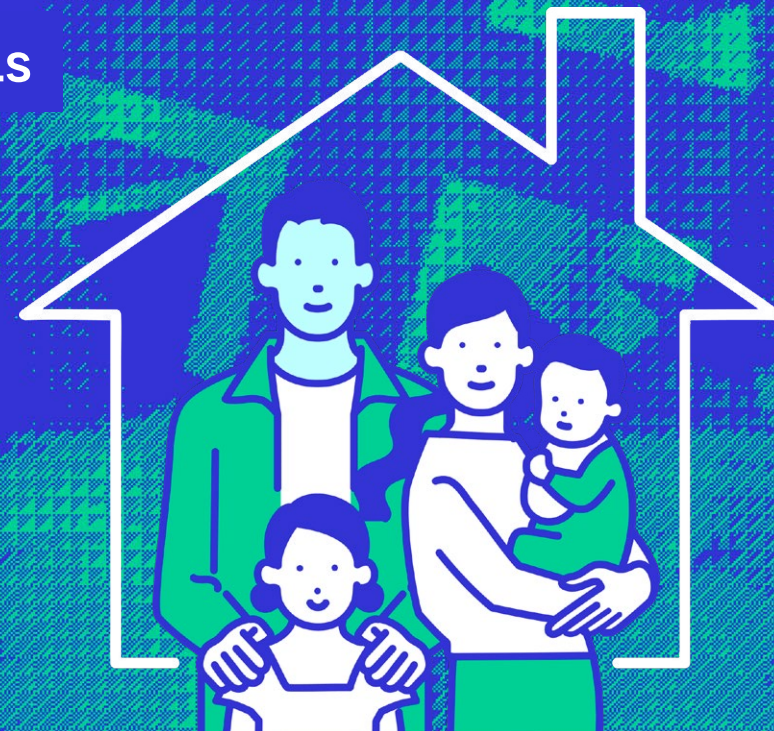


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Brexit Impact Scan for UK Citizens in Brussels

NOVEMBER 2023

A report assessing population dynamics and administrative challenges for UK citizens living in the Brussels-Capital Region after the end of the Brexit transition period.



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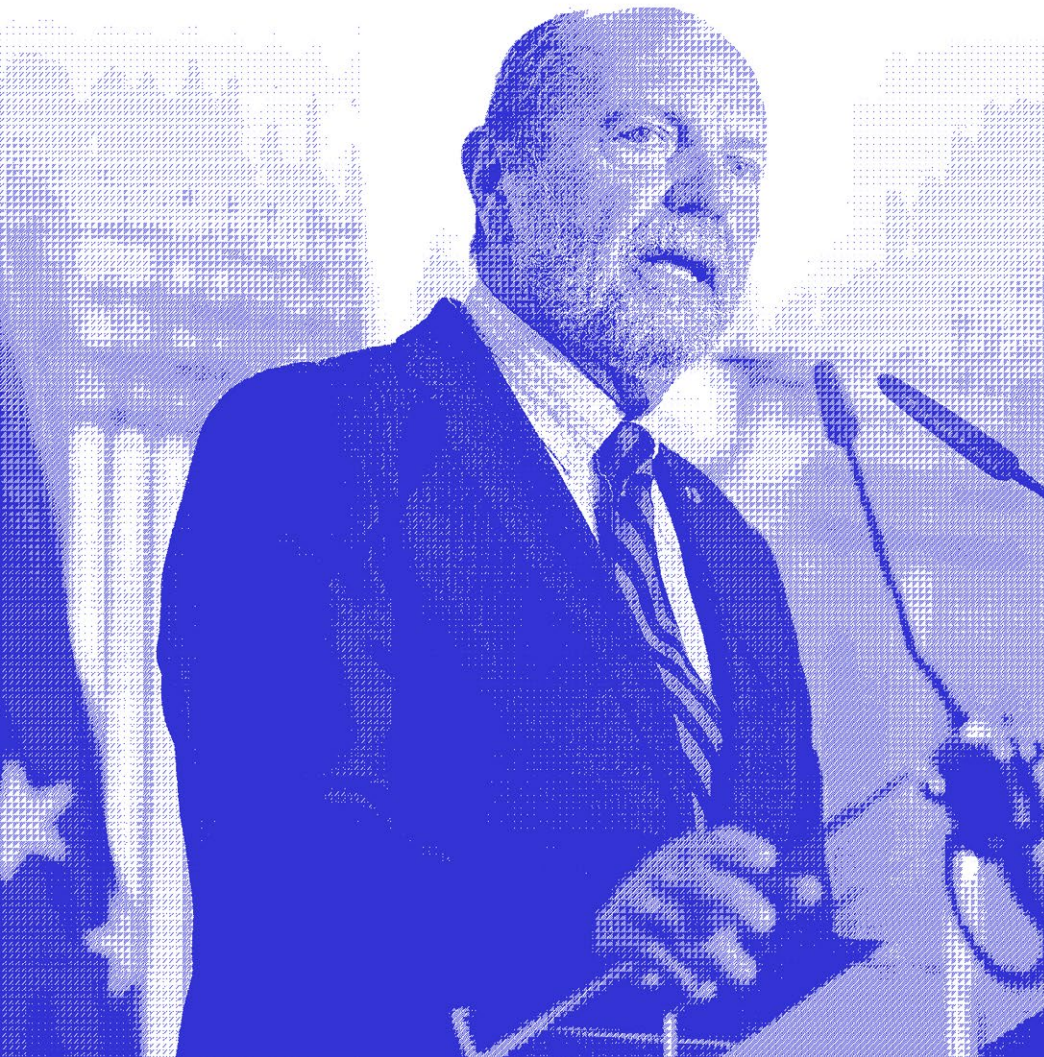


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FOREWORD



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UK citizens are an important part of the cosmopolitan tapestry of life in Brussels. For many decades, the Brussels-Capital Region has been home to several thousand UK citizens. Like all of the Region's diverse communities, the UK citizens in Brussels contribute significantly to the economic prosperity and intellectual capital of the Region, as well as its cultural vibrancy. The United Kingdom's decision to leave the European Union does nothing to change the importance of UK citizens for Brussels, but Brexit inevitably had a major impact on these residents.

