not know whether these vulnerable beneficiaries are known to UK governmental support institutions.

4.3) To what extent does your organisation agree with the following statements? : c) Vulnerable beneficiaries of the Withdrawal Agreement in the UK are known to UK governmental support institutions.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		3	11.11 %
Neither agree nor disagree		4	14.81 %
Disagree		6	22.22 %
Strongly disagree		5	18.52 %
Don't know		8	29.63 %
No opinion		1	3.70 %
No Answer		0	0.00 %

6.3 Protocol on Ireland/Northern Ireland

Nearly two thirds of respondents (63%) strongly disagree or disagree that the views of CSOs are appropriately heard in the implementation of the Protocol. On the other hand, a mere 7% of respondents somewhat agree with this.

5.1) To what extent does your organisation agree with the following statements? : a) The views of civil society organisations are being appropriately heard in the implementation of the Protocol.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		1	3.70 %
Disagree		6	22.22 %
Strongly disagree		11	40.74 %
Don't know		1	3.70 %
No opinion		6	22.22 %
No Answer		0	0.00 %

Around 44% of respondents strongly disagree or disagree that the views of business are appropriately heard in the implementation of the Protocol.

5.1) To what extent does your organisation agree with the following statements? : b) The views of business are being appropriately heard in the implementation of the Protocol.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		4	14.81 %
Neither agree nor disagree		1	3.70 %
Disagree		7	25.93 %
Strongly disagree		5	18.52 %
Don't know		2	7.41 %
No opinion		8	29.63 %
No Answer		0	0.00 %

An overwhelming majority of respondents (74%) strongly disagree or disagree that the UK's approach to the implementation of the Protocol delivers certainty for civil society.

5.1) To what extent does your organisation agree with the following statements? : c) The UK's approach to the implementation of the Protocol delivers certainty for civil society.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		0	0.00 %
Neither agree nor disagree		1	3.70 %
Disagree		6	22.22 %
Strongly disagree		14	51.85 %
Don't know		1	3.70 %
No opinion		5	18.52 %
No Answer		0	0.00 %

A significant majority of respondents (55%) strongly disagree or disagree that the UK's approach to the implementation of the Protocol delivers certainty for business.

5.1) To what extent does your organisation agree with the following statements? : d) The UK's approach to the implementation of the Protocol delivers certainty for business.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		0	0.00 %
Neither agree nor disagree		3	11.11 %
Disagree		5	18.52 %
Strongly disagree		10	37.04 %
Don't know		2	7.41 %
No opinion		7	25.93 %
No Answer		0	0.00 %

Nearly one third (30%) of respondents strongly disagree or disagree with the statement that the Protocol ensures no diminution of rights under the Good Friday/Belfast Agreement as a consequence of Brexit. At the same time, the same share (30%) of respondents agrees with this statement, and another third of respondents have no opinion on this issue.

5.1) To what extent does your organisation agree with the following statements? : e) The Protocol ensures no diminution of rights under the 1998 Belfast (Good Friday) Agreement as a consequence of Brexit.

		Answers	Ratio
Strongly agree		3	11.11 %
Somewhat agree		5	18.52 %
Neither agree nor disagree		1	3.70 %
Disagree		3	11.11 %
Strongly disagree		5	18.52 %
Don't know		2	7.41 %
No opinion		8	29.63 %
No Answer		0	0.00 %

Around 41% of respondents strongly disagree or disagree with the statement that the Protocol as it is currently being implemented provides an appropriate means to address the challenges that Brexit poses for the unique circumstances in the island of Ireland. Less than a quarter (22%) of respondents agree with this statement, and another 22% have no opinion on this.

5.1) To what extent does your organisation agree with the following statements? : f) The Protocol as it is currently being implemented provides an appropriate means to address the challenges that Brexit poses for the unique circumstances in the island of Ireland.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		6	22.22 %
Neither agree nor disagree		2	7.41 %
Disagree		2	7.41 %
Strongly disagree		9	33.33 %
Don't know		2	7.41 %
No opinion		6	22.22 %
No Answer		0	0.00 %

More than half of respondents (52%) strongly agree or somewhat agree that the Protocol should be developed as a framework for developing Northern Ireland's unique position in the UK-EU relationship. Only 11% of respondents disagree with this statement.

5.1) To what extent does your organisation agree with the following statements? : (g) The Protocol should be developed as a framework for developing Northern Ireland's unique position in the UK-EU relationship.

		Answers	Ratio
Strongly agree		8	29.63 %
Somewhat agree		6	22.22 %
Neither agree nor disagree		2	7.41 %
Disagree		1	3.70 %
Strongly disagree		2	7.41 %
Don't know		1	3.70 %
No opinion		7	25.93 %
No Answer		0	0.00 %

Around 41% of respondents strongly disagree or disagree that adequate means exist to communicate to the UK government problems arising out of the implementation of the Protocol. Only one respondent strongly agrees with this statement.

5.1) To what extent does your organisation agree with the following statements? : (h) Adequate means exist to communicate to the UK government problems arising out of the implementation of the Protocol.

		Answers	Ratio
Strongly agree		1	3.70 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		3	11.11 %
Disagree		6	22.22 %
Strongly disagree		5	18.52 %
Don't know		4	14.81 %
No opinion		6	22.22 %
No Answer		0	0.00 %

On the other hand, around 38% of respondents strongly disagree or disagree that adequate means exist to communicate to the European Commission problems arising out of the implementation of the Protocol. None of the respondents strongly agrees with this statement.

5.1) To what extent does your organisation agree with the following statements? : (i) Adequate means exist to communicate to the European Commission problems arising out of the implementation of the Protocol

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		4	14.81 %
Neither agree nor disagree		2	7.41 %
Disagree		7	25.93 %
Strongly disagree		3	11.11 %
Don't know		5	18.52 %
No opinion		6	22.22 %
No Answer		0	0.00 %

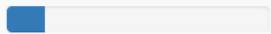
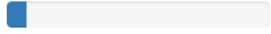
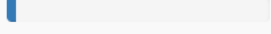
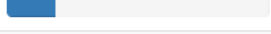
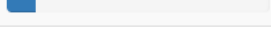
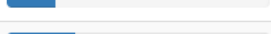
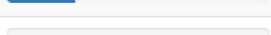

A relatively large share of respondents (48%) strongly disagrees or disagrees that the UK has ensured that no diminution of rights, safeguards or equality of opportunity has resulted from its withdrawal from the Union, as per Article 2 of the Protocol.

5.1) To what extent does your organisation agree with the following statements? : j) The United Kingdom has ensured that no diminution of rights, safeguards or equality of opportunity has resulted from its withdrawal from the Union (Article 2 of the Protocol on Ireland/Northern Ireland).

