

# **International Organization for Migration – Written evidence (CIT0012)**

## **Introduction**

1. The International Organization for Migration (IOM) welcomes the House of Lords European Affairs Committee's Inquiry into EU and UK Citizens' Rights.
2. This inquiry on Citizen's Rights issues, covering both UK Nationals (UKNs) living in the EU and EU citizens living in the UK, is very timely given the EU Settlement Scheme application deadline in UK on 30<sup>th</sup> June 2021 and upcoming deadlines across certain EU member states, and the challenges these pose, particularly to vulnerable and hard-to-reach individuals.
3. IOM is pleased to respond to the Committee's request to provide a submission to this inquiry, based on IOM's current work to support UK Nationals (UKNs) resident in EU Member States to maintain their residency rights now that the UK has left the EU. UKNs who currently reside in EU countries are eligible to remain there under the Withdrawal Agreement. IOM provides advice and support to UKNs who may find it harder to complete their residency applications in eight EU countries across Europe (France, Germany, Italy, Malta, Poland, Portugal, Slovakia and Spain).

## **The International Organization for Migration (IOM)**

4. Established in 1951, IOM is the leading inter-governmental organization in the field of migration and works closely with governmental, intergovernmental and non-governmental partners. With 174 member states including the UK, a further 8 states holding observer status and offices in over 100 countries<sup>1</sup>, IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants. IOM works to help ensure the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian assistance to migrants in need, including refugees and internally displaced people.
5. The IOM Office in the UK opened in 1992 to support refugee resettlement. IOM works closely with the UK Government - both in UK and abroad - to protect migrants from violence, exploitation and abuse (including from modern slavery), and to support safer, orderly and regular migration. IOM is working to build a stronger evidence base through data collection, research and analysis and to support local authorities, frontline professionals and others to support migrants, refugees and victims of human trafficking. Key areas of IOM's work in the UK include refugee resettlement and integration, immigration advice, community cohesion, combatting human trafficking and modern slavery, diaspora engagement and development, migrant protection and assistance, assisted

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<sup>1</sup> [www.iom.int](http://www.iom.int)

returns and sustainable reintegration, supporting migrant children and migration policy and research.

6. According to Article 1 (c) of the IOM Constitution, one of the purposes and functions of the Organization is "to provide [...] advisory services on migration questions and other assistance as is in accord with the aims of the Organization".

### **IOM's current work to support EU and UK citizen's rights**

7. IOM UK currently coordinates a UK National's Support Fund (UKNSF) project, funded by the Foreign, Commonwealth and Development Office (FCDO), working in eight countries across Europe; **France, Germany, Italy, Malta, Poland, Portugal, Slovakia and Spain**. The project supports vulnerable UKNs residing in EU countries, and their family members, to receive information, advice and support to applications to maintain their residency rights under the Withdrawal Agreement.
8. To date in this project IOM has enabled over 100,000 people to access information on residency and the services available through social media engagement, online information sessions, targeted advertisement campaigns and IOM's phonenumber and email support which are available in each country. IOM's case workers have directly supported 10,642 individuals across the eight countries with their residency related enquiries and applications.<sup>2</sup>
9. IOM UK also provides support to EU Citizens in the UK to access the EU Settlement Scheme (EUSS), with funding from the UK Home Office and the Scottish Government. IOM works in close cooperation with Local Authorities and third sector organisations across the UK, with a focus on three regions; Scotland, London and the South West of England, to deliver quality legal advice and practical assistance for EUSS applications to EU, European Economic Area and Swiss citizens and their non-EU family members who may be in vulnerable situations or in need of additional help to be able to access the EUSS. To date, IOM and consortium partners have reached over 29,600 vulnerable individuals with information about the scheme and provided 6,859 with legal advice and direct support with their applications.<sup>3</sup>

### **Question 1: Assessment of the implementation of the citizens' rights provisions in the countries you work in, including:**

- o **The issues facing vulnerable British citizens;**

#### France

10. Certain vulnerable UKNs face difficulties attending appointments at their Prefectures for the submission of their biometric data due to mobility issues such as physical disabilities or chronic health conditions.

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<sup>2</sup> Figures for project period to date, February 2020 to the end of May 2021.

<sup>3</sup> Figures for project period to date, May 2019 to the end of May 2021

11. There have also been issues in accessing information and support for those with lack of access to, or knowledge of IT. The application is online, and much of the information on the process has been communicated online, on social media such as on Facebook so those who don't have access to the internet or follow social media may not have received detailed information on the process, or be able to submit applications. Additionally, an email address is necessary in order to complete the online application. IOM have supported a number of UKNs who did not have an email address, or were not able to access and manage one, and therefore wouldn't have been able to complete the application without our support.
12. Currently, vulnerable UKNs who aren't yet in receipt of their residency card are already facing illegitimate cuts to their social benefits and an inability to register with unemployment and healthcare agencies.

### Germany

13. Issues facing vulnerable UKNs have included beneficiaries who are homeless, living with disability or limited mobility, elderly UKNs who face age onset conditions, single parents with no income or financial resources which renders them more vulnerable or less likely to fulfil free movement requirements. Language barriers can further complicate UKNs situation causing misunderstandings and confusion on their part when communicating with the local authorities.
14. Vulnerable UKNs in Germany can face certain challenges if they do not take the necessary steps to notify their local foreigners' authority and receive the new residence document. IOM is aware of difficulties certain UKNs have faced accessing social support or other benefits. However, the deadline to register as a UKN on 30 June 2021 is only administrative in nature. As Germany opted for a declaratory system, UKNs who miss this deadline but can prove they fall under the WA will not lose their rights.

### Italy

15. Italy has a declaratory system and there is no deadline for the issuing of the new biometric card. While the preferred evidence to obtain the card is a certificate of residency, they are also accepting applications from UKNs who had not applied for residency before 31/12/2020, as long as they can evidence being settled in Italy prior to the end of the transition period. However, the confusion around the status of WA beneficiaries from 01/01/2021 and on the non-mandatory nature of the biometric card has created difficulties for UKNs in accessing services such as healthcare or benefits, in registering work contracts, or buying properties.
16. UKNs in Italy who are most at risk are those with limited access to technologies and/or living in remote areas who are struggling to obtain information on the changes to their status or might be having difficulties in obtaining the new card.
17. Regional inconsistencies have been identified by IOM across certain *Questeras* incorrectly issuing cards with the wrong timeframe or asking for additional documents not compliant with the Withdrawal Agreement. These inconsistencies can put UKNs at risk of not receiving the rights they are entitled to, However our

team works closely with the *Questeras* across the country to pick up these issues when they arise.