During the negotiations which followed the referendum, UK nationals living in Brussels found themselves in a legal limbo. The Withdrawal Agreement now guarantees their rights of residence and work, an outcome that Belgium is mainly implementing with the new M-Card. However, there are still administrative challenges and confusion in exercising these rights, and this special status can have complex consequences. Meanwhile, UK nationals who settled in Brussels after the end of the transition period, or who are now thinking of doing so, are subject to the conditions applicable to all third-country nationals.

As Brussels Commissioner for Europe and International Organisations, I am responsible for the Expat Welcome Desk – one of the Region’s primary providers of advice to International Brusselers. The team has supported UK citizens in these difficult times, and thereby become a hub of expertise on their administrative challenges. It was only natural for us to launch, in January 2022, a two-year project to update the information and advice we offer UK citizens who live in Brussels or want to move here. This project for the benefit of UK citizens was funded by the EU’s Brexit Adjustment Reserve, mainly intended to support economic realignment in the new trade landscape.

Our project also included a research and analysis element, which we called the “Brexit Impact Scan”. Combining perspectives from population data, an online survey, an evaluation of the enquiries we receive, and an assessment of the new legal frameworks and procedures, we have drafted some reflections on the consequences of Brexit for UK citizens in Brussels. The report you are reading does not claim to be a rigorous scientific study, but it does offer a snapshot of a community in flux and the administrative challenges they face.

Let us be clear, Belgium and the UK are close neighbours and partners with much more in common than divides us. The Brussels-Capital Region remains an open and welcoming place for UK citizens to build careers, homes and families – but the rules have changed. Awareness-raising initiatives and individual support can help UK citizens navigate this new landscape and establish a lasting foothold in Brussels. This can only strengthen the bonds between our countries as we also prevent a sharp “Brexodus” that would damage the economic and social fabric of our cosmopolitan Region.

I hope you find the report insightful and useful, and I invite you to explore the online UK Citizens & Brexit Helpdesk presented in the final chapter. I also want to recognise the contributions to this report from IBSA, the Brussels regional statistics office, and Fragomen, the legal firm with which we collaborated throughout the project. And finally, I offer special thanks to Amélie Bovy, Karin Impens and Bryn Watkins, who managed the project and drafted this report on behalf of my office.

Alain Hutchinson

Brussels Commissioner for Europe and International Organisations

UK CITIZENS IN BRUSSELS

POPULATION DATA

As we assess the consequences of Brexit for UK citizens¹ living in the Brussels-Capital Region (BCR), it is important to have some sense of the population we are working with. After the referendum result was announced, some feared a rapid “Brexodus” of UK citizens leaving Brussels. Others wondered if the UK citizen population would grow, as current residents would avoid moving back to the UK while a wave of new UK citizens might move to Belgium to guarantee residency rights. In order to understand what really happened, we requested population data from the BCR’s statistics service IBSA. The numbers reveal some interesting trends.

The data

From IBSA we requested the following data for all the years 2010-2022.

- **Residents UK** = number of UK nationals living in the BCR on 1 January of the year in question (the only figure also available for 2023)
- **Immigration UK** = number of UK nationals who immigrated to the BCR in the year in question
- **Emigration UK** = number of UK nationals who emigrated from the BCR in the year in question
- **Nationality UK->BE** = number of UK nationals living in the BCR who acquired Belgian nationality in the year in question

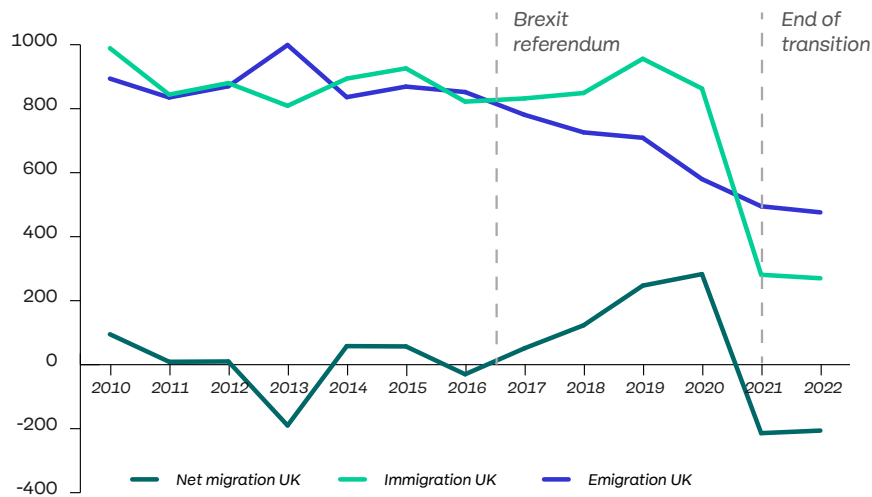
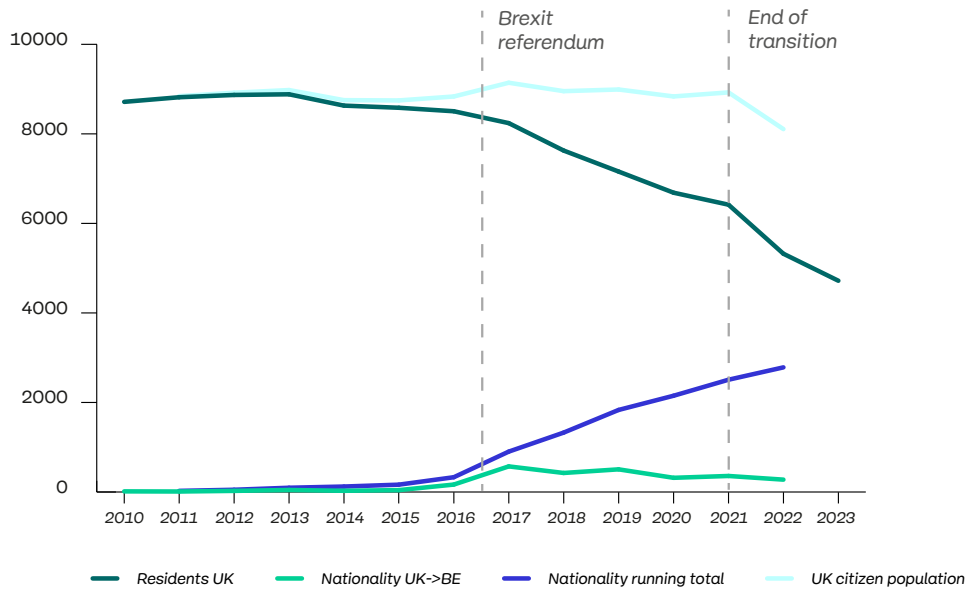
Note that ‘Residents UK’ does not include UK nationals who are also Belgian nationals, so those who acquire Belgian nationality no longer appear in this number the following year. Note also that the migration figures do not include movement inside Belgium to/from the other Regions.