		Answers	Ratio
Strongly agree		1	3.70 %
Somewhat agree		1	3.70 %
Neither agree nor disagree		2	7.41 %
Disagree		9	33.33 %
Strongly disagree		4	14.81 %
Don't know		3	11.11 %
No opinion		7	25.93 %
No Answer		0	0.00 %

Around 30% of respondents strongly disagree or disagree with the statement that the UK has ensured that the Common Travel Area and the rights and privileges associated therewith have continued to apply without affecting the obligations of Ireland under Union law. On the other hand, 22% strongly agree or agree with the same statement.

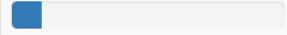
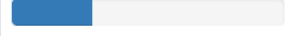
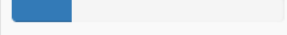
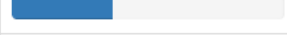
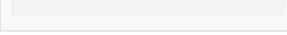
5.1) To what extent does your organisation agree with the following statements? : k) The United Kingdom has ensured that the Common Travel Area and the rights and privileges associated therewith have continued to apply without affecting the obligations of Ireland under Union law (Article 3 of the Protocol on Ireland/Northern Ireland).

		Answers	Ratio
Strongly agree		4	14.81 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		1	3.70 %
Disagree		5	18.52 %
Strongly disagree		3	11.11 %
Don't know		5	18.52 %
No opinion		7	25.93 %
No Answer		0	0.00 %

The three areas in which members of the respondents' organisations have experienced the most problems (either "major problems" or "some problems") in relation to Brexit/Protocol issues in the last twelve months were:

- 1. Availability of up-to-date information on the requirements of the Protocol (52%)**
- 2. Willingness of suppliers from Great Britain to complete additional paperwork to move goods to Northern Ireland (48%); and**
- 3. The need to complete additional paperwork for the movement of goods from Great Britain to Northern Ireland (41%)**

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : a) The need to complete additional paperwork for the movement of goods from Great Britain to Northern Ireland.

		Answers	Ratio
Major problems		3	11.11 %
Some problems		8	29.63 %
No problems		6	22.22 %
Don't know		10	37.04 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : b) Willingness of suppliers from Great Britain to complete additional paperwork to move goods to Northern Ireland.

		Answers	Ratio
Major problems		3	11.11 %
Some problems		10	37.04 %
No problems		6	22.22 %
Don't know		8	29.63 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : c) Arrangements for VAT under the Protocol.

		Answers	Ratio
Major problems		2	7.41 %
Some problems		4	14.81 %
No problems		8	29.63 %
Don't know		13	48.15 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : d) Arrangements for excise duties under the Protocol.

		Answers	Ratio
Major problems		2	7.41 %
Some problems		3	11.11 %
No problems		9	33.33 %
Don't know		13	48.15 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : e) The availability of medicines in Northern Ireland.

		Answers	Ratio
Major problems		3	11.11 %
Some problems		7	25.93 %
No problems		6	22.22 %
Don't know		11	40.74 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : f) The availability of foodstuffs in Northern Ireland.

		Answers	Ratio
Major problems		2	7.41 %
Some problems		9	33.33 %
No problems		6	22.22 %
Don't know		10	37.04 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : g) Movement of pets from Great Britain to Northern Ireland.

		Answers	Ratio
Major problems		3	11.11 %
Some problems		6	22.22 %
No problems		5	18.52 %
Don't know		13	48.15 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : h) Movement of animals/animal products from Great Britain to Northern Ireland.

		Answers	Ratio
Major problems		1	3.70 %
Some problems		9	33.33 %
No problems		5	18.52 %
Don't know		12	44.44 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : i) Movement of plants/plant products from Great Britain to Northern Ireland .

		Answers	Ratio
Major problems		2	7.41 %
Some problems		8	29.63 %
No problems		6	22.22 %
Don't know		11	40.74 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : j) Arrangements regarding the single electricity market under the Protocol.

		Answers	Ratio
Major problems		1	3.70 %
Some problems		4	14.81 %
No problems		7	25.93 %
Don't know		15	55.56 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : k) Tariffs being applied on goods moving from Great Britain to Northern Ireland.

		Answers	Ratio
Major problems		2	7.41 %
Some problems		6	22.22 %
No problems		7	25.93 %
Don't know		12	44.44 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : l) Availability of up to date information on the requirements of the Protocol.

		Answers	Ratio
Major problems		3	11.11 %
Some problems		11	40.74 %
No problems		6	22.22 %
Don't know		7	25.93 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : m) Movement of goods from Northern Ireland to Great Britain.

		Answers	Ratio
Major problems		1	3.70 %
Some problems		4	14.81 %
No problems		11	40.74 %
Don't know		11	40.74 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : n) Movement of goods across the border on island of Ireland.

		Answers	Ratio
Major problems		1	3.70 %
Some problems		4	14.81 %
No problems		10	37.04 %
Don't know		12	44.44 %
No Answer		0	0.00 %

5.2) To what extent have members of your organisation reported actual or potential problems in the last twelve months regarding the following Brexit/Protocol issues? : o) Provision of services on the island of Ireland.

		Answers	Ratio
Major problems		2	7.41 %
Some problems		7	25.93 %
No problems		6	22.22 %
Don't know		12	44.44 %
No Answer		0	0.00 %

6.4 Citizens' rights

Around one quarter of respondents (26%) strongly disagree or disagree that the Withdrawal Agreement rights of EU citizens in the UK are being upheld. A significant share of respondents (41%) does not know whether the Withdrawal Agreement rights of EU citizens in the UK are being upheld or not.

6.1) To what extent does your organisation agree with the following statements? : a) The Withdrawal Agreement rights of UK citizens in the EU are being upheld.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		3	11.11 %
Neither agree nor disagree		1	3.70 %
Disagree		5	18.52 %
Strongly disagree		2	7.41 %
Don't know		11	40.74 %
No opinion		5	18.52 %
No Answer		0	0.00 %

Roughly one third of respondents (33.3%) strongly disagree or disagree that the WA rights of EU citizens in the UK are being upheld. On the other hand, around 26% somewhat agree that these rights are being upheld.

6.1) To what extent does your organisation agree with the following statements? : b) The Withdrawal Agreement rights of EU citizens in the UK are being upheld.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		7	25.93 %
Neither agree nor disagree		1	3.70 %
Disagree		5	18.52 %
Strongly disagree		4	14.81 %
Don't know		7	25.93 %
No opinion		3	11.11 %
No Answer		0	0.00 %

Nearly half of respondents (48%) strongly disagree or disagree that clear and accurate information on the WA rights of EU citizens in the UK is freely available via the UK Government.

