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The Florence Declaration on Citizens' Rights and the Brexit Negotiations

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A highlight of the EU's 2017 State of the Union was undoubtedly the [address by the EU's Brexit negotiator Michel Barnier](#). M. Barnier chose the State of the Union to give a key note on the principles and aims of the EU in negotiating citizens' rights after Brexit. The address which has been aptly re-named the *Florence Declaration on Citizens' Rights* is a foundational document for the negotiations. Citizens' Rights are a top priority for the EU27 and European institutions in the negotiations. Unless adequate progress is made on this and two other issues, the financial settlement and borders, particularly the Irish border, the EU27 will not begin to discuss the UK's future relationship with the UK.

The Florence Declaration on Citizens' Rights was comprehensive in its range outlining whose rights should be protected and how they should be protected. What was striking in the Barnier address was the manner in which he illustrated the complexities of the issues by using real life cases. This underlined the fact that we are talking about the disruption of real lives. At its core, the EU argues that 'the level of protection afforded under EU law must not be watered down. Brexit should not alter the nature of people's daily lives'. Essentially this is a commitment to acquired rights. Moreover the EU argues that 'the rights in the withdrawal agreement will need to be directly enforceable and the jurisdiction of the European Court of Justice maintained'. The Florence Declaration on Citizens' Rights is very ambitious both on issues of substance and procedure. The UK has responded with its national paper on The United Kingdom's Exit from the European Union: safeguarding the position of EU citizens living in the UK and UK nationals living in the EU'. An analysis of both opening positions in the negotiations highlights the fact that they are still very far apart. It is important that the EU's more ambitious aims are met.