From these raw annual data, we were able to calculate the following figures:

- **UK net migration** = immigration minus emigration gives the net annual flow of UK nationals from abroad to the BCR and from the BCR to other countries
- **UK emigration %** = the number of UK citizens leaving the BCR for other countries as percentage of that year’s UK citizen population, which is a helpful indicator of turnover in the population
- **Nationality running total** = a cumulative total of all UK citizens in the BCR who have acquired Belgian nationality since 2010
- **UK citizen population** = the sum of ‘Residents UK’ in a given year and that year’s running total for the acquisition of Belgian nationality. This offers an estimation of the total population with UK citizenship including dual nationals (except those who already become Belgian before 2010 or were born dual nationals since 2010).

¹ This report refers to UK/British citizens/nationals without intending to specify any legal, political or historical distinction. All terms should be understood as referring to individuals which UK nationality law would consider “British citizens”. The post-Brexit situation of the other categories of British national are outside the scope of this report.

The main trends in the UK citizen population of Brussels



After many years hovering between 8500 and 9000, the number of UK citizens living in the Brussels-Capital Region appears to start falling sharply after the referendum. However, this is largely because the rate of acquisition of Belgian nationality massively increased after the referendum. **More than 2600 UK citizens acquired Belgian nationality in the years 2016-2022**, equivalent to almost 1 in 3 of the UK citizen population of 2016. Acquisitions of nationality peaked at 572 in 2017, and have remained high ever since. Taking these new dual nationals into account, we estimate that throughout the entire period of negotiations and transition, the UK citizen population actually remained steady. **Rather than leaving in huge numbers, UK citizens were becoming Belgian.** However, a certain number of these new Belgians may in fact have since left Belgium for the UK or elsewhere, especially if regaining EU freedom of movement rights was their immediate aim. These movements are not captured in our statistics.

It is therefore fair to say that there was no “Brexodus” after the referendum. In fact, emigration numbers began to fall gradually and we also see falling emigration rates. In the period 2010-2014, on average 10.1% of the UK population left in any given year, while in 2018-2022 this has fallen to 9%. Looking at immigration, there was a notable uptick in 2019, but **it would be an overstatement to claim that a huge wave of UK citizens rushed to Brussels** during the uncertain years after the referendum. The balance of these two trends pushed net UK migration to Brussels strongly positive during the Brexit negotiations and transition. Interestingly, there is **no obvious Covid-19 effect** in the difference in the migration flows between 2019 and 2020.

It is a different story when we look at the difference between 2020 and 2021, the first year after the end of the Brexit transition period. **There was an immediate drop of around 70% in the number of UK citizens moving to Brussels as the new rules took effect.** Long-term trends remain to be seen, but the new significantly lower level of immigration from the UK was repeated in the immigration figures for 2022. Net migration is now negative and the total population of UK citizens in Brussels began falling sharply as of 2021 – even when we include the estimate of dual nationals who have become Belgian.

Of course, it is too early to make long-term predictions, but it seems likely that **population movements for UK citizens in Brussels will be below replacement for the foreseeable future**, as more people leave or die than arrive. Meanwhile, an ever-greater percentage of these long-term residents will have acquired Belgian nationality. **Lower emigration also means that this shrinking community is likely to have less turnover**, with those who are here staying for longer. This will probably mean **an aging population of UK citizens**, although it is hard to predict how many UK citizen children will be born. Any children who are born as dual nationals with both UK and Belgian nationality will be invisible in the Belgian statistics.

Other trends and observations

How many M-Card holders are living in Brussels?

If we presume that every UK citizen living in Brussels at the beginning of 2022 has since acquired an M-Card, minus the number who have emigrated or become Belgian during that time, we arrive at a figure of 4184. In reality, the number of M-Card holders is probably lower, as some UK citizens may have another residence status, or may be part of the “disappearing” group. Some UK citizens arriving after January 2021 received an M-Card as a family member of a relative already resident here, but this positive adjustment is unlikely to outweigh the factors pulling the number down. **4184 should therefore be considered an unrealistic maximum estimate, with the real figure in the high 3000s.** **Over time, this M-Card population will dwindle** as individuals become Belgian, leave or die. However, the Brussels-Capital Region should expect to have a population of M-Card holders that numbers in the thousands for some years.

Where are the “disappearing” UK citizens?

Between 2010 and 2023, the British population of the Brussels-Capital Region seems to fall by almost 4000, but net migration was positive and acquisitions of nationality only explain around 60% of the fall. In fact, we are left with around 1500 “disappearing” UK citizens. **Deaths will explain a large part of this gap**, and some UK citizens may have fallen into homelessness or extreme social exclusion. However, we are probably also witnessing a **net migration of UK citizens from the Brussels-Capital Region to the other Regions of Belgium**, as these movements are not captured in immigration or emigration statistics.