### Malta

18. Vulnerable UKNs such as those with limited access to technology, chronic health conditions and limited mobility, are struggling to meet the requests from Identity Malta (ID Malta) which can include bank statements and evidence of living in Malta for at least 90 days. Delays on the part of ID Malta in replying to emails and being contactable is putting vulnerable UKNs at risk of not completing their applications before the deadline. As of April, Identity Malta confirmed there were circa 3,000 pending and 300 on-hold cases. These cases are at risk of being rejected on 1<sup>st</sup> July, without the opportunity to re-apply.
19. There is a serious concern that many UKNs in Malta have not yet taken action, although the new procedure has been available for over a year. The fact that ID Malta is currently not recognizing the right of absence may result in a considerable number of UKNs falling out of scope incorrectly, particularly in the context of COVID travel restrictions.

### Poland

20. Many UKNs have difficulties due to language barriers. In accordance with the Polish Administrative Code, all residency procedures are conducted in Polish. There have also been a number of incidences of UKNs having difficulties identifying the relevant type of application and supporting documents they need to submit.
21. Most of the detailed information on the procedures are only available online, which is not accessible to those without access to the internet or who have difficulty using technology. IOM in cooperation with the Office for Foreigners and the British Embassy in Warsaw, developed leaflets which have been distributed in hard copies in the *Voivodeship* offices across Poland.
22. IOM are also aware of UKNs with health problems who were waiting until they were vaccinated to complete their residency document submission.

### Portugal

23. There is a high number of elderly UKNs living in Portugal who also struggle with language barriers and a lack of technological skills. For example, many of IOM's clients who are elderly individuals struggle to navigate the procedure of exchanging their current EU residence documents for new residence cards through the Immigration and Border Service (*Serviço de Estrangeiros e Fronteiras* - SEF) online platform (Brexit portal), which is the only available channel for this purpose. They tend to require digital assistance since they lack technological skills, may not have internet access, and many do not hold an e-mail address or know how to manage their mailbox. Having an e-mail address is a requirement for registration on the Brexit portal and this is also the only channel SEF use to notify UKNs to attend biometric appointments for their new residence cards.

24. Furthermore, there are many elderly UKNs living in Portugal who face health conditions and mobility restraints who may require individual case assistance, not only when registering in the Brexit portal but also when attending appointments to collect biometric data. There are also many individuals who struggle with language barriers, since they do not speak Portuguese fluently and it is harder for them to understand information on their residency rights and regularisation procedures under the WA. There are some UKNs living in hard-to-reach or remote locations who may struggle with the lack of information and access to services and/or networks that would be able to support them through the residency process.
25. Additionally, according to SEF, there are still an estimated 19,000 UKNs in Portugal who have not yet registered on the Brexit portal. The portal was due to close at the end of June, but this deadline has now been extended until the end of December.

### Slovakia

26. One of the most common challenges for UKNs living in Slovakia to complete their residency applications is language barriers, as many of them are unable to speak Slovak, so face barriers at the Foreign Police departments. IOM have also worked with several elderly UKNs who have faced specific challenges related to their age, such as barriers to understanding the often complex application procedures, or limited mobility preventing them accessing the nearest police department, as well as increased language barriers.

### Spain

27. During IOM's field visits to remote areas, it is clear that many vulnerable UKNs require this face-to-face outreach and support through town halls, grassroots organizations or neighbours, for instance those with technological barriers. Due to the reduced number of physical events and travel restrictions because of the pandemic, IOM believes there are many vulnerable UKNs in Spain who have still not been reached.
28. IOM's team have not been able to physically participate in some relevant spaces where at-risk UKNs may live such as care homes, prisons, homeless centres or remote areas. IOM believes these groups might encounter problems when accessing the healthcare system or social services due to the lack of residency rights.
29. IOM have noted regional discrepancies with how the Withdrawal Agreement is being applied in Spain. Certain immigration offices are being extremely strict with their interpretation of what constitutes UKNs "lawfully residing" in Spain before the 31st December 2020. In Málaga, those without proof of comprehensive health insurance in place before 31<sup>st</sup> December 2020 are largely having their applications rejected, whilst in other regions healthcare policies taken in 2021 are being accepted. This leaves a certain amount of UKNs in Málaga at risk of having their applications rejected and unable to regularise their residency.

30. Additionally, IOM is aware of a certain population of UKNs in Spain who have experienced increased economic vulnerability since the onset of the pandemic and therefore may no longer meet the residency criteria.

- **Whether Member States have done enough to communicate the necessary information to British citizens;**

#### France

31. There has been limited communication from the French authorities. The official website, [Brexit.gouv.fr](http://Brexit.gouv.fr), has basic information, which has not always been fully accurate and wouldn't be immediately updated when changes in the process took place. To IOM's knowledge there has been limited internal communication from the authorities to the Prefectures and almost no communication towards the general public except for some posters and flyers, which were available at Prefectures.

32. As previously mentioned, much of the communication and information on the process was available online. UKNs who had barriers to technology or difficulty getting online may not have been reached. There was no communication in printed newspaper or mobilisation of public bodies (*CPAM, CAF, Pôle emploi*) to help spread the word. One prefecture IOM works for held a press conference and it was attended by the Embassy, IOM and representatives from the unemployment agency and CAF (the social benefits organisation). Another Prefecture has kept their website updated explaining what date of application they are currently assessing. This has proved really helpful and limits the 'chaser' emails from applicants. However, these examples of Prefecture engagement are limited.

#### Germany

33. National legislation (*Gesetz zur aktuellen Anpassung des Freizügigkeitsgesetzes/EU*) enacting the Withdrawal Agreement in Germany came into force on 23<sup>rd</sup> November 2020. Information on UKNs rights have been published and consistently updated including detailed explanatory notes by the Federal Ministry of the Interior (BMI) as well as in different formats by the federal states and the local foreigners' authorities responsible for the registration process and issuance of the new residency documents (*Aufenthaltsdokument-GB*). Germany has communicated the necessary information in different forms and at different levels including through online information by the competent federal, federal state ministries as well as in some municipalities through letters directly to all registered UKNs. As the registration of an address is mandatory for UKNs in Germany, most would have been reached in writing, however only select authorities chose this method and those UKNs who hadn't updated their address or were temporarily abroad, may have been missed.

34. In the 12 federal states that IOM works in, the information and guidance are up to date on federal and federal states' websites and FAQs. However, some local authorities have very limited information while others have outdated guidance dating back to the end of the transition period.