6.1) To what extent does your organisation agree with the following statements? : c) Clear and accurate information on the Withdrawal Agreement rights of EU citizens in the UK is freely available via the UK government.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		6	22.22 %
Neither agree nor disagree		0	0.00 %
Disagree		8	29.63 %
Strongly disagree		5	18.52 %
Don't know		5	18.52 %
No opinion		3	11.11 %
No Answer		0	0.00 %

A good quarter of respondents (26%) strongly disagree or disagree that clear and accurate information on the WA rights of EU citizens in the UK is freely available via the European Commission. However, by far the largest share (41%) do not know whether this is the case.

6.1) To what extent does your organisation agree with the following statements? : d) Clear and accurate information on the Withdrawal Agreement rights of UK citizens in the EU is freely available via the European Commission.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		2	7.41 %
Disagree		6	22.22 %
Strongly disagree		1	3.70 %
Don't know		11	40.74 %
No opinion		5	18.52 %
No Answer		0	0.00 %

Less than a quarter (22%) of respondents strongly disagree or disagree that clear and accurate information on the WA rights of EU citizens in the UK is freely available via the EU Member State governments. Again, nearly half (48%) of respondents have no knowledge on this.

6.1) To what extent does your organisation agree with the following statements? : e) Clear and accurate information on the Withdrawal Agreement rights of UK citizens in the EU is freely available via the EU member state governments.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		1	3.70 %
Neither agree nor disagree		2	7.41 %
Disagree		5	18.52 %
Strongly disagree		1	3.70 %
Don't know		13	48.15 %
No opinion		5	18.52 %
No Answer		0	0.00 %

A significant majority of respondents (55%) strongly disagree or disagree that WA beneficiaries in the UK can easily demonstrate their status when required.

6.1) To what extent does your organisation agree with the following statements? : f) The beneficiaries of the Withdrawal Agreement in the UK can easily demonstrate their status when required (e.g. when entering the UK, applying for a job, renting a house, accessing the NHS).

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		1	3.70 %
Neither agree nor disagree		1	3.70 %
Disagree		11	40.74 %
Strongly disagree		4	14.81 %
Don't know		7	25.93 %
No opinion		3	11.11 %
No Answer		0	0.00 %

More than 55% of respondents strongly disagree or disagree that the WA beneficiaries in the UK know where to turn in order to protect their rights.

6.1) To what extent does your organisation agree with the following statements? : g) The beneficiaries of the Withdrawal Agreement in the UK know where to turn to in order to protect their rights.

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		2	7.41 %
Neither agree nor disagree		1	3.70 %
Disagree		10	37.04 %
Strongly disagree		5	18.52 %
Don't know		6	22.22 %
No opinion		3	11.11 %
No Answer		0	0.00 %

The respondents strongly disagree or disagree that the following WA rights of EU citizens in the UK are being upheld:

- 1. Right to access UK Government-funded social assistance (44%)**
- 2. Right to access the NHS healthcare services free of charge (44%)**
- 3. Right to work in the UK (41%)**
- 4. Right to redress and challenge negative residence applications (i.e. refusals of EUSS status) (37%)**
- 5. Right to enter the UK (33%)**
- 6. Right to rent in England (33%)**
- 7. Right to equal treatment (33%)**
- 8. Right to vote and stand as a candidate at local elections in the UK (22%)**

9. Right to recognition of qualifications (14%)

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : a) Right to enter the UK

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		9	33.33 %
Disagree		6	22.22 %
Strongly disagree		3	11.11 %
Don't know		6	22.22 %
No opinion		3	11.11 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : b) Right to work in the UK

		Answers	Ratio
Strongly agree		1	3.70 %
Somewhat agree		7	25.93 %
Disagree		9	33.33 %
Strongly disagree		2	7.41 %
Don't know		5	18.52 %
No opinion		3	11.11 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : c) Right to rent in England

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		3	11.11 %
Disagree		7	25.93 %
Strongly disagree		2	7.41 %
Don't know		11	40.74 %
No opinion		4	14.81 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : d) Right to access UK government funded social assistance

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		3	11.11 %
Disagree		7	25.93 %
Strongly disagree		5	18.52 %
Don't know		8	29.63 %
No opinion		4	14.81 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : e) Right to access the NHS healthcare free of charge

		Answers	Ratio
Strongly agree		0	0.00 %
Somewhat agree		6	22.22 %
Disagree		6	22.22 %
Strongly disagree		4	14.81 %
Don't know		8	29.63 %
No opinion		3	11.11 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : f) Right to vote and stand as a candidate at local elections in the UK

		Answers	Ratio
Strongly agree		3	11.11 %
Somewhat agree		3	11.11 %
Disagree		5	18.52 %
Strongly disagree		1	3.70 %
Don't know		10	37.04 %
No opinion		5	18.52 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : h) Right to equal treatment

		Answers	Ratio
Strongly agree		1	3.70 %
Somewhat agree		4	14.81 %
Disagree		6	22.22 %
Strongly disagree		3	11.11 %
Don't know		10	37.04 %
No opinion		3	11.11 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : i) Right to recognition of qualifications

		Answers	Ratio
Strongly agree		2	7.41 %
Somewhat agree		3	11.11 %
Disagree		3	11.11 %
Strongly disagree		1	3.70 %
Don't know		14	51.85 %
No opinion		4	14.81 %
No Answer		0	0.00 %

6.2) To what extent does your organisation agree that the following Withdrawal Agreement rights of EU citizens in the UK are being upheld: : j) Right to redress and challenge negative residence applications (i.e. refusals of EU Settlement Scheme status)

		Answers	Ratio
Strongly agree		1	3.70 %
Somewhat agree		2	7.41 %
Disagree		6	22.22 %
Strongly disagree		4	14.81 %
Don't know		11	40.74 %
No opinion		3	11.11 %
No Answer		0	0.00 %

7. Trending

7.1 Spotlight on UK public opinion

On 18 October 2022, the Tony Blair Institute for Global Change published a UK-wide poll on how the British public views Brexit and what it wants from the future relationship with the European Union⁶⁷.

7.2 Spotlight on EU citizens in the UK

- On 1 November 2022, the Guardian published an article reporting a claim that the UK Home Office was putting 2.6 million EU citizens at risk of removal⁶⁸.
- On 12 November, the Guardian published an article describing the story of parents separated from their child due to Brexit delays⁶⁹.

7.3 Spotlight on UK citizens in the EU

- On 13 November, the Guardian published an article reporting the story of a British citizen being deported due to submitting relevant paperwork with a four-day delay⁷⁰.