How many UK citizens are now living in Brussels as third-country nationals?

The total number of UK citizens who moved to Brussels from abroad in the years 2021 and 2022 is 551, but the actual number living here as third-country nationals on 1 January 2023 was probably lower than this. A small number of those arriving would have acquired M-Cards as family members of a UK citizen already here. The rest would have needed some form of residency permit as a third-country national, but some of those will already have left. 500 is therefore probably a more accurate estimate, making this group significantly smaller than the community of long-term residents who live here as M-Card holders or dual nationals.

ADMINISTRATIVE CHALLENGES AND LEGAL UNCERTAINTIES FOR UK CITIZENS IN BRUSSELS AFTER BREXIT

Since the end of the Brexit transition period, UK citizens who live in Brussels – or move here – face a totally new legal landscape. What difficulties, hurdles and confusions has this led to? This report approaches the question from two perspectives. The following chapter presents the results of a survey through which UK citizens themselves shared their experiences. But first we offer some analysis from the experts behind the Brussels Brexit Helpdesk project.

During the two years since the transition period ended, the Expat Welcome Desk of commissioner.brussels has continued to play its role as a one-stop-shop for UK citizens seeking advice on administrative matters. The team has responded to over 200 enquiries and requests for support during this period, giving the Expat Welcome Desk a unique insight into the challenges and uncertainties this community is facing. Meanwhile, the legal experts at Fragomen supported the research and drafting behind all the content in the Brussels Brexit Helpdesk, giving them the opportunity to assess any possible inconsistencies or risks of which UK citizens and Belgian authorities should be aware.

The assessment points to six priority issues:

- The M-Card and N-Card: strengths and weaknesses of these new residency permits
- Acquisition of Belgian nationality

- Family reunification
- International mobility
- Taxes and pensions
- UK citizens as third-country nationals

The M-Card and N-Card: strengths and weaknesses of these new residency permits

British citizens who were already resident in Belgium before the end of the Brexit transition period could apply for a new kind of residence permit, an M-Card, in order to retain their right to live and work in Belgium. Cross-border workers could apply for an N-Card to continue their activity.

As the post-transition phase began, the Expat Welcome Desk continued to receive many questions relating to these new permits. Some people were still waiting for a response to their application from the Foreigners' Office, and some cases therefore required an intervention with the Foreigners' Office.

The issue of the “permanent residence” M-Card also raised many questions. Many people were unaware that they were eligible for this more protective status, available to those who have been continuously resident in Belgium for a period of at least 5 years. They were also

unaware of the additional rights the “permanent residence” M-Card would offer in comparison to the “standard” M-Card. Especially relevant is the 5-year right of return in the event of absence from the Belgian territory. This allows for much longer periods outside the country than the standard M-Card, which lapses after 1 year of absence. Not only were UK citizens often unaware of this distinction, municipalities also did not always issue “permanent residence” M-Cards directly to UK citizens who were already eligible. This forced UK citizens to submit a second application later.

When it comes to the N-Card for cross-border workers, we have heard of cases where the authorities have rejected N-Card applications for international consultants and freelancers on the grounds that they are “posted workers”, despite legal advice saying that the applicants should be eligible. We cannot go into the detail of these cases in this report, but this situation implies that there is some unhappy confusion about the exact criteria for obtaining an N-Card.

Throughout this uncertain period, the municipalities have been on the front line with the public. It is probable that they were not sufficiently well prepared and supported in the implementation of these new frameworks. In many cases, agents lacked the information they needed to manage the cases in the best possible way. The survey results in the next chapter support this observation.

The Brussels-based organisation Association pour le droit des étrangers (ADDE) studies and supports the rights of foreigners. In September 2021 they released a legal assessment of the new framework and a

critical editorial¹ concluding that “*the Belgian procedure for obtaining this M/N card lacked predictability and clarity. The Foreigners’ Office itself has issued directives to municipalities that contradict or exceed the legal framework.*”

Nevertheless, several thousand UK citizens living in Brussels now hold an M-Card. But what does this mean in practice? While the public discussion and personal relief around the Withdrawal Agreement gave many UK citizens the impression that their rights would be fully preserved, their new status actually leaves them frozen in both time and space. Their rights will not evolve over time as EU law changes, and they are totally tied to Belgium rather than the EU as a whole. M-Card holders do not retain European citizenship, but instead occupy a specific legal niche, which is less favourable than EU citizenship in three key ways:

- **M-Card holders who are absent from Belgium for too long can lose this specific status and its protections.** If they wish to return to Belgium later, it would be as a third-country national. Many UK citizens seem to be unaware of this important issue.
- **M-Card holders do not have the right to live and work in other EU countries.** They are now subject to the same rules as other non-EU citizens when it comes to travelling, working, studying or retiring in another EU country.
- **M-Card holders may face less advantageous rights to family reunification than non-Belgian EU citizens living in Belgium.**

¹ BREXIT : NI SIMPLE, NI FLUIDE, NI TRANSPARENT : https://www.adde.be/index.php?option=com_content&view=article&id=819:brexit-ni-simple,-ni-fluide,-ni-transparent&catid=273&Itemid=58

Acquisition of Belgian nationality

As shown by the statistics in the previous chapter, acquiring Belgian nationality has become increasingly appealing to UK citizens since Brexit. Becoming Belgian not only offers a route to unconditional residence and democratic rights in Belgium, but also restores an individual's rights as an EU citizen — including freedom of movement within the rest of the EU. Indeed, it should be emphasised that acquiring Belgian nationality (or the nationality of another EU country) compares favourably to remaining on an M-Card in many cases, and is the only way that UK citizens can regain “true” EU citizenship status.

Compared with many European countries, Belgium has relatively simple criteria and procedures for nationality applications. What is more, both Belgium and the UK permit dual nationality, so UK citizens living here do not face a difficult decision on whether to give up their original nationality in order to regain EU citizenship.