## Italy

35. Before the introduction of the biometric card, UKNs could obtain an *Attestazione* from their municipality, issued under the Withdrawal Agreement. The Ministry of Interior published a template of the document, as well as a brief guide of issuing procedure, on their website. This was available in Italian only. The Ministry of Interior published a guide on the new biometric card, issued under the Withdrawal Agreement on their website both in English and in Italian in December 2020. Dedicated email addresses for this particular application were created for every local police headquarters (*Questura*) and a section on the biometric card was added on the websites of the local police headquarters.
36. From IOM's perspective, more detailed guidelines on how to obtain the *Attestazione* and then the biometric card including information on the non-mandatory nature of both documents, would have resolved many problems UKNs experienced and created less confusion between municipalities and *Questuras*.
37. After numerous requests from the British Embassy, in April the Ministry of Interior [published a note](#) on their website to explain that the biometric card is not mandatory for UKNs.
38. Apart from distributing the above-mentioned guidance on the procedures, the Italian government did not engage in any other communications or outreach strategy for UKNs in scope of the Withdrawal Agreement.

## Malta

39. Identity Malta (ID Malta) sent letters to all UKs registered as residents in Malta in 2020 to invite them to obtain the new eResidency card. However, if UKNs changed their address or were not officially registered as residents they would not have received this information.
40. ID Malta have also published information online, on their social media channels and website. All information was made available online, meaning those without access to technology may not have received this information.

## Poland

41. The Office for Foreigners (OFF) has published on its website in English the information concerning the residency procedures and IOM support provided within the UKNSF. As OFF is the superior institution to the *Voivodeship* offices who are undertaking the residency procedures, this has been very helpful. The OFF also provided support to IOM while developing the content of the leaflets and secured distribution of the leaflets to UKNs by the *Voivodeship* offices.

## Portugal

42. SEF launched a joint campaign with the British Embassy in October 2020 to remind UKNs who were living in Portugal or intended to do so before the end of the transition period to register their residence. This campaign also aimed to

clarify the requirements for UKNs to register as residents, as there was lack of information amongst public services. Due to the COVID-19 lockdown in force, this campaign was mostly digital, but it also had a wide focus on visibility materials (e.g. leaflets). In mid-December 2020 SEF launched the Brexit portal – an online platform for UK registered as residents to apply for the exchange of their current EU documents. The Brexit portal has a detailed section and video on “how to apply” and a “Frequently Asked Questions” section with relevant information for UKN under the WA. SEF has also created a dedicated helpline and e-mail address, staffed by English speaking personnel which are much more responsive than SEF general contacts.

43. Despite these efforts, before the end of the transition period, there was still misinformation amongst staff working with public services responsible for EU citizens residency registrations. For example, some UKNs who tried to register before the end of the transition period were denied the right to do so, with the following arguments:

- UKN have not fulfilled three months living in Portugal at the time (which is not a requirement under the WA);
- The Municipality did not have appointments available at the time due to COVID-19 restriction measures (in many cases, Municipalities scheduled appointments, in October/November/December to January 2021, as they thought they would still be able to register UKNs at that time);
- UKNs did not have a Tax Identification Number (NIF) (not a requirement under the WA).

#### Slovakia

44. IOM believes UKNs and their family members were adequately informed about the procedures and obligations. The Slovak Ministry of Interior (MoI) regularly updated the section on their website dedicated to UKNs and their family members. These updates were done in coordination with the British Embassy and IOM. The Slovak MoI and IOM distributed information cards to all UKNs registered in Slovakia in December 2020. The design and text of the cards was prepared by IOM, while the distribution was organized by the Slovak MoI.

#### Spain

45. IOM is aware the Spanish government has published information on how to apply for residency in Spain under the WA online, available both in Spanish and English. IOM has seen some physical documents with guidelines on how to apply for residency from other Spanish authorities such as particular Immigration Offices in the regions where IOM Spain is implementing the project. However, some of these guidelines were only available in Spanish and IOM are unsure whether they were disseminated among UKNs. IOM are not aware of any communication campaign (through radio, newspapers, etc) from the Spanish government. The Minister of Immigration participated in a joint video released with the British Ambassador in Spain.

- **Proof of status under the EU-wide card system;**



## France

46. France has a constitutive system. Applications are made through an online portal, which is due to close at the end of June 2021. French authorities have committed to a deadline of the 1<sup>st</sup> October for all UKN applicants to have completed their appointments with the Prefectures and have physically received their residency permits.
47. All UKNs covered by the Withdrawal Agreement (WA) must get a residence permit to evidence their rights, unless they have another EU nationality. Only those who also hold French nationality are unable to apply for a residence permit; in that situation, no guidance has been provided on how they could evidence their rights. This might be necessary for family reunification purposes for instance where rules are more favourable under the terms of the WA than under French immigration law.
48. The main challenges concerning the roll-out and the online portal have been for third-country national (TCN) family members of UKNs, who needed a 10-digit residence permit number in order to use the portal and as some are non-visa nationals they do not have this document. The information and instruction from the Ministry of Interior via the Embassy for these applicants was made late into the project and caused confusion due to lack of clarity. The instruction was that the applicant should apply directly to their Prefecture if they are a TCN family member, but other Prefectures have directed people to apply on the online portal.
49. There have been inconsistencies across Prefectures regarding the documents being requested from UKNs during the application process, such as one Prefecture asking for specific tax documents which is not in the spirit of the Withdrawal Agreement. Another Prefecture has also been asking for birth certificates when that is not required. However largely, IOM have been able to engage with these Prefectures about these discrepancies and they have conceded.
50. Another challenge is UKNs not being aware of the status of their applications. It is difficult for them to make contact with Prefectures as some do not reply to emails.
51. Some Prefectures have only just started sending out appointments recently which makes the 1<sup>st</sup> October deadline seem very ambitious. This means all applicants will need to have had their appointments at the prefecture by mid-August. Given the approaching summer holidays where many offices run on a skeleton staff (including public services) this makes the deadline to receive the cards difficult to achieve.

## Germany

52. Proof of status can be provided using the EU wide new residence document in the form of a physical card. Additionally, prior to receipt of the document, a certificate of application (*Fiktionsbescheinigung*) or other proof of registration can be issued to UKNs to facilitate travel and other administrative processes.
53. IOM is aware of certain instances when UKNs did not yet have their new residence document or certificate of application, and the credible evidence they provided upon enter or exit of the Schengen Area did not prevent their

passports from being stamped by the federal border police. Additionally, if the UKN cannot show they have a residence status in Germany there have been instances to show this could lead to difficulties receiving social support or other benefits, especially with delays in the issuance of official proof by local authorities.