7.4 Spotlight on Northern Ireland

- On 10 November 2022, the FT published an article on the meeting between UK Prime Minister Rishi Sunak and Taoiseach Micheál Martin on the Protocol on Ireland/Northern Ireland⁷¹.
- On 7 November, the Irish News published an article on the meeting between UK Prime Minister Rishi Sunak and President of the European Commission Ursula von der Leyen⁷².

7.5 Spotlight on comparing the UK, EU and Welsh approaches to developing and assessing international trade policy post-Brexit

Since the UK withdrew from the EU, it has taken back exclusive competence for international trade negotiations. However, the development of a consistent approach to this, and of an international trade policy generally, has been challenging and, arguably, at least at the UK level, ideologically driven. The UK also lacks a formal structured process for scrutinising and consulting on trade. This has led to several challenges for UK civil society organisations which, previously reliant on EU expertise, procedure and capacity, are now learning to lead on this domestically. International

⁶⁷ <https://institute.global/policy/moving-how-british-public-views-brexit-and-what-it-wants-future-relationship-european-union>

⁶⁸ <https://www.theguardian.com/politics/2022/nov/01/home-office-is-putting-26m-eu-citizens-at-risk-of-removal-court-hears>

⁶⁹ <https://www.theguardian.com/uk-news/2022/nov/12/couple-separated-from-baby-post-brexit-visa-delays-settled-status>

⁷⁰ <https://www.theguardian.com/world/2022/nov/13/denmark-british-man-being-deported-over-late-post-brexit-paperwork>

⁷¹ <https://www.ft.com/content/65c8d322-b877-4e53-9334-36c546f8717b>

⁷² https://www.irishnews.com/news/northernirelandnews/2022/11/07/news/sunak_and_ursula_von_der_leyen_seek_resolution_to_post-brexit_trading_tensions-2886845/

relations are a reserved competence for the UK Government; however, the devolved governments and legislatures have an interest as agreement implementation is devolved. As a result, significant differences in how international trade is perceived and impact-assessed have emerged in Wales which can provide an example of the need to maintain support for future cross-border information-sharing activities.

- I. Civil society organisations that used to rely on EU-based capacity to lead on trade and to feed into the dialogue and scrutiny processes have seen the nature of those relationships change by virtue of the UK and EU now having separate responsibilities for trade;

The EU has exclusive competence to negotiate trade agreements for the Member States with the Commission leading on this and having significant experience in the field. When the UK withdrew from the European Union, naturally competence for negotiating and implementing trade agreements was repatriated. Owing to past reliance on EU activity here, the UK and devolved governments have had to invest significantly in training programmes to fill a capacity and skills gap.

In terms of civil society organisations, they now find themselves needing to work with the UK and devolved governments in an incredibly challenging domestic policy space with little experience, capacity and no funding to adapt to these new pressures. They are also no longer able to rely on their EU counterparts who used to provide leadership and proximity to a much more open policy-making nexus. **This provides an example of where UK-EU civil society relations have necessarily changed as a result of divergence.**

- II. Understanding and navigating the UK's domestic tensions and why these play a role in how civil society engages with work that might be relevant for UK/EU civil society relations

The domestic constitutional landscape and territorial governance in the UK in this space is particular because while international trade is reserved to the UK Government, implementation of trade agreements is devolved. The Welsh Government and UK Department for International Trade have a good working relationship at the level of officials, but there are **sharply different strategic visions around the UK's approach to post-Brexit trade negotiations.**

The UK Government seems intent on making political statements, securing as many agreements in as little time as possible, while the devolved governments are in favour of a more substantive measured approach. Yet, the UK lacks appropriate systems for:

- consulting and scrutinising negotiation mandates;
- parliamentary scrutiny of trade agreements;
- wider systems of civic society involvement and consultation in and around trade policy;
- any meaningful system for devolved involvement in trade policy establishment and trade negotiation despite implementation being a devolved competence;
- trade policy impact assessment.

As a result, not least because negotiations have been done at pace, it has been impossible to conduct meaningful consultation on the UK's trade policy. In fact, the UK has not taken the time to develop a formal trade policy, so there has been no overarching consultation on crucial questions like intergovernmental cooperation across central and devolved governments on trade, nor on how we ensure connectivity across policy areas which intersect with trade: a crucial question for modern trade deals. **So, there is significant tension between the UK and devolved levels in this space. This has underpinned and driven forward work on distinct approaches for assessing the social dimension of trade policy at the Welsh level.**

III. Within these challenges there are examples of why it is crucial for UK, devolved and EU civil society to have frameworks for sharing information and good practice

Lessons from the UK-EU level around the pursuit of human rights through trade policy:

The EU is tackling human rights in supply chains at an overarching cross-sectoral level (see the Directive on Corporate Sustainability), while the UK is taking a more targeted approach so far with instruments like a recent amendment to its Health and Care Bill to tackle modern slavery in those supply chains. A comparison over time of these approaches could yield useful lessons for both parties and could synergise well with other UK-wide initiatives like academic research being done on inclusive trade policy (which has seen very significant investment across several major universities in the form of the new Centre for Inclusive Trade Policy).

b. Lessons emerging from Wales's approach – the Wellbeing of Future Generations (Wales) Act 2015

While the UK is seriously lacking in its consideration and impact assessment of the raft of trade deals it is pursuing, there is a body of work taking place in Wales to assess trade through the lens of its internationally ground-breaking Wellbeing of Future Generations legislation. This places a duty on public authorities to consider the long-term impacts of their decisions and policy on future generations. Working with civil society, the Welsh Government and Senedd are refining a holistic approach to assessing the UK's trade agreements by considering their impact on the legislation's seven "wellbeing goals". These focus on: **prosperity, resilience, equality, health, community cohesion, culture & language and global responsibility**. WCVA⁷³ and the Forum are involved in a pilot project called Trade Justice Wales, trying to build capacity around this approach, advocating for these types of impact assessments to be recognised more widely in the UK's approach to trade.

Other organisations like Public Health Wales are at the forefront of advancing this work and building our understanding of the public health dimensions of trade policy. **These types of highly innovative approaches illustrate how progressive and inclusive approaches to trade policy are being developed in the space created by the UK's withdrawal from the EU at the devolved level in the UK. Over time, these could contribute to an agenda for cross-border knowledge-sharing activities. It also provides a strong example of why there would need to be formal structures and funded support in place to enable organisations to form partnerships around these topics – because capacity for this work domestically is already incredibly thin. Our own Trade Justice project is likely to see an interruption in its funding from February 2023, for example.**

7.6 Spotlight on the Taith Programme

Meaning "journey" in Welsh, the Taith programme⁷⁴ was mentioned by several participants in the meetings. It is the Welsh Government's International Exchange Programme designed to fill some of the gap left by the UK's withdrawal from Erasmus+. In yet another example of why it is important to highlight the devolved dimension to these issues, it also contrasts sharply with the UK Government's Turing programme⁷⁵. There are three main reasons for this:

- Taith is reciprocal. It recognises the importance of cultural exchange and therefore

73 <https://wcva.cymru/>

74 <https://www.taith.wales/>

75 <https://www.turing-scheme.org.uk/>

provides funded opportunities in support of both **outgoing and incoming learners**.