Adults have several routes to Belgian nationality, each with its own specific conditions. The procedure after 5 years' residence, where applicants must prove social integration and economic participation, seems to be the most widely used. Many other UK citizens activate the procedure after 10 years' residence based on the links the individual has forged with Belgium. British children can also acquire Belgian nationality, but they have their own specific rules and procedures. The Expat Welcome Desk has answered many questions on this subject over the two years since the end of the Brexit transition period. We also dedicated two webinars to this topic during 2022, with a high number of participants demonstrating the genuine interest of UK citizens in this subject.

The questions raised by UK citizens reveal the aspects of the process which they find most confusing or concerning. Common questions include:

- How does my current residence permit affect my application?
- Can I apply for Belgian nationality if I hold or have held a Special Identity Card?
- What happens if I am a posted worker in Belgium?
- What happens if I am an EU civil servant?

Family reunification

UK citizens living in Belgium or planning to move here often want their families to join them, either immediately or at a later date. The question then arises as to whether this is possible from an immigration point of view, given that family members living in the UK are, in most cases, no longer EU citizens. If they cannot access a residence or work permit themselves, they will have to apply for family reunification.

It can be difficult to understand and follow the rules on family reunification in Belgium, as they differ according to the nationality or residence status of the sponsoring family member and the nature of the family relationship. The rules are complex and difficult to apply, particularly for family members who are not part of the nuclear family, such as elderly parents or siblings.

The Expat Welcome Desk has received many queries about this complex issue. In particular, family reunification with parents has raised a number of questions. It is interesting to note that a UK citizen holding an M-Card will be able to bring his or her parents over (provided the conditions are met), whereas if he or she becomes Belgian, this right is not provided for by

law. However, the Foreigner's Office has recently confirmed that Belgium will still accept an application for family reunification from the parents of a former M-Card holder once the applicant has acquired Belgian nationality. UK citizens living in Belgium as third-country nationals have greatly reduced access to family reunification, including with parents.

Taxes and pensions

Like many of the internationally mobile citizens who come to the Expat Welcome Desk for advice, UK citizens often raise questions relating to taxation and social security. Tax and social security are still largely managed at national level, so these are complex issues for anyone moving or working across borders, and often require expert advice. In fact, Brexit has not had a huge impact on tax and pension arrangements for UK citizens living in Belgium, as these largely depend on international and bilateral double taxation and social security agreements, which continue to function despite the UK's departure from the EU.

Moving from one country to another is always complicated, but UK citizens sometimes seek to maintain very specific situations. For example, they might wish to join a partner living in Belgium but at the same time continue to work remotely for their employer in the UK. Or they may want to come as a seconded worker, working remotely from Belgium. These situations must always be analysed on a case-by-case basis and from two angles, from the tax point of view to decide where the individual is fiscally resident and from the social security point of view to decide which system the individual will be subject to. The questions are complicated, but there is usually a clear solution to the tax and social security issues.

When it comes to pensions, UK citizens should be reassured that the system for "totalising" pension entitlements across the two countries is still in place. This means that national insurance contributions paid in the UK are not lost, even if an individual had not worked enough years in the UK to reach the minimum contributing period. Likewise, UK citizens living in EEA countries such as Belgium will still get a yearly increase on their pension payments.

UK citizens as third-country nationals

Since the end of the Brexit transition period, almost all UK citizens visiting or moving to Belgium are third-country nationals. Belgium has not created any special immigration routes for UK citizens after Brexit, so UK citizens are now subject to the same rules as all non-EU citizens when it comes to immigration. However, the huge shift in status warrants a special effort in communication and information-sharing towards UK citizens wishing to settle in Belgium. We have offered an overview of the immigration possibilities by presenting the possible routes for obtaining residence and work rights depending on their status: employees, self-employed workers, frontier workers, trainees, etc.

When it comes to shorter visits or business trips, UK citizens still enjoy the right to visa-free travel to Belgium, but the rules have become more complex than before Brexit. Both UK travelers and their friends or colleagues based in Brussels therefore need to check the scope of these new rules so that they have the documents they need before travelling. It is important to note that the rights of UK citizens to make short visits to the Schengen area are restricted - limited to 90 days out of a 180-day period. Exceeding the authorised length of stay is punishable by

a series of measures: fines, expulsion and even a ban on re-entry. UK citizens will also be subject to the additional paperwork and checks related to the EU's incoming EES and ETIAS border control systems.

Finally, it is worth acknowledging that the UK and Belgium are neighbours, and linked by close ties in the trade of goods and services. This means that there is a lot of demand for travel for professional purposes between these two countries, such as frequent business travelers or commuters. The legal status of these groups has yet to be clarified, particularly as regards frontier workers spending more than 90 days in the Schengen area or Belgium. For the foreseeable future, UK citizens without resident rights in Belgium therefore need to make sure they understand and follow the rules for third country nationals and seek legal guidance if their case is particularly complex.

THE CITIZENS' PERSPECTIVE

THE BREXIT IMPACT SCAN SURVEY

Methodology

In autumn 2022 commissioner.brussels conducted a survey to better understand the impact of Brexit on UK nationals in the Brussels-Capital Region (BCR). This was a digital survey supported by a multi-channel promotion campaign online, in the press, and via partner organisations.

The survey targeted three categories of UK nationals:

1. **Those who had already settled in the BCR before the end of the transition period**, and whose rights should therefore fall under the terms of the Withdrawal Agreement;
2. **Those who have settled in the BCR since the end of the transition period**, and who are therefore subject to the regime for third-country nationals;
3. **Those who do not yet live in the BCR but who are thinking of coming** and who would therefore be subject to the regime for third-country nationals.



We aimed to reach 100 responses, with at least 30 per category. The overall result of 346 responses was more than satisfactory, but these responses were not evenly distributed across the three categories.