### Italy

54. The new biometric card (*Carta di soggiorno elettronica*) was introduced from 1<sup>st</sup> January 2021. The card includes details on permanent or ordinary residency, and it is based on the European Commission decision in February 2020. Vulnerable applicants who are housebound and cannot attend the *Questura* to give their biometric data should receive a paper-version of this card.
55. *Questura's* are dealing with serious backlogs of other residency permit applications and might be constrained in opening hours and available slots due to lack of human resources and COVID-19 related restrictions in place.
56. IOM have been aware of some *Questura's* who have been quite slow in the implementation of the new procedure and are still lacking dedicated information online. There have been incidences of UKNs not being able to book an appointment with some *Questura's* for two or three months.
57. The overall implementation of the card has been delayed due to technical issues around fingerprinting. Several UKNs have been asked to return to the *Questura* for a second, or in some exceptional cases third appointment in order to provide their full set of fingerprints.
58. Considering the above, and the fact that the new procedure was only initiated in January 2021, it will take several months before all UKNs will be able to obtain the new biometric card. IOM are still receiving enquiries from UKNs who are experiencing difficulties in booking appointments with *Questura's* or are facing difficulties accessing services such as work, benefits, housing, mortgage due to the fact that they do not have their biometric card. As this card is not mandatory, UKNs shouldn't be facing this issue.

### Malta

59. UKNs lawfully living in Malta by 31<sup>st</sup> December 2020 will receive a biometric card called eResidency card which is proof of their rights under the Withdrawal Agreement. This process has proven very lengthy for UKNs in Malta. Although some UKNs have been able to obtain their cards, others who have applied in 2020 have not yet received them. Identity Malta has also placed a large number of applications 'on- hold' and 'pending' which has further delayed the progress of applications.
60. ID Malta does not proactively inform UKNs when their application is on hold or pending. Therefore, they do not give UKNs the chance to realise there may be an issue with their application. IOM is strongly concerned about the likelihood of these applications being rejected after the deadline leaving the UKNs without support in accessing the appeal process. UKNs who have submitted an application may not be aware that they are missing documents or additional evidence that they need to complete their application. If Identity Malta continue

to not inform UKN's of this, it may lead to a high number of cases being rejected on 1st July.

61. The risk of UKNs having their applications rejected is exacerbated by the fact that the appeal process is still unclear. The British High Commission and IOM have been seeking urgent clarification on the appeals process.
62. Evidence requested from UKNs by Identity Malta has continually been not compliant with the Withdrawal Agreement despite the intense lobbying efforts from the British High Commission and IOM. Such evidence requested from UKN's is: three months' worth of bank statements, proof of settlement date, bank statements showing transactions in Malta, and capital of over €14,000.
63. It is envisaged there will be challenges on the Maltese authorities' side in ensuring that all the UKNs in scope are registered by the set deadline. As there are only two officers in Identity Malta dealing with the new residency card for UKN's and only one mailbox for all the requests, there is concern there is not enough manpower to complete all the appointments by 30<sup>th</sup> June.
64. Appointments to obtain the new card have been consistently booked in advance, making it hard for UKNs to get an appointment. Identity Malta are currently giving out appointments for the end of June. While ID Malta reassured the British High Commission and IOM that they would stay open 24 hours a day on 29<sup>th</sup> and 30<sup>th</sup> June if necessary, the risk of appointment requests going unnoticed remains high.

#### Poland

65. UKNs who have the EU residency card must exchange it for the new one with an annotation "Withdrawal Agreement" by 31<sup>st</sup> December 2021. To obtain a new document, applicants have to prove that they were residing lawfully in Poland by the 31<sup>st</sup> of December 2020 and were fulfilling the requirements determined by the law for EU citizens staying in Poland.

#### Portugal

66. The new residence cards for UKN living in Portugal under the WA have not yet been issued. UKNs covered by the WA who didn't manage to register before the 31<sup>st</sup> December 2021 don't hold any proof they have applied for residence. Not holding a residence document adds difficulties to UKNs who wish to register for public services such as healthcare, social support, regularisation of vehicles and driving licences and voting rights. Additionally, UKNs in these circumstances are not able to apply for family reunification and may encounter work-related challenges.

#### Slovakia

67. Although Slovakia opted for a declaratory system, UKNs together with their family members within the scope of the WA are advised to exchange their EU residence cards for non-EU WA-compliant residence cards or apply for non-EU WA-compliant residence cards if they are first-time applicants. The deadline to fulfil this obligation is 30 June 2021. Applications after the deadline will be accepted, without implications on the WA rights and entitlements. UKN family members not respecting the deadline for exchanging their EU residence cards

may be subject to a fine of up to 300.00 EUR. Any EU residence cards owned by UKNs and their family members after 30 June 2021 will cease to be valid.

68. Between 1 February and 21 August 2020, the Foreign Police in Slovakia were issuing an older format of non-EU residence cards to UKNs in cases when they opted for the non-EU card rather than the EU card. These older format cards did not include a statement that they have been issued in accordance with the WA. This issue has been raised by IOM with the Foreign Police several times, but they reiterated the cards are valid and will be widely accepted. However, practice has shown holders of these cards were experiencing challenges e.g. at work or when traveling, or were concerned about their status, because their residence cards did not clearly evidence their status as WA beneficiaries. When approached by clients in this matter, IOM addressed the Foreign Police with requests for issuance of corrected residence cards containing reference to the WA in order to ensure compliance with Article 18(4) of the WA. All such requests have been processed with a positive outcome. WA-compliant non-EU residence cards started to be issued to UKNs and their family members as of 21 August 2020. Based on IOM's experience and clients' feedback, applications for securing WA beneficiaries' residence status and issuance of WA-compliant residence cards are generally being processed duly and completed without major issues.