- Unlike Turing, which targets only some formal educational settings, **Taith is open to learners, staff and volunteers in all education settings**. This is crucial for the voluntary sector because it fills some of the gap left by the loss of the European Solidarity Corps as well as Erasmus+.

- Unlike Turing, Taith **can fund strategic partnerships in addition to direct educational mobility**.

7.7 Spotlight on the WCVA and Foundations for the Third Sector

The WCVA has been heavily involved in a post-Brexit Erasmus+ funded strategic partnership with organisations in Ireland, Finland and Germany called Foundations for the Third Sector⁷⁶. The project aims to upskill new employees in the voluntary sector by developing an entry-level induction training programme. The skills gained by the participants in the programme will be validated using digital badges which can be used for personal development and career progression.

7.8 Spotlight on I-Portunus – Mobility for artists, creators and cultural professionals⁷⁷

Post-dating the initial stages of the UK's withdrawal from the EU, this programme was funded by the EU Commission and piloted in 2019. It was initially made open to UK organisations where it received some interest, including from Wales. It provides an example of how post-Brexit structures can still be put in place to provide for ongoing and deeper cooperation in the context of the new relationship. This is certainly what civil society players seem to universally desire in Wales and was echoed by both UK and EU civic society at the DAGs and Civil Society Forum under the TCA. From 2022, I-Portunus is being integrated into Creative Europe, a consequence of which will be to exclude future UK cultural professionals from participation. Given its success this should provide a source of reflection for both UK stakeholders around the UK's involvement in EU programmes as the review of the TCA approaches, and for stakeholders in the EU in terms of what can be established that is inclusive and supportive of EU-UK civic society relations.

8. List of organisations consulted

Name of civil society organisation	Part of UK	Consulted via meetings	Consulted via survey
Make UK	England	yes	
Federation of Small Businesses (FSB)	England	yes	yes
British Chambers of Commerce (BCC)	England	yes	
National Farmers' Union (NFU)	England	yes	
Trades Union Congress (TUC)	England	yes	yes
Unison	England	yes	
the3million	England	yes	yes
Equally Ours	England	yes	yes
Settled	England	yes	
Civil Society Alliance UK	England	yes	yes
National Council for Voluntary Organisations	England	yes	

⁷⁶ <https://www.f4s3.eu/about>

⁷⁷ <https://www.i-portunus.eu/>

(NCVO)			
Greener UK and Green Alliance	England	yes	
Public Law Project	England	yes	
British Youth Council	England	yes (remotely)	
Rights of Women	England		yes
Here for Good	England		yes
Federation of Small Businesses (Wales FSB)	Wales	yes	
South Wales Chambers	Wales	yes	
GMB Wales	Wales	yes	
Unison Cymru	Wales	yes	
Unite Wales	Wales	yes	
Wales Arts International	Wales	yes	
Settled	Wales	yes	yes
Cytûn: Churches together in Wales	Wales	yes	yes
National Farmers Union Cymru	Wales	yes	
Welsh Centre for International Affairs	Wales	yes	
WCVA	Wales	yes	
Independent Monitoring Authority	Wales	yes	
Citizens Advice Bureau	Wales	yes	
Chambers Wales	Wales		yes
NFU Scotland	Scotland	yes	
Scottish Women's Convention	Scotland	yes	
ABPI Scotland	Scotland	yes	
Scottish Council for Development and Industry	Scotland	yes	
Scottish Council for Voluntary Organisations (SCVO)	Scotland	yes	yes
Human Rights Consortium Scotland	Scotland	yes	
National Collaborative	Scotland	yes	
The ALLIANCE	Scotland	yes	yes
Settled Scotland	Scotland	yes	
Young Scott	Scotland	yes (remotely)	
University of Glasgow	Scotland		yes
NI Chamber of Commerce	Northern Ireland	yes	
KPMG Ireland	Northern Ireland	yes	
Manufacturing NI	Northern Ireland	yes	yes
Logistics UK	Northern Ireland	yes	
Asda/Northern Ireland Retail Consortium	Northern Ireland	yes	
Confederation of British Industry (CBI)	Northern Ireland	yes	
NERI institute	Northern Ireland	yes	
SIPTU	Northern Ireland	yes	
Unison	Northern Ireland	yes	
Unite	Northern Ireland	yes	
ICTU	Northern Ireland	yes	
Unite	Northern Ireland	yes	
Migrant Centre NI	Northern Ireland	yes	
Rural Community Network	Northern Ireland	yes	
Committee on the Administration of Justice (CAJ)	Northern Ireland	yes	
Centre for Cross Border Studies (CCBS)	Northern Ireland	yes	yes
Women's Platform	Northern Ireland	yes	yes
Human Rights Consortium Northern Ireland	Northern Ireland	yes	
Consumer Council	Northern Ireland	yes	

The Northern Ireland Council for Voluntary Action (NICVA)	Northern Ireland	yes	
Here NI	Northern Ireland	yes	yes
Co-operation Ireland	Northern Ireland	yes	
Ulster Farmers' Union	Northern Ireland	yes	yes
Doire Lochain Caoimhín de Barra	Northern Ireland		yes
Ulster Community Investment Trust Ltd T/A Community Finance Ireland	Northern Ireland		yes
Middletown Centre for Autism	Northern Ireland		yes
Social Change Initiative	Northern Ireland		yes

Government/parliamentary bodies consulted	Part of UK	Consulted via meetings	Consulted via survey
EU Delegation to the UK	England	yes	
Senedd representative UK-Committee of the Regions Contact Group	Wales	yes	
Chair of the Equality and Social Justice Committee	Wales	yes	
Chair of the Legislation, Justice and Constitution Committee	Wales	yes	
Senedd Presiding Officer and Deputy Presiding Officer	Wales	yes	
Senedd representative UK-Committee of the Regions Contact Group	Wales	yes	
Welsh Government officials from the International Relations Team on Wales-EU engagement	Wales	yes	
Welsh Government Migration Policy Team	Wales	yes	
Scottish Government - Director of External Affairs and his team	Scotland	yes	

9. Literature review of EESC work and other sources

9.1 European Economic and Social Committee

1) Implementation and enforcement of the UK Withdrawal Agreement⁷⁸, 15/06/2022

The EESC:

