

**Written evidence submitted by the Ambassador for the Kingdom of
Denmark to the UK (FRE0120)**

[evidence begins on the following page]

ROYAL DANISH EMBASSY

London

Rt Hon Hilary Benn MP
Chair of the Committee
on the Future Relationship with the European Union
House of Commons
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Ambassador's Office

31st July 2020

Dear Rt Hon Hilary Benn MP,

I thank you for your letter of the 16th of July inquiring about the Danish Government's arrangements to secure the rights of UK citizens living in Denmark under the Withdrawal Agreement.

Rights of EU citizens living in the United Kingdom and United Kingdom nationals living in EU Member States remain a priority for the Union, its institutions and its Member States.

Part Two of the Withdrawal Agreement that deals with citizens' rights applies only as from the end of the transition period, with the exception of Article 19 of the Withdrawal Agreement. EU Member States have to put in place their systems for the issuance of residence documents so that they can start handling applications for a new residence status or a new residence document on the 1st of January 2021 at the latest. United Kingdom nationals have until at least the 30th of June 2021 to invoke their rights under the Withdrawal Agreement. Some Member States have chosen not to make use of this deadline and will accept applications; also after the 30th of June 2021.

In line with the Withdrawal Agreement, all Member States have chosen either the constitutive or declaratory residence system. The chosen option is a national choice and depends, inter alia, on numbers of resident UK beneficiaries in the Member State concerned.

In order to help Member States to fulfil their obligations under the Withdrawal Agreement in the best possible way, the Commission provides continuous support to ensure a uniform interpretation of the Withdrawal Agreement and allow for exchange of information and best practices at the EU level.

In this context, the Commission has adopted a guidance note in May 2020 to help Member States interpret and implement Part Two of the Withdrawal Agreement (C(2020)2939 final). It has also published an overview of the implementation of the citizens' rights part of the Withdrawal Agreement that will be regularly updated to ensure that United Kingdom nationals and their family members are properly informed about their rights under the Withdrawal Agreement in individual Member States. (<https://tinyurl.com/y3xhx3xp>).

Concerning your specific questions, please find below the requested information on the ongoing implementation in Denmark:

• What is your estimate of the number of UK citizens currently living in your country and on what basis have you come to that figure?

According to Statistics Denmark there are an estimated 19.000 British citizens residing in Denmark as of the beginning of 2020.

• Has your Government decided if it is going to implement a constitutive or declaratory system and has this decision been made public? If not, when will this decision be made and publicised?

Denmark has opted for the constitutive residence system in accordance with the Withdrawal Agreement's Art. 18(1). The decision has been made public on the dedicated Brexit-site of the Ministry of Immigration and Integration (see below).

• Has your Government published guidance for UK citizens, and their family members, in your country explaining what they must do to secure their rights under the Withdrawal Agreement? If so, could you provide us with a link to the guidance online? If such guidance for UK citizens has not yet been published, by what date does your Government intend to do so?

Some information is already available on the dedicated Brexit-site of the Ministry of Immigration and Integration (<https://uim.dk/brexit>). Furthermore, British citizens residing in Denmark will be informed individually via digital post.

- **Whatever system your Government chooses to operate, what is the first step that UK citizens have to take, and what are the relevant dates by which they will have to complete this step, and any subsequent steps, in order to secure their rights under the Withdrawal Agreement?**

The application procedure for obtaining a new residence document under the Withdrawal Agreement was available as of the 1st of January 2020 and throughout the year. Applications can be submitted online or handed in at the service centres of the Danish Agency for International Recruitment and Integration. Furthermore, the Danish Agency for International Recruitment and Integration will offer guidance at their service centres.

- **Are lawmakers in your country required to pass any domestic legislation in relation to residency applications made by UK citizens living there? If so, are these laws already in place or scheduled to be considered and in effect by a certain date?**

Denmark will issue a legal act in form of a ministerial order (executive order) implementing the constitutive residence system into Danish law before the end of 2020.

- **Finally, are there any issues or challenges specific to your country that are currently facing UK citizens who want to confirm their residency rights and what additional impact has Covid-19 had on the wider process?**

Denmark does currently not experience issues or challenges facing British citizens who want to confirm their residency rights.

I hope that above information is helpful to you and has answered your questions. Should you need any further clarification then please do not hesitate to contact my office.

Please accept the assurance of my highest consideration.

Yours Sincerely,



Lars Thuesen
Ambassador of Denmark



Committee on the Future Relationship with the European Union

House of Commons, London, SW1A 0AA

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16 July 2020

H.E. Mr Lars Thuesen
Ambassador of Denmark to the United Kingdom

By email

Your Excellency,

The House of Commons [Committee on the Future Relationship with the European Union](#) is inquiring into the progress of ongoing negotiations between the UK and the EU and the implementation of the Citizens' Rights provisions of the Withdrawal Agreement.

The rights of EU citizens living in the UK and UK citizens living in the EU was an important and sensitive issue throughout the Article 50 negotiations with both sides agreeing that it was essential to uphold as far as possible the rights accrued by citizens in both of these categories during the UK's membership of the EU.

The Committee would be very interested in hearing from you about the arrangements your Government is making to ensure that UK citizens living in your country can secure their rights under the Withdrawal Agreement.

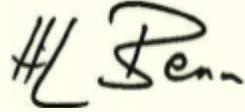
As well as any general observations you wish to make, we would welcome your answers to the following questions:

- What is your estimate of the number of UK citizens currently living in your country and on what basis have you come to that figure?
- Has your Government decided if it is going to implement a constitutive or declaratory system and has this decision been made public? If not, when will this decision be made and publicised?
- Has your Government published guidance for UK citizens, and their family members, in your country explaining what they must do to secure their rights under the Withdrawal Agreement? If so, could you provide us with a link to the guidance online? If such guidance for UK citizens has not yet been published, by what date does your Government intend to do so?
- Whatever system your Government chooses to operate, what is the first step that UK citizens have to take, and what are the relevant dates by which they will have to complete this step, and any subsequent steps, in order to secure their rights under the Withdrawal Agreement?
- Are lawmakers in your country required to pass any domestic legislation in relation to residency applications made by UK citizens living there? If so, are these laws already in place or scheduled to be considered and in effect by a certain date?
- Finally, are there any issues or challenges specific to your country that are currently facing UK citizens who want to confirm their residency rights and what additional impact has Covid-19 had on the wider process?

I am writing in similar terms to the other national Ambassadors of EU Member States to the UK based in London. All replies that the Committee receives will, in due course, be published on its website.

Should you have any questions at all, the Clerk of our Committee, Gordon Clarke, will be very happy to help. He can be contacted at clarkeg@parliament.uk.

I have the honour to be, with the highest consideration, Your Excellency's obedient servant,

A handwritten signature in black ink, appearing to read 'H/ Benn'.

Hilary Benn
Chair of the Committee