## Spain

69. Spain established a declaratory system in order to fulfil the WA requirements. There are two steps needed to complete the residency process: one in the immigration office and a second in the police station. Once the UKN has successfully completed the two stages needed, they will obtain a biometric document called TIE (*Tarjeta de Identificación de Extranjero*).
70. The residency process requires several appointments, one at the immigration office, and at the police station. This has led to subsequent delays on applications. The whole registration process can easily take from 3 to 9 months, due to its legal complexity and lack of human resources in the Immigration Offices. During the project implementation there has been a significant lack of appointments for both the first and the second step of the process in most Spanish regions where IOM Spain has been implementing the project.
71. Murcia immigration office has a significant backlog on providing outcomes from residency applications. For instance, they are now resolving the cases presented in December 2020.
72. In Madrid, obtaining an appointment for the first step of the process has been particularly challenging at some stages of the project.
73. In some Andalusian regions, like Granada and some police stations in Málaga obtaining an appointment for the second step of the process has been particularly challenging.
- **The impact of COVID-19 on implementation;**
74. All countries IOM is working in have faced restrictions due to COVID-19 which impacted the implementation of the UKNSF project since the start. Physical outreach was planned to be a key element of this project, with our caseworkers intending to regularly travel to different regions undertaking outreach sessions,

face-to-face support and accompanying vulnerable UKNs to immigration offices when needed. All countries have experienced lockdowns and restrictions on movement for the majority of the project period, which severely limited our ability to undertake physical outreach sessions and travel to meet UKNs who needed face to face support. COVID-19 also limited our ability to access facilities that may have had a number of vulnerable UKNs at risk of not regularising their rights such as care homes, prisons, long term care units and homeless shelters. Although all IOM teams reached out virtually to these facilities in each country, our lack of ability to be physically present may mean that certain vulnerable UKNs within these facilities may not have accessed the support needed.

### France

75. The Prefectures were closed during the first lockdown and therefore had a backlog of work. This has resulted in some Prefectures starting late in their assessment of the WA residence permit applications. Ongoing social distancing rules have limited the number of people who can attend the prefecture and once again slowed processing times. Additionally, IOM has been made aware of elderly people who were scared to go to the Prefecture due to the risk of COVID-19 at the end of 2020 and the beginning of 2021.

### Germany

76. COVID-19 has impacted life across Germany, the related restrictions have also affected public service provision. To reduce the risk of transmission appointments have been spaced out in order to ensure the health and safety of both the clients and the case workers. In addition, the submission of the required document has increasingly been done online or via mail. These measures coupled with increased demand for other residence titles as well as the remote working arrangements have in some instances led to delays in processing time for UKNs. Further the ongoing pandemic has limited outreach to UKNs, in particular preventing the organisation of physical information events or in person support.

### Italy

77. The COVID-19 pandemic had a negative impact on implementation, in particular in regard to severe delays it caused. During the first period of the pandemic, all non-essential activities were closed, including the offices receiving applications for residency. Further restrictions and intermittent lockdowns resulted in backlogs of applications, and due to restrictions on presence at the office and shortage of staff, there were severe delays in residency applications being processed. COVID-19 restrictions in place are still causing delays in the process of booking appointments with *Questuras* to obtain the biometric card.

### Malta

78. COVID-19 travel restrictions in place delayed the submission of many applications. Some UKNs who were temporarily abroad, were unable to attend the appointment with ID Malta and are now struggling to provide the required evidence to prove their continuous residency in Malta.

## Poland

79. During the pandemic emergency in Poland, *Voivodeship* offices suspended direct services. The suspension had an impact on delays in the entire process of completing residency formalities by the beneficiaries of the WA.

## Portugal

80. During the last quarter of 2020, the number of COVID-19 cases in Portugal increased considerably and the country entered a severe lockdown. Many local public services have reduced their public attendance office hours, and some closed completely. Inevitably, the support available to UKNs across the country was affected. In many cases, UKNs were denied the right to register their residency as EU citizens before the end of the transition period because municipalities reduced their public attendance slots or did not have any during certain periods of lockdown.

81. The COVID-19 pandemic also led SEF to suspend face-to-face activities, except in urgent situations during part of the first quarter of 2021 and this may have contributed to the increased workload and consequent delay in UKNs regularisation procedures. A travel ban for flights between Portugal and the UK also came into force from December 2020 until May 2021, leaving many UKNs who were residents in Portugal and travelled home in the December period, stuck in the UK. These individuals (in particular, temporary residents) who have now been able to return to Portugal are concerned with the fact that, in some cases, they were forced to be absent from Portugal for more than six months and they fear their residency rights under the WA may be denied due to this fact.

## Slovakia

82. COVID-19 had an impact on the procedures set up in Slovakia and UKNs access to relevant institutions. For several weeks in the beginning of 2021, the country was in lockdown, which meant the Foreign Police departments were closed down completely and UKNs were not able to book their appointments for future dates.

83. Moreover, IOM had several clients in both 2020 and 2021 who decided to postpone their visit to the police departments for fear of contracting COVID-19. Several clients also decided to postpone their arrival or return to Slovakia altogether due to COVID-19 related travel restrictions and quarantine requirements. This might result in some UKNs not being able to meet 30th June deadline. However, as mentioned previously, they should not face any consequences for submitting a late application.

## Spain

84. The lockdown established by the Spanish authorities up until July 2020 delayed the new legislation regarding the residency process for those UKNs living in the country. Due to the pandemic, any administrative procedure needs to be done with an appointment, leading to significant backlogs.

85. IOM's team has not been able to physically participate in some relevant spaces where at-risk UKNs may live such as care homes, prisons, homeless centres or remote areas. IOM believes these groups might encounter problems when accessing the healthcare system or social services due to the lack of residency rights. Physical events were limited due to restrictions and lockdowns in place for a significant part of the year. IOM readapted some of the activities and focused on online events, the use of social media, newspapers, as well as leaflet dissemination.

**Question 2: Assessment of the support available to British citizens from the UK Government, both in terms of communications and via Foreign Office funding to organisations like your own**

France

86. IOM is one of four implementing partners of the UKNSF in France with each organisation covering different regions or demographic group. IOM covers Brittany, Normandy, Paris and Ile-de-France, Hauts-de-France, Pays de la Loire, the Franco-British Network covers the Dordogne, Auvergne-Rhône-Alpes, and Provence-Alpes-Côte d'Azur regions and the Church of England covers Occitanie, Bourgogne Franche-Comté, Centre Val de Loire, Corsica, Grand Est, Nouvelle Aquitaine, not including Dordogne. SAAFA: The Armed Forces Charity, support military veterans across the country.
87. At the start of the UKNSF project, not all regions in France were covered, leaving some gaps in the support available. The UKNSF implementing partners in France subsequently agreed in Nov/Dec 2020 to increase coverage across these additional regions, to enable consistent access to support to all UKNs across France. This made some information materials out of date, for example the brochure and video IOM had developed at the start of the UKNSF Project. The FCDO were initially slightly late in communicating about the support provided by the UKNSF implementing partners in France. Additionally, the timeline of confirming the extension of the project support by FCDO was quite tight which put additional demands on effective planning and communication.
88. There has been a significant uptake in contact from UKNs to our project since the beginning of 2021 with the FCDO communicating about the support provided by UKNSF implementing partners in France, strengthening IOM's communication campaigns with advertisements in newspapers and details of our support being included in the Embassy's newsletter. Excellent collaboration has taken place between all UKNSF implementing partners in France and the UK Embassy/Consular team. There has been great support shown on social media with participation in weekly Q&As and monthly online events for UKNs.