- acknowledges that the proposed Regulation empowers the EU Commission to adopt and apply certain measures for the exercise of the Union's rights under the provisions of the EU-UK Withdrawal Agreement and of the EU-UK Trade and Cooperation Agreement.
- acknowledges that the Parties to the relevant Agreements are the United Kingdom and the Union only. It therefore agrees that it is entirely appropriate that initiation of any action would lie at Union level, with recourse to comitology procedures, as set out in the proposed Regulation.
- agrees that the Union needs an agile and effective procedure in the event of the United Kingdom's non-compliance with the Withdrawal Agreement and/or the Trade and Cooperation Agreement.
- agrees that the recourse to comitology procedures as a way to empower the Commission to adopt and apply certain measures in the event of breaches of or non-compliance with the relevant Agreements is fully justified, and is in accordance with the principles of proportionality and subsidiarity that necessarily determine EU action.
- welcomes the proposal for a review of the Regulation five years after its entry into force, and notes that this would be in line with similar provisions in the relevant Agreements.
- supports the proposed Regulation. Furthermore, it maintains that this is an excellent inter-institutional compromise to deal with any eventualities arising from a breach of or non-compliance with the Withdrawal Agreement and/or the Trade and Cooperation Agreement.

2) Brexit Adjustment Reserve⁷⁹, 24/02/2021

The EESC:

- Considers that Brexit is a very complex and difficult exercise. The EU-UK Trade and Cooperation Agreement alleviates some of the economic and social damage of a "no-deal" scenario, but the future economic and financial losses are very difficult to quantify at such an early stage.
- Observes already the negative impacts on cross-border mobility and barriers to trade in goods and services. This could result in job losses and businesses going bankrupt, especially SMEs.
- Welcomes the creation of the Brexit Adjustment Reserve (the "Reserve") within the special instruments outside of the EU budget ceilings of the Multiannual Financial Framework (MFF). It considers that cohesion and solidarity between Member States are fundamental EU values and appreciates the retroactive application of the Reserve going back to July 2020.

⁷⁸ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/implementation-and-enforcement-uk-withdrawal-agreement>

⁷⁹ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/brexit-adjustment-reserve>

- Believes that workers' rights have to be protected immediately and the mutual recognition of qualifications must be further negotiated. Also recommends that all Member States should immediately start organising information campaigns to raise awareness among citizens regarding the new rules in place. Suggests that the fisheries sector should have a completely separately designed reserve that will support this sector only. Special attention should be paid to other sectors, such as tourism and agriculture, for example.
- Expects prolonged discussions between stakeholders on who gets the biggest slice of the Reserve and considers that additional funds should be immediately provided for.
- Calls on all Member States to act responsibly and direct the available funds towards the regions, companies, workers and citizens that need them the most.
- Believes that the eligibility period could be extended by two more years, just to make sure that the Member States have adequate time to make use of their share of the Reserve and absorb the shock waves from the UK's withdrawal.
- Considers that a small part of the Reserve should be earmarked for technical assistance purposes, for when a new management system is created. However, strongly believes that the largest part of the Reserve should be allocated to supporting employment and economic activities.
- Is asking for specially designed measures to support the SMEs which are particularly affected by the newly introduced customs procedures, regulatory burdens and rising transport costs.
- Recommends that the simplified costs option be used. Simplified rules and less bureaucracy in the implementation process will contribute to faster distribution of the financial resources.
- Calls for the creation of a monitoring committee in each Member State with the main purpose of eliminating possible risks that could appear in the implementation process, while ensuring the formal involvement of civil society in the process.
- Proposes that more clarity should be provided in terms of governance by clearly designating a management body for the Reserve.
- Calls for an intermediary performance framework to be created, based on specific performance-driven indicators to be established by the Member States and evaluated by the European Commission yearly.
- Finally, suggests that the European Commission report on its evaluation of the Reserve's effectiveness to the European Parliament and the Council within three months from the assumed deadline.

Other related EESC opinions:

- 1) Recovery plan for Europe and the Multiannual Financial Framework 2021-2027⁸⁰
- 2) Modification of the Solidarity Fund – No Deal Brexit⁸¹
- 3) PEACE IV - Continuation of the cooperation programmes⁸²
- 4) Regulation on the European Regional Development Fund and Cohesion Fund⁸³

80 <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/recovery-plan-europe-and-multiannual-financial-framework-2021-2027>

81 <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/modification-solidarity-fund-no-deal-brexite>

82 <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/peace-iv-continuation-cooperation-programmes>

9.2 European Committee of the Regions

- 1) Opinion on strengthening the EU-UK relationship at subnational level and remedying the territorial impact of the UK's withdrawal from the EU⁸⁴, 28/04/2022

The European Committee of the Regions

- regrets that the Trade and Cooperation Agreement (TCA) lacks "territorial depth" and does not duly recognise the role of local and regional authorities (LRAs) in the EU-UK relationship;
- stresses that the CoR-UK Contact Group (CG), established in February 2020, is the only⁸⁵ institutional channel for providing a forum for continued dialogue and political partnership between the EU and UK LRAs and for exchanging know-how, in particular on territorial cooperation and cross-border issues, and calls for its formal recognition under the TCA in order to provide an assessment of the subnational dimension of the key policy and legislative issues that will have an impact on the UK-EU bilateral relationship;
- and encourages the European Parliament (EP) to adopt a formalised interaction between the CoR and the EP's Delegation to the UK (D-UK) to the EU-UK Parliamentary Partnership Assembly (PPA) to provide territory-based evidence about the implementation of the TCA;
- welcomes the CoR study on *New trade and economic relations between EU-UK: the impact on regions and cities* which concludes that Brexit effects are asymmetric across sectors and EU regions, impact more heavily on smaller companies, may reduce human capital mobility and cooperation between EU and UK enterprises, and negatively affect regions and communities involved in interregional projects with the UK;
- insists that the provisions of the Brexit Adjustment Reserve (BAR) Regulation relating to the involvement of regions and local communities in the implementation of the BAR and the reporting at NUTS 2 level are fully respected;
- sees untapped prospects for cooperation between EU and UK LRAs in jointly engaging on common challenges, such as providing humanitarian assistance, the sustainable management of the North Sea, the Channel and the Irish Sea, as well as the global fight against climate change, the implementation of the Sustainable Development Goals at local and regional level and the shift towards more sustainable and digital tourism.