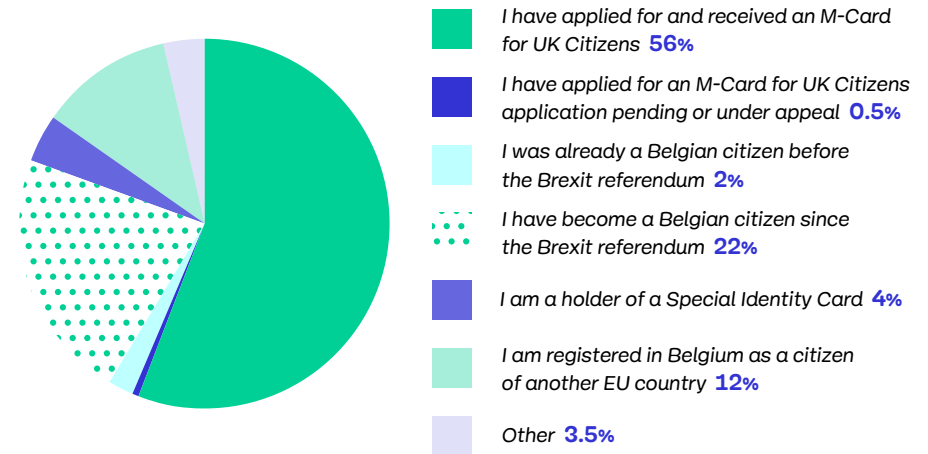
Category 1	292
Category 2	18
Category 3	14
Invalid / incomplete	22
TOTAL	346

For Category 1, we therefore have a sufficient sample to undertake a detailed assessment of the results. The following paragraphs present and analyse the answers from the 292 respondents in Category 1: UK citizens already settled in Brussels before the end of the transition period. For Category 2 and Category 3, we do not have enough data to draw up a statistical portrait of the answers, but we will return to them briefly at the end of this chapter.

Who are the UK citizens already living in Brussels before Brexit?

The responses to the introductory questions offer an interesting counterpoint to the demographic statistics presented earlier in this report. For example, we see that most of the respondents were M-Card holders at the moment of the survey (autumn 2022), but many had already become Belgian. We also see that over 10% were living in Belgium as citizens of another EU state. These dual nationals with citizenship of both the UK and an EU member state other than Belgium would not appear in the regional statistics presented earlier, or they would be part of the “disappearing” group if they gained their EU citizenship after 2010. This is the case for many UK citizens, who only actively took up an EU citizenship to which they were already entitled – often Irish citizenship – after the Brexit referendum.

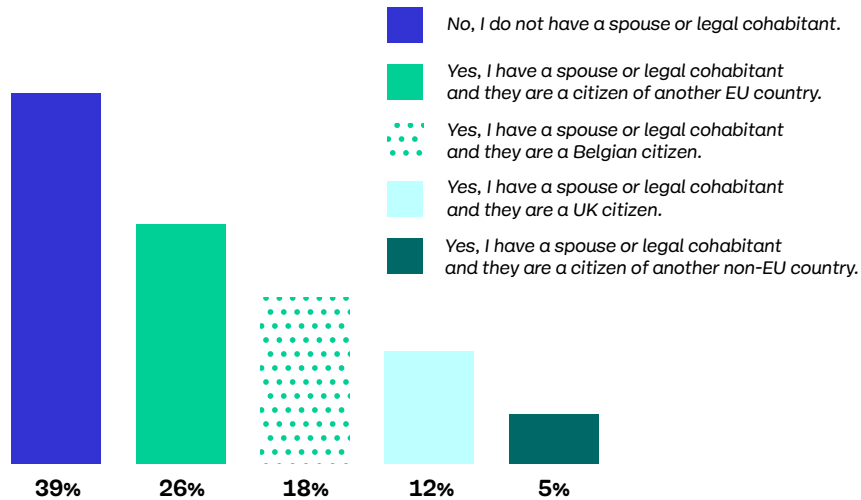
What is your current residency status in Belgium?



When it comes to family life, we see that many respondents are unmarried. Those with spouses or legal cohabitants living in Belgium display the tendency towards mixed or international households typical of Brussels, with relatively few UK-UK marriages. However, there are surely “hidden” UK citizens in other categories in cases where one or both spouses are UK citizens who also have Belgian or another EU citizenship. Most respondents do not have dependent children living in Belgium, but they might have independent (adult) children or children in other countries. Taking into account the responses about marriages and cohabitations, we can presume that many of these dependent children will not have only UK citizenship.



Do you have a spouse or legal cohabitant who is resident in Belgium?



Do you have children or other legal dependents who are resident in Belgium?

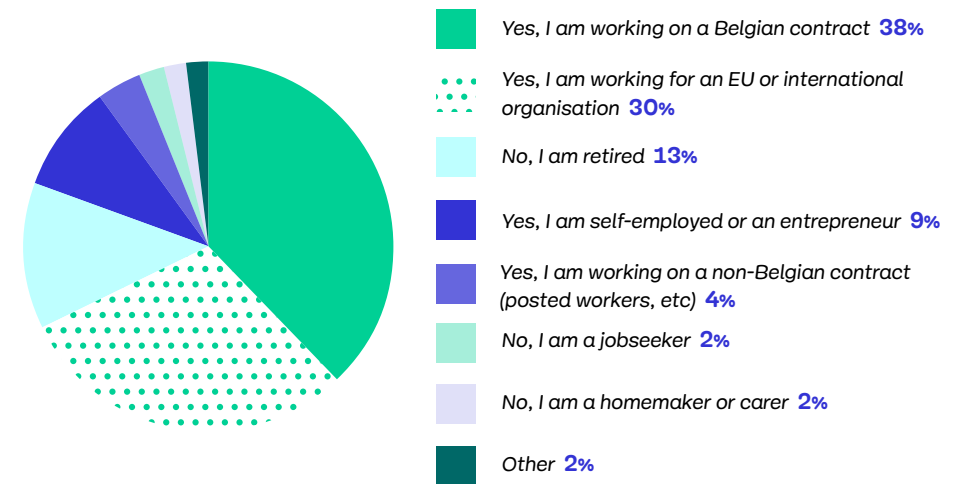
yes
39.1%

no
60.9%



When it comes to employment, the vast majority of UK nationals are currently working. Employees in the Belgian labour market represent the largest group. No doubt many of them work in the European and international sector, but they are Belgian taxpayers and subject to Belgian employment law. There are also many UK nationals working for a European or international institution, but the question about residency status shows us that individuals in this group tend to hold “normal” residence permits and not Special Identity Cards. Finally, we can see that British nationals who retire often stay in Belgium.