Germany

89. Support for UKNs in Germany is available via the UKNSF through two implementing partners, SSAFA the Armed Forces Charity and the International Organization for Migration (IOM). Additionally, the British Embassy in Germany has regularly conducted outreach and joint events with German counterparts as

well as the partners in the UKSNF to raise awareness and spread information to UKNs living in Germany. The British Embassy also offers live FAQ sessions regularly on Facebook. Communication by both the UK and German Government is key in ensuring all UKNs resident in Germany are aware of the changes to their status and need to take relevant action by notifying their local foreigners' authority to register for the new residence document.

### Italy

90. IOM is the only UKNSF implementing partner in Italy and our support covers all regions in the country.
91. In collaboration with staff from Consulates across Italy, IOM support has been available to UKNs to provide guidance, advice and one to one support throughout the residency process. The UK Government's efforts to reach UKNs in Italy has ranged from social media campaigns, newspapers, television and radio adverts, posters distributed to key partners and to supermarkets (in collaboration with IOM). One to one counselling sessions were delivered by IOM and the Embassy through virtual residency roadshows and numerous Q&A live events on Facebook and Youtube. In addition, the Living in Italy guide includes detailed guidelines on several aspects such as residency, access to health care, driving licence exchange etc.

### Malta

92. IOM started implementing the UKNSF project in Malta since January 2021 and is the only organisation offering this type of support to UKNs. IOM provide guidance, advice and one to one support through the residency process to those who have been living in Malta lawfully by 31.12.2020. The British High Commission in Valletta developed an efficient communication campaign to reach as many UKNs as possible. They used their social media channels, local newspapers, radio adverts, posters distributed to key partners, supermarkets, shops, local authorities, care homes, pharmacies (in collaboration with IOM) as well as billboards on buses and bus stops. In addition, the Living in Malta webpage has a section on how to obtain the new eResidency card.

### Poland

93. IOM has been the only UKNSF implementing partner providing support to beneficiaries of the WA across Poland. This support has consisted of the provision of information on the residency related issues as well as assistance in completing residency formalities. During the project implementation IOM in Poland has been cooperating with the British Embassy Warsaw by organizing joint webinars for UKNs, developing leaflets, implementing and information campaign online and on social media. These activities have had a positive impact on the success of project implementation.

### Portugal



94. IOM are the only implementing partner delivering the UKNSF project in Portugal providing direct assistance to at-risk UKNs living in Portugal and carrying out awareness-raising campaigns amongst UKNs and stakeholders about residency rights under the WA. The British Embassy in Portugal have delivered a wide communication campaign on residency rights to UKNs covered under the WA since the beginning of the project. They also provide individual support to UKNs living in Portugal who reach out to them.

#### Slovakia

95. IOM have been the only implementing partner delivering the UKNSF project across Slovakia. This funding has enabled comprehensive and very practical support to be provided to UKNs living in Slovakia in maintaining their residence rights.

#### Spain

96. IOM are one of three UKNSF implementing partners in Spain with each organisation focused on different regions across the country. At the start of the project, IOM covered Madrid, Andalusia and Murcia but later expanded our work to also cover Almeria, Castilla la Mancha, Castilla León, Ceuta, Extremadura and Melilla. (*Babelia* cover Alicante, Valencia and Castellon and *Age in Spain* focus on Aragon, Asturias, Balearics, Basque Country (Pais Vasco), Canary Islands, Cantabria, Catalonia, Galicia, La Rioja and Navarra.)

97. At the beginning of the project, as well as online outreach, IOM undertook a paid advertisement campaign, in line with our media strategy, to advertise the project support available on local radios and newspapers, with a specific focus on the UK population. Publicity was focused on local radios covering the Andalusian Coast and a newspaper with dedicated editions in Murcia and Andalusia. The British Embassy has also collaborated publishing the events carried out by IOM on their website and Facebook page.

### **Question 3: Insight into any country-specific issues you would highlight in the country you work in**

#### France

98. IOM have become aware of some issues UKNs are facing in proving their residency, with University enrolment and organisations like CAF (social benefits), CPAM (national health insurance administration), *Pôle Emploi* (employment centre). There have also been incidences of employers asking for a residence permit before hiring a UKN.

99. There have been difficulties for some individuals who were trying to get in touch directly with Prefectures. This may be a real issue if there is a problem with the residency application, for example if the file has been lost.

100. As of the 1<sup>st</sup> October, all public services have the right to ask for evidence of a residence permit from UKNs which means if someone has yet to receive their card, their benefits and healthcare cover could be frozen for some time. Even if the French authorities were to change this deadline in law, it would require a

strong effort of communication to ensure everyone (social agencies, employers) is aware of the extension and apply it.

### Germany

101. Each federal state holds the individual competence to structure and implement migration management as well as oversee the local authorities charged with administering immigration law. Given the complex federal system and division of competencies between the federal, federal state and municipal levels any guidance and advice needed to be tailored to the specific context to supplement the information material planned. Further to take into account not just any vulnerabilities a UKN may have but also address other barriers such as knowledge gaps and language difficulties guidance was produced in close coordination with the British Embassy and the federal states to ensure they understand the different procedures in their federal state, including the name and requirements of the relevant local authority, which may vary. The localised nature of the implementation of the WA due to each local foreigners' authority being responsible for all matters relating to residence means the registration process can differ from municipality to municipality. This can lead to confusion and difficulties in confirming their rights, as they may be unaware of how they need to proceed or what the requirements are. Further communication with and direct support to UKNs at the local level remains key to assisting UKNs across Germany.

### Italy

102. There have been some delays in UKNs ability to communicate and book appointments with municipalities or *Questuras* due to chronic understaffing within the organisations. There has also been confusion amongst a number of third parties and other government bodies regarding the status of WA beneficiaries in Italy after the transition period. IOM were made aware of several instances of UKNs encountering issues with employers or landlords if after the transition period they were not in possession of their biometric card.

103. Other challenges present in Italy were linked to the lack of standardisation of the procedures across the different regional responsible authorities, due to a strong regional system in Italy. In an effort to minimise these issues, the National Association of Municipalities, in collaboration with the British Embassy and IOM, produced a guide on the procedure for issuing the WA Attestazione to UKNs.