9.3 Council of the EU

- 1) EU-UK negotiations (background information and timeline)⁸⁶
- 2) Council decision establishing the working party⁸⁷

83 <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/regulation-european-regional-development-fund-and-cohesion-fund>

84 <https://cor.europa.eu/en/our-work/Pages/OpinionTimeline.aspx?opId=CDR-108-2022>

85 <https://www.consilium.europa.eu/en/policies/eu-relations-with-the-united-kingdom/post-brex-it-agreements/eu-uk-negotiations-on-the-future-relationship/>

86 <https://www.consilium.europa.eu/en/policies/eu-relations-with-the-united-kingdom/post-brex-it-agreements/eu-uk-negotiations-on-the-future-relationship/>

87 <https://data.consilium.europa.eu/doc/document/XT-21004-2020-INIT/en/pdf>

Relevant press releases

- 1) EU-UK Relations: the Council adopts legislation to ensure continued supply of medicines⁸⁸, 12 April 2022
- 2) Council updates EU fishing rights for 2022 to reflect agreement with UK⁸⁹, 31 March 2022
- 3) EU-UK relations: the Council adopts its mandate on the proposals aiming to ensure continued supply of medicines⁹⁰, 9 March 2022
- 4) Council approves EU-UK Fishing Deal⁹¹, 22 December 2021
- 5) EU-UK relations: Council authorises the start of negotiations for an agreement in respect of Gibraltar⁹², 5/10/2021
- 6) Council approves EU-UK agreement on fishing opportunities⁹³, 11 June 2021
- 7) European Council conclusions on Russia, UK, Middle East and Mali⁹⁴, 24 May 2021
- 8) EU-UK trade and cooperation agreement: Council adopts decision on conclusion⁹⁵, 29 April 2021
- 9) EU-UK trade and cooperation agreement: Council requests European Parliament's consent⁹⁶, 26 February 2021

9.4 European Commission

- 1) Implementing the Withdrawal Agreement⁹⁷
- 2) Meetings of the EU-UK Joint and Specialised Committees under the Withdrawal Agreement⁹⁸
- 3) Citizens' Rights⁹⁹
- 4) Protocol on Ireland and Northern Ireland¹⁰⁰

88 <https://www.consilium.europa.eu/en/press/press-releases/2022/04/12/council-adopts-directive-ensure-continued-supply-of-medicines/>

89 <https://www.consilium.europa.eu/en/press/press-releases/2022/03/31/council-updates-eu-fishing-rights-for-2022-to-reflect-agreement-with-uk/>

90 <https://www.consilium.europa.eu/en/press/press-releases/2022/03/09/reactions-ue-royaume-uni-le-conseil-adopte-son-mandat-sur-les-propositions-visant-a-assurer-la-continuite-de-l-provisionnement-en-medicaments/>

91 <https://www.consilium.europa.eu/en/press/press-releases/2021/12/22/council-approves-eu-uk-fishing-deal/>

92 <https://www.consilium.europa.eu/en/press/press-releases/2021/10/05/eu-uk-relations-council-authorises-the-start-of-negotiations-for-an-agreement-in-respect-of-gibraltar/>

93 <https://www.consilium.europa.eu/en/press/press-releases/2021/06/11/council-approves-eu-uk-agreement-on-fishing-opportunities/>

94 <https://www.consilium.europa.eu/en/press/press-releases/2021/05/25/european-council-conclusions-on-russia-uk-middle-east-and-mali-24-may-2021/>

95 <https://www.consilium.europa.eu/en/press/press-releases/2021/04/29/eu-uk-trade-and-cooperation-agreement-council-adopts-decision-on-conclusion/>

96 <https://www.consilium.europa.eu/en/press/press-releases/2021/02/26/eu-uk-trade-and-cooperation-agreement-council-requests-european-parliament-s-consent/>

97 https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement/implementing-withdrawal-agreement_en

98 https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement/meetings-eu-uk-joint-and-specialised-committees-under-withdrawal-agreement_en

99 https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement/citizens-rights_en

100 https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement/protocol-ireland-and-northern-ireland_en

- 5) The EU-UK Security of Information Agreement¹⁰¹
- 6) The EU-UK Agreement for cooperation on the safe and peaceful use of nuclear energy¹⁰²
- 7) Meetings of the EU-UK Partnership Council and Specialised Committees under the Trade and Cooperation Agreement¹⁰³
- 8) European Commission proposal regarding stakeholder engagement for the Protocol¹⁰⁴, and related Infosheet¹⁰⁵

Relevant press releases

- 1) Meetings of the EU-UK Partnership Council and Specialised Committees under the Trade and Cooperation Agreement¹⁰⁶
- 2) Speech by Vice President Šefčovič at British-Irish Association Conference¹⁰⁷, 2 September 2022
- 3) Protocol on Ireland/ Northern Ireland: Commission launches four new infringement procedures against the UK¹⁰⁸, 22 July 2022
- 4) Northern Ireland: PEACE PLUS programme will support peace and prosperity across Northern Ireland and the border counties of Ireland¹⁰⁹, 13 July 2022
- 5) Speech by Vice President Šefčovič at Bloomberg on EU-UK relations¹¹⁰, 29 June 2022
- 6) Remarks by Vice President Šefčovič at the press conference on the Protocol of Ireland/Northern Ireland¹¹¹, 15 June 2022
- 7) Commission launches infringement proceedings against the UK for breaking international law and provides further details on possible solutions to facilitate the movement of goods between Great Britain and Northern Ireland¹¹², 15 June 2022

9.5 European Parliamentary Research Service

- 1) Brexit Adjustment Reserve¹¹³, 9/11/2022

101 https://ec.europa.eu/info/strategy/relations-non-eu-countries/relations-united-kingdom/eu-uk-trade-and-cooperation-agreement/eu-uk-security-information-agreement_en

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104 https://ec.europa.eu/info/publications/protocol-ireland-and-northern-ireland-non-paper-engagement-northern-ireland-stakeholders-and-authorities_en

105 https://ec.europa.eu/info/sites/default/files/uktf_factsheet_stakeholder_final_0.pdf

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110 https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_22_4237