Are you currently working in Belgium?

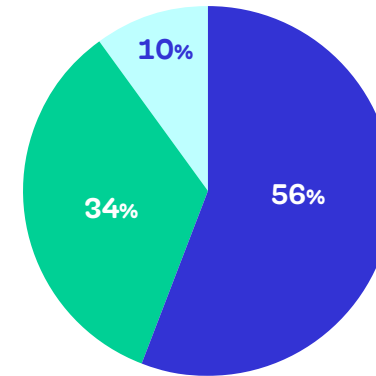


Relationship with Belgium and future plans

When asked directly about the likelihood of leaving Belgium in the coming years, over half of the respondents said that they were strongly committed to staying in Belgium, with only 44% open to leaving or likely to do so. Meanwhile, when directly asked about the impact of Brexit on their future plans, respondents clearly said that Brexit had made them less likely to leave Belgium and less likely to move back to the UK. This result implies that Brexit has made the UK community increasingly anchored in Belgium and disconnected from the UK. These feelings are important. However, we need to be nuanced in interpreting these results.

The population statistics presented earlier show that even after the Brexit referendum around 40% of UK citizens emigrated within 5 years. There was none of the feared “Brexodus”, partly because UK citizens continued to move to Brussels in large numbers, but there was also no sudden halt in the emigration of UK citizens. Nevertheless, emigration is clearly falling over time, leaving a more static UK citizen community, which is increasingly made up of long-term residents. We should also remember that these survey data are a snapshot of views in autumn 2022 amongst those UK citizens already in Brussels for a least a two years. These are the people who had not left during the negotiations or transition period, and they include many who had already acquired Belgian nationality. Is it therefore likely that this survey captures the views of a certain subset of the BCR’s UK citizen population who are the most displeased with the referendum result and most attached to Brussels. However, in the future, this subset will be increasingly representative of the gradually shrinking community of UK citizens in Brussels.

Thinking about your future migration plans, select the statements which apply to you.



- I am unlikely or very unlikely to leave Belgium in the next 5 years
- I am open to leaving Belgium in the next 5 years
- I am likely or very likely to leave Belgium in the next 5 years



39%
Brexit has made it less likely that I will move (back) to the UK

3%
Brexit has made it more likely that I will move (back) to the UK

5%
Brexit has made it less likely that I will stay in Belgium long-term

46%
Brexit has made it more likely that I will stay in Belgium long-term

Administrative challenges since the end of Brexit transition period

A series of survey questions asked these British nationals living in Brussels before the end of the Brexit transition period about the administrative challenges which they have faced since 1 January 2021. This means that the answers should refer to a period where the immediate confusion after the referendum was over and most potential M-Card holders already had their new status. However, it is possible that some responses include memories and concerns from the period during the withdrawal negotiations and transition period.



General administrative challenges and those related to access to information

Since 1 January 2021, have you experienced any of the following general problems related to administration in Belgium?

None	47%
Inconsistent or incorrect information about rights and processes	26%
Public workers were not informed about my rights or the processes to follow	26%
Dossiers were not processed or were processed too slow	18%
I could not find information about my rights and the processes I need to follow	16%
I was not able to understand the information about rights and processes	11%
I had difficulties providing the documents demanded for administrative processes	9%
I faced harassment or discrimination from public officials	6%
Other	8%

First of all, it should be noted that the largest response, even for this general question, is “none”. This means that almost half of UK nationals have not experienced any difficulties in their interactions with administration since the end of the transition period. However, this also means that the majority have experienced at least one of the problems listed.

We can see that this group of UK citizens, who have mostly been living in Brussels for at least several years, do not have much difficulty finding or understanding information. Instead, they were critical of the fact that the information provided was incorrect or inconsistent, and of the fact that public officials were sometimes not well informed about the situation. This shows that providing information is not a one-off action. In a changing situation, it is important to ensure that any information provided is regularly updated, and this includes updating public service workers themselves. In addition, the risk of leaving incorrect or inconsistent information in the public eye reminds us that it may be better to have a few sources of information that are reliable than many sources where the information turns out to be incorrect or out of date.

Almost 10% of respondents had difficulty providing documents required by the Belgian authorities, and the details provided in the “other” responses shed light on the reasons why. Several responses mention delays or errors by UK public services when requesting documents. Other respondents referred to the fact that some Belgian documents do not have a UK equivalent.

Finally, it is disappointing that more than 5% of respondents felt that they had been discriminated against or harassed by the public officials with

whom they were in contact. We cannot assess the veracity or severity of these reports, and the vast majority of respondents did not have such experiences. However, if we scale this figure to the target population, this could represent dozens or even hundreds of cases of mistreatment.

Challenges related to residency status

Since 1 January 2021, have you experienced any of the following problems related to your residency in Belgium?

None of the above	70%
Unable to decide which residency status I could or should apply for	8%
Problems related to the exchange of UK driving licences	6%
Problems related to travel during a change of residency status	5%
Problems with national register and address records (for example, incorrect dates or being removed from the population register between addresses)	5%
Rejected application for Belgian citizenship	3%
Rejected M-Card application	1%
Other	11%

From this point on, we look at questions relating to specific aspects of “administrative life”. Happily, we can see that the vast majority of UK nationals living in the BCR have not experienced any major difficulties in recent years.

Regarding residency rights, we see once again that there is sometimes inconsistency in the information provided, which makes it difficult for individuals to understand their own rights and obligations. The detailed “other” answers often refer to inconsistent information, errors and surprising decisions by public authorities. Some respondents had their residence status changed without warning or had their cards cancelled unexpectedly.