### Malta

104. There have been delays in the issuance of the eResidency card in Malta, up to as long as nine months in some instances. ID Malta have displayed a lack of communication in regard to the status of applications submitted by UKNs, which in some cases has led to UKNs application being 'on hold' or 'pending' without them being aware of it. As the deadline in Malta has been set at 30<sup>th</sup> June 2021 for UKNs to submit their application and complete their appointments, it is

expected a number of applications 'on hold' and 'pending' will be refused after the deadline.

105. IOM has also been made aware of requests made to UKNs for evidence of lawfully living in Malta which is not compliant with the WA. Examples of documents which have been asked for are three months' worth of bank statements, evidence of continuous living in Malta for the previous three months and documents outlining intention of settling in Malta, which are not required to be presented according to the WA.

### Poland

106. The new regulations applicable for UKNs in Poland who are beneficiaries of the WA only came into force on the 1<sup>st</sup> January 2021 along with information on application forms and the lists of required documents. The deadline for submitting residency applications for a new document or for exchanging a current one is the 31<sup>st</sup> December 2021.
107. The formalities to be adhered to by UKNs and their family members to preserve their residency rights are very complex. UKNs have to identify the right form to fill in and find out what documents are required to support their applications (the list of required documents depends on the applicant's status and his/her purpose of stay). An application form has to be filled in Polish and submitted along with the required documents to an appropriate *Voivodeship* office. The applicants must submit them in person. The average application processing time is very long. The process usually lasts a few months. It is extremely difficult to obtain information regarding the status of pending cases. There have been discrepancies in the information provided by officials in voivodeship offices and documents they require from UKNs.
108. In cases of residence exceeding three months prior to the end of 2020, the *Voivodeship* offices require a retrospective proof of health insurance, which has been an issue for some of UKNs who didn't possess any.

### Portugal

109. Regularisation procedure for UKNs already registered as residents in Portugal before the end of the transition period: SEF launched the Brexit online portal in December 2020 for UKNs already registered as residents in Portugal to proceed with the exchange of their current EU documents. After registering in the Brexit portal, UKNs are required to schedule an appointment at the closest Town Hall to collect biometric data for the issuance of the new biometric residence document. When the Brexit Online Portal was launched in December, SEF informed UKNs appointments to take their biometric data would start from January 2021 onwards, At present, none of these appointments have yet taken place. In early June, the Brexit portal was extended from late June to late December 2021.
110. Regularisation procedure for UKNs not officially registered as residents in Portugal before the end of the transition period: UKNs who were living in Portugal before the end of the transition period and are covered by the WA but failed to register before the 31<sup>st</sup> December 2020, were officially advised by SEF

in late April to send an e-mail to Brexit SEF's dedicated e-mail requesting the issuance of the residence document. To IOM's knowledge there is little feedback from SEF on these applications or any additional information on the regularisation procedure for these individuals.

111. Family reunification on hold: UKNs who are covered under the WA and have applied for family reunification procedures have been informed by SEF their family reunification process will not be analysed until the new residence cards are issued. As such, even UKNs who hold valid residence documents and have already registered in the Brexit portal will not be able to proceed with their family reunification until the new residence cards arrive. There is no prediction when this might happen.
112. There remains a lack of information on several issues:
  - Late applications procedures;
  - Applications requirements;
  - Situation for UKN who need to travel to the UK and does not have any proof of being a WA beneficiary.

### Slovakia

113. Slovakia has a declaratory system; however, a deadline has been set for the exchange of residence cards or application for cards issued for 30<sup>th</sup> June 2021. All EU residence cards of UKNs, and their family members will automatically cease to be valid. This does not, however, have any effect on their rights for WA beneficiaries but may cause issues in practice to access services and support. UKNs will not face any fee in relation to not respecting this deadline. UKNs' family members might be fined up to 300 EUR.

### Spain

114. The whole registration process and subsequent procedures take from 3 to 9 months, due to its legal complexity and lack of human resources in the Immigration Offices, this tends to affect the most vulnerable UKNs.
115. Besides the registration process, UKNs have experienced a significant number of rejected residency applications, mainly due to the restrictive criteria established by some Immigration Offices. The main ground for rejections is the lack of comprehensive healthcare insurance in place in 2020. The issue is based on the interpretation of the concept of "lawfully residing" before the 31<sup>st</sup> December 2020. In certain areas, due to the backlog, cases submitted in 2021 have not been resolved yet, so IOM are not clear about the criteria certain Immigration Offices are going to follow on this topic. IOM has been providing legal support to UKNs who need to present the first appeal. However, IOM will not be able to present cases in court or accompany UKNs if their first instance appeals are rejected.

## **Question 4: Assessment of the support available under the UK Nationals Support Fund**

### France

116. In France, 14,839 people accessed IOM's services through various communications activities and our phonenumber and email inbox. IOM delivered direct individual support to 1,472 UKNs.<sup>4</sup>
117. The IOM team is the only UKNSF team in France to have an in-house legal advisor with a background in law which enabled expert support to UKNs and made engagement with Prefectures smoother. Furthermore, a caseworker with previous consular experience and direct contacts with the Embassy and Consulate helped facilitate communications.
118. No outreach events were possible due to COVID-19 restrictions but visits to local authorities and anglophone associations took place instead. There was a delay in setting up the office in St Brieuc due to Covid restrictions however the team very quickly set themselves up working from home and given the online portal opening was delayed until October, IOM focused initially on preparation of communication materials, advertisements, etc, to enable outreach and share information despite the restrictions).
119. Face-to-face support continued where necessary for the most at-risk individuals, on a case-by-case basis, ensuring appropriate social distancing measures taken. IOM used all means possible to support beneficiaries including reaching out to local MSAP (assistance points) and calling their local town hall for assistance. IOM negotiated with some Prefectures to accept the UKNs photos by post when there was a real 'at-risk' element and the beneficiary could not physically go to the prefecture themselves.

## Germany

120. To date, the team have enabled 15,149 people to access our services since the beginning of the project and delivered direct individual support to 1,335 UKNs.
121. The UKNSF supports UKNs across all 16 federal states. The project as implemented by IOM in 12 of these federal states is aimed at UKNs who may be particularly at risk or facing specific challenges, such as people living with disabilities, those grappling with chronic illness, language and literacy barriers, or barriers in accessing technology. IOM addresses UKNs different needs from awareness raising to practical guidance on application procedures for at risk UKNs. IOM provides information, counselling, referrals and practical support to UKNs. As outlined above, the offer of support is provided fully remotely via helpline, e-mail and through virtual drop-in sessions for individual UKNs as well as via a dedicated Facebook group operated by the residence rights support at IOM due to the significant limitations caused by the COVID-19 restrictions on face-to-face counselling events and travel within Germany. Due to these, it was also not feasible to provide in person assistance to vulnerable UKNs such as accompanying them to appointments or organizing physical outreach and information events for larger groups of UKNs as initially foreseen in the project.