111 https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_22_3758

112 https://ec.europa.eu/commission/presscorner/detail/en/IP_22_3676

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- 2) "Brexit Freedoms Bill"¹¹⁴, 07/11/2022
- 3) United Kingdom climate change policies: State of play ahead of COP27¹¹⁵, (27/10/2022)
- 4) The UK's Northern Ireland Protocol Bill¹¹⁶, 25/07/2022
- 5) Implications of the Northern Ireland Assembly elections for EU-UK relations¹¹⁷, 25/07/2022
- 6) United Kingdom: Economic Indicators and Trade with EU¹¹⁸, 10/05/2022
- 7) Implementation of the UK Withdrawal Agreement: Financial provisions, citizens' rights and the Northern Ireland Protocol¹¹⁹, 20/01/2022
- 8) Impact of the EU-UK Trade and Cooperation Agreement on fisheries and aquaculture in the EU – legal aspects¹²⁰, 18/01/2022
- 9) The United Kingdom's possible re-joining of the 2007 Lugano Convention¹²¹, 18/11/2021
- 10) Global human rights sanctions – Mapping Magnitsky laws: The US, Canadian, UK and EU approach¹²², 16/11/2021
- 11) EU-UK relations: Difficulties in implementing the Northern Ireland Protocol¹²³, 09/07/2021
- 12) UK banks in international markets - Implications of UK-euro area divergence in regulation and supervisory practice¹²⁴, 24/06/2021
- 13) Law enforcement and judicial cooperation in criminal matters under the EU-UK Trade and Cooperation Agreement¹²⁵, 27/05/2021
- 14) EU-UK Trade and Cooperation Agreement¹²⁶, 22/04/2021
- 15) EU-UK private-sector data flows after Brexit: Settling on adequacy¹²⁷, 09/04/2021
- 16) EU-UK relations in fisheries¹²⁸, 25/02/2021
- 17) EU-UK Trade and Cooperation Agreement: An analytical overview¹²⁹, 02/02/21
- 18) Post-Brexit fishing quota changes: 2021¹³⁰, 20/01/2022
- 19) Brexit: The EU-UK trade deal [What Think Tanks are thinking]¹³¹, 19/01/2021

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- 2) The UK and EU programmes: participation delayed¹³⁴, 4/11/2022
- 3) Touring artists and the UK-EU economic partnership¹³⁵, 2/11/2022
- 4) EU-UK Withdrawal Agreement: Implementation of citizens' rights¹³⁶, 2/11/2022
- 5) How does Brexit affect EU school trips?¹³⁷, 20/10/2022
- 6) Retained EU (Revocation and Reform) Bill 2022-23¹³⁸, 17/10/2022
- 7) Post-Brexit Fisheries Management¹³⁹, 11/10/2022
- 8) The UK-EU Trade and Cooperation Agreement: Temporary Business Travel¹⁴⁰, 10/10/2022
- 9) What is the European Political Community?¹⁴¹, 06/10/2022
- 10) How has immigration changed under the UK's new "points based" system?¹⁴², 27/09/2022
- 11) The UK's new points-based immigration system¹⁴³, 27/09/2022
- 12) After Brexit: Visiting, working and living in the EU¹⁴⁴, 08/09/2022
- 13) Mobile roaming in the EU after Brexit¹⁴⁵, 17/08/2022
- 14) Brexit: the financial settlement – a summary¹⁴⁶, 29/07/2022
- 15) Northern Ireland Protocol¹⁴⁷, 26/06/2022
- 16) The Northern Ireland Protocol: EU Legal actions against the UK¹⁴⁸, 22/06/2022
- 17) New customs rules for trade with the EU¹⁴⁹, 17/06/2022
- 18) The UK's contribution to the EU budget¹⁵⁰, 14/06/2022

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- 19) Northern Ireland Protocol: Implementation, grace periods and EU-UK discussion¹⁵¹, 2021-22
- 20) Timeshares: common problems faced by UK owners¹⁵², 05/01/2022

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- 2) Asylum Seekers (Accommodation Eviction Procedures) Bill¹⁵⁴, 23/06/2022
- 3) Asylum Seekers (Permission to Work) Bill¹⁵⁵, 26/10/2022
- 4) Bill of Rights Bill¹⁵⁶, 9/09/2022
- 5) British Bill of Rights and Withdrawal from the European Convention on Human Rights Bill¹⁵⁷, 15/07/2022
- 6) Northern Ireland Protocol Bill¹⁵⁸, 8/11/2022
- 7) Northern Ireland Troubles (Legacy and Reconciliation) Bill¹⁵⁹, 2/11/2022
- 8) Procurement Bill¹⁶⁰
- 9) Financial Services and Markets Bill¹⁶¹
- 10) Genetic Technology (Precision Breeding) Bill¹⁶²
- 11) Data Protection and Digital Information Bill¹⁶³ (paused)
- 12) Trade (Australia and New Zealand) Bill¹⁶⁴

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- 1) Regulatory Divergence Tracker¹⁶⁵, UK in a Changing Europe
- 2) 2021 Quarterly Surveys on the conditions for North-South and East-West cooperation¹⁶⁶, Centre for Cross Border Studies
- 3) What do voters in Northern Ireland think about the Protocol on Ireland/Northern Ireland?¹⁶⁷, Post-Brexit Governance NI

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- 4) Moving On: how the British public views Brexit and what it wants from the future relationship with the European Union¹⁶⁸, Tony Blair Institute for Global Change

9.8 Main info and news sources on the UK

- **European Commission**

- 1) European Commission – Press corner¹⁶⁹
- 2) Relations with the United Kingdom | European Commission¹⁷⁰
- 3) United Kingdom | EEAS website¹⁷¹

- **European Parliament**

- 1) Headlines | News | European Parliament¹⁷²
- 2) EU-UK relations | News | European Parliament¹⁷³
- 3) Home | UK Contact Group | European Parliament¹⁷⁴
- 4) Home | D-UK | Delegations | European Parliament¹⁷⁵
- 5) European Parliamentary Research Service – United Kingdom¹⁷⁶

- **Council of the EU**

- 1) Press - Consilium¹⁷⁷
- 2) Brexit - Consilium¹⁷⁸

- **European Committee of the Regions**

- 1) Relationship with the UK¹⁷⁹

- **UK Government**

- 1) Cabinet Office¹⁸⁰
- 2) Brexit guidance¹⁸¹
- 3) European Scrutiny Committee - Summary - Committees - UK Parliament¹⁸²

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- 6) European Affairs Committee – UK Parliament¹⁸⁵
- 7) Brexit | The Institute for Government¹⁸⁶
- 8) Scottish Government – Brexit¹⁸⁷
- 9) Welsh Government – Brexit¹⁸⁸
- 10) Northern Ireland Government Services - Brexit¹⁸⁹
- 11) Office of the Northern Ireland Executive in Brussels¹⁹⁰

- **European Union**

- 1) EU-UK – Politico¹⁹¹
- 2) Brexit – Euractiv.com¹⁹²
- 3) Agence Europe¹⁹³
- 4) Euronews – Brexit¹⁹⁴
- 5) European Council on Foreign Relations¹⁹⁵
- 6) Bruegel | The Brussels-based economic think tank¹⁹⁶
- 7) EPC – Brexit¹⁹⁷
- 8) News | The Parliament Magazine¹⁹⁸
- 9) Issues/Brexit and UK Politics – Carnegie Europe – Carnegie Endowment for International Peace¹⁹⁹
- 10) Reuters – Brexit²⁰⁰
- 11) France24 – Brexit²⁰¹

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