A recurring theme is the difficulty of changing data in public registers which is no longer correct or relevant. This is not just about the well-known danger of erroneous deregistrations or dates of residence that do not overlap when people move house. To cite one example, an individual with dual British-German nationality had registered in Belgium as British before the referendum, but then had great difficulty in “switching” in order to use their German nationality to justify their residence in Belgium after Brexit. Others refer to problems with name changes, which are a common procedure in the UK but almost unknown in Belgium.

Challenges related to tax and social security

Since 1 January 2021, have you experienced any of the following problems related to tax or social security in Belgium?

None	79%
Difficulties determining where I should pay tax	9%
Problems or confusion related to public pensions (including issues related to combining pension contributions between countries)	6%
Unexpected discrepancies in annual tax bill	4%
Denied or restricted access to unemployment, healthcare or other social benefits	3%
Problems related to tax and/or social security status as a posted worker	1%
Other	5%

Although a small number of UK citizens have experienced concrete problems with decisions related to tax and social security, most issues were again related to information and guidance in navigating the system.

Challenges related to work and employment

Since 1 January 2021, have you experienced any of the following problems related to work and employment in Belgium?

None	77%
I feel that I have experienced discrimination in recruitment because of being British	16%
I feel that I have experienced discrimination in career progression because of being British	13%
I faced problems with the recognition of my professional qualifications	4%
Other	1%

Much like the question about harassment or discrimination from public workers, we cannot assess the veracity or severity of the labour market and career discrimination which UK citizens report. However, it is noteworthy that over 1 in 10 respondents felt they have been denied a job or a promotion because they were British, even though the responses are from UK citizens resident in Belgium before the end of the transition period. These individuals should therefore have retained full access to the labour market with no extra expense or difficulties for their employers. It may be that these responses relate to those working inside the EU institutions, where recruitment and career progression is indeed much more difficult for UK nationals after Brexit. Or perhaps there has been a certain “chilling effect” whereby employers do not fully

understand that pre-Brexit UK residents have protected rights which mean that they are as employable as they were before.

Other categories of UK citizen

As discussed at the beginning of the chapter, our attempts to reach the few UK citizens who have arrived since the end of the transition period, or those considering a move to Belgium, did not bring enough results for a valid statistical analysis. However, from the responses we did receive, two clear trends emerge:

- Everyone is concerned about the quality and accuracy of information regarding administrative processes, but new or future arrivals also face problems finding relevant information at all.
- Recent arrivals often indicate that they have had problems related to residency dossiers which were processed too slowly or not at all. Future arrivals are worried about the cost and complexity of applying for the relevant permits. These experiences and worries reflect the reality of UK citizens’ new status as third country nationals.



CONCLUSION

KEY FINDINGS AND PROJECT OUTPUTS

This report is just one of the outputs developed in our EU-funded project to update the information and advice we offer UK citizens who live in Brussels or want to move here. The main result of our work is a new web-based UK Citizens & Brexit Helpdesk covering the topics that most concern them:

- **Formalities for short visits and long-term residence**
- **Working in Belgium**
- **Acquiring Belgian nationality**
- **Tax, social security and pensions**

The Helpdesk offers UK citizens a guide to administrative life in Brussels for the post-Brexit era, with texts adapted for both pre-Brexit residents (M-Card holders) and new arrivals who moved after the transition period (third country nationals). Throughout 2023, the general overview in the Helpdesk has been accompanied by a series of webinars and the Brexit Brief newsletter. These events and articles explore some of the more complicated aspects of life after Brexit. They all start from a puzzling everyday question, using it as a chance to explore the rules that UK citizens should know about. All materials will stay online for the foreseeable future.

You can explore the Helpdesk and all content from the Brexit Brief and webinars on our website:

[Go to the Helpdesk](#)



commissioner.brussels/en/i-am-an-expat/uk-citizens-brexit/pre-brexit-residents

The Expat Welcome Desk has also continued to offer free advice to UK citizens, tailoring the information we gathered to the personal situation of those who contact us. During these two years, we have dealt with around 200 enquiries, and the service will remain open in the years ahead.

Contact the Expat Welcome Desk:

www.commissioner.brussels/en/i-am-an-expat

+32 (0)2 430 66 00

info@commissioner.brussels

Avenue d'Auderghem 63, 1040 Brussels

As for this report, it offers an interesting mix of qualitative analysis and quantitative data about the impact of Brexit on UK citizens in Brussels, especially focusing on the M-Card holders protected under the Withdrawal Agreement.

Some of the conclusions are happy:

- The feared immediate “Brexodus” did not really materialise.
- Most UK citizens have now shifted to a new status and no longer face significant administrative problems.

Other findings are more concerning:

- The M-Card offers rights and protections that are more limited than full EU citizenship, and many UK citizens holding M-Cards do not seem fully aware of this fact.
- UK citizens often receive inconsistent information about the new rules and processes, and occasionally feel that they are mistreated by public authorities or employers.

Finally, some conclusions are unsurprising but still rather bittersweet:

- UK citizens are acquiring Belgian nationality in huge numbers.
- The long-term residents we surveyed say that Brexit has both strengthened their ties to Brussels and made it less likely that they would return to the UK.
- Post-Brexit arrivals say that they face challenges and delays in acquiring the permits which they need to live and work in Belgium.
- The number of UK citizens in Brussels will probably fall over time as fewer people move here.

Nevertheless, the Brussels-Capital Region can count on the continued presence of several thousand UK citizens, be they dual nationals, M-Card holders, third country nationals or visitors. The information and resources developed in this project will be a useful toolkit for these individuals, their loved ones, and their employers. Likewise, we hope that the data and analysis in this report will prove useful for experts and public authorities who work with UK citizens in the years to come.



You can explore the Helpdesk and all content from the Brexit Brief and webinars on our website:

[Go to the Helpdesk](#)



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