## Italy

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<sup>4</sup> Figures provided for each country in this section are accurate as of end of May 2021.

122. IOM have undertaken activities that have allowed 21,735 people to access our services since the beginning of the project. The team have directly supported 2,091 UKNs with residency related enquiries and supported them through the application process.
123. IOM's support has been available to UKNs in scope of the WA to support with the residency procedure, as well as to signpost to relevant guidance and support organisations as needed. IOM have become a trustworthy and effective source of support to UKNs in Italy due to the continuous communication and engagement with the British Embassy, long-standing collaboration with the relevant authorities and the establishment of positive synergies with grassroots organisations working on UK citizens' rights in Italy.

### Malta

124. Since January 2021, IOM have reached 9,706 people to access our services in Malta. To date, IOM have directly supported 136 UKNs.
125. From January 2021, IOM have been available to support UKNs in scope of the WA to support with the request of the eResidency card, as well as to signpost to relevant guidance or support organisations for any other issues raised by UKNs.

### Poland

126. IOM have enabled 6,688 people to access our services in Poland since the beginning of the project. 922 UKNs have been given further individual support with their residency related enquiries and application procedures.
127. The support available under UKNSF has addressed the needs of UKNs. This is confirmed by the number of enquiries and cases, the feedback received from assisted beneficiaries as well as the communication campaign indicators. As a result of project activities, UKNs living in Poland were able to better understand: the process and related regulations their current residency status, the formalities they have to complete to secure their residency rights, what applications they have to fill in, what specific documents they have to submit and what are their rights and obligations in Poland following the UK's exit from the EU. Thanks to the provision of information and direct assistance, beneficiaries submitted complete applications.

### Portugal

128. To date, 14,136 people in Portugal have been able to access information on our services available. 1,212 UKNs have been given direct individual support.
129. IOM provides direct support to at-risk UKNs living in Portugal to help them complete their residency application and/or applying to a new residence status in Portugal under the WA. The direct support is provided via helpline, e-mail, videocall and face to face appointments.
130. IOM also shares useful information and holds awareness raising campaigns targeted to UKNs living in Portugal and institutions working closely with UKNs living in Portugal. The project has been holding outreach sessions, sharing information on social media and the projects' website, distributing visibility

materials, holding advertising campaigns in radios and newspapers and contacting stakeholders and local institutions.

### Slovakia

131. To date, 8,885 people have been able to access our services in Slovakia, with 391 UKNs given direct individual support.
132. The support available under the UKNSF covered all aspects of residency procedures and securing of residence rights. The support offered was very practical, often including hands-on assistance with completing the residence application or with booking an appointment at the foreign police. Several clients were personally accompanied to foreign police departments to facilitate the process. A comprehensive website was set up, which served as the only source of information on residence rights and obligations of UKNs in Slovakia that was available in English. Consultations were provided via email, phone or MS Teams. Due to COVID-19 related restrictions, face to face outreach sessions could not be organized, instead several online webinars were offered. During these, the participants received practical information and opportunity to ask IOM lawyers questions on their specific situation.

### Spain

133. In Spain, 17,909 people have been able to access our services since the beginning of the project. IOM have directly supported 3,083 UKNs with their residency related enquiries and application procedures.
134. The IOM Spain team is formed by four legal advisors, all of them lawyers, who have been able to provide practical support to UKNs who may find it harder to complete their residency applications to secure and maintain their residency rights. IOM have also been sharing accessible information on residency requirements and providing direct practical support in completing applications for people facing specific challenges, such as people living with disabilities, those grappling with chronic illnesses and those facing specific barriers related to language, literacy or access to technology.
135. IOM generated regional guides on how to register as a resident in Spain as well as guides on specific topics such as economic means, access to healthcare and the exchange of driving licenses. Leaflets and posters have also been distributed throughout the project. IOM team has regularly participated in Facebook groups and events sharing our contact details and information on the UKNSF project.
136. The project initially began with IOM providing support in the regions of Madrid, Andalusia and Murcia, but coverage was subsequently extended to meet identified needs and gaps. Since November, IOM has been providing remote support through the telephone and email in the regions of Castilla La Mancha, Castilla León and Extremadura and since December 2020 in the autonomous cities of Ceuta and Melilla.

### Conclusion

137. The UKNSF funding provided by the FCDO has enabled IOM and other implementing partners to successfully reach and support significant numbers of vulnerable and at-risk UKNs, who would otherwise have struggled to maintain their residency rights in EU Member States. However, it is clear that there remain considerable challenges and needs going forward in most countries.
138. It is highly likely that not all eligible UKNs will have completed the residency procedures before the end of our support period, and that those who are most vulnerable, and face challenges and barriers to access, are disproportionately affected. The impact of the COVID pandemic and related restrictions has contributed to delays within the systems and processes in many countries, as well as reducing support organisations' face-to-face outreach and engagement with vulnerable groups. IOM teams are still receiving high numbers of new enquiries each week, and identifying groups of UKNs that have not yet been reached, who may need additional support to complete their applications, including people in care homes, those with mobility issues, particularly in remote and rural areas, and those with barriers to IT access, since much of the communication to date has been online.
139. The need to extend support in certain countries of focus has already been recognised by FCDO. For example, in Malta, where IOM's support was due to end on 30<sup>th</sup> June, the high numbers of pending and on hold cases within the system has required the support to be extended beyond the originally agreed timeline.
140. Since declaratory systems are in place for the majority of countries IOM works in under the UKNSF, UKNs will not lose their residency rights under the Withdrawal Agreement in these countries, however, in practice they may face challenges in accessing these rights. As outlined in this document, even in countries with declaratory systems in place, IOM teams are already encountering many UKNs who are experiencing difficulties accessing employment, social support and other services and benefits without the new residency documents, and these challenges and barriers are likely to increase going forward.
141. In constitutive systems, some UKNs are also already facing these challenges, although we have not yet reached the date by which it will be mandatory to hold a residence permit. Failure from the authorities to have all eligible UKNs receive their residence permit in time (by 1<sup>st</sup> October in France for instance) would likely cause major issues for UKNs in maintaining their rights associated with residency.

23 June 2021