



Residency cards obligatory from January 1

SOME 165,400 requests have now been made for Withdrawal Agreement (WA) residency cards for Britons living in France.

The Interior Ministry maintains a target to have all cards which were applied for by October 3 on the dedicated website delivered by January 1.

The ministry did not confirm rules for people applying by paper to prefectures since then but any Britons doing so in person would usually receive a *récépissé* slip that can be shown as proof of application.

It is still possible for requests to be made if there are good reasons for missing the October 3 deadline.

Applications can also still be made by young people turning 18 and family members of WA Britons joining them in France.

Holding a WA residency card is an obligation from January 1 under French law, but one clause (article 27 at tinyurl.com/yc4hcwjm) states that rights to residency, work and social security continue without a card if a decision has yet to be made by a prefecture or if an



Photo: Diocese in Europe

appeal is under way. Even so, a group for Britons in France and an association helping foreigners spoke of concerns for the legal situation of those without a card on January 1.

A representative of the British Community Committee of France said she is not convinced that all prefectures will ensure every card applied for on the site will be in people's hands by January 1.

She advised those affected to keep a file of evidence that they have done everything they can, such as a copy of their applica-

tion, the email response from the prefecture, any follow-up emails sent or received or a recent utility bill for proof of ongoing residency. This will represent what customs call a 'trail of evidence', she said.

Where one half of a couple is waiting for delivery of a card, the other person can apply to La Poste for a proxy right (tinyurl.com/2p8zdbh8) so they may accept the card for them if the postal worker calls with it while their partner is out.

The British Embassy advises those who have not had a prefecture meeting for photo and fingerprints, or have not got the card, to contact their prefecture by checking its website.

A list of contacts is also available here, but may not be fully up to date: tinyurl.com/3hnhn7cj.

Sending a *lettre recommandée avec avis de réception* recorded delivery letter is another option. If you do not obtain a response, email the Interior Ministry – contact-brexit@interieur.gouv.fr – and inform the embassy at tinyurl.com/3cp47r4z. If you are

offered a prefecture appointment, attend if possible, as rescheduling may be difficult.

If your application is refused, consider appealing.

Antoine Math, of Gisti, an association helping foreign people, said showing an application receipt should suffice legally for those still waiting.

However, he said bodies often have set lists of acceptable documents and it is unclear if they will be familiar with the email print-outs that are the only receipt given to those who applied on the WA cards website, as opposed to the paper *récépissé* usually given to foreign *carte de séjour* applicants by prefectures.

He is concerned for Britons' working and social security benefit rights if they have no card, as existing and potential employers might ask for them, as well as bodies such as the family benefit service Caf.

"The risk is being cut off from family and housing benefits or income support," he said.

"We may also imagine that there are people who've been

here 30 years and are very integrated and haven't been following the Brexit rules, and are going to find themselves next year undocumented immigrants, with the risk of being expelled from France, though we're not there yet."

Mr Math said Britons, especially newcomers, are going to have to get used to dealing with prefectures, whose treatment of foreigners can be very variable around France.

"There's a lot of inequality, and before the British escaped that, but now they'll be treated the same as a Senegalese person – that's to say, badly, with complicated procedures and dubious practices."

Britons can seek advice from Gisti (tinyurl.com/2p8c7crn), but it also advises contacting local associations helping foreigners (tinyurl.com/2p8zb7rs).

He added: "States have the right to leave the EU, but the problem is individuals taken hostage and suffering due to it."

"But it's also not normal that foreigners are not treated well compared to EU citizens."

When might you be required to show your *carte de séjour*?

SITUATIONS where you might be asked to show a residency card include:

- Applying for, or maintaining, a job in France;
- Qualifying for disability, family and housing benefits, income support and pension top-up;
- Entering or leaving the Schengen area, so as not to have your passport stamped;
- Applying for a mortgage;
- Swapping a UK driving licence for a French licence;
- Taking a French driving test;
- Registering with a Cpm health authority;
- Police identity checks.

■ THE INTERIOR Ministry confirms that Britons cannot ask for modifications of their Withdrawal Agreement residency cards via its website, due to technical reasons which are being addressed.

In the meantime, notifications of change of address, for example, should be made on paper by contacting your prefecture. This should be free.

Comment: Harsh prefecture interview left me feeling unsure where I belong

Amber* has always felt French and was keen to apply for French nationality on turning 18. The move would also help her maintain some of the rights lost by British citizens after Brexit – the university she hopes to go to, for example, charges non-EU citizens thousands more each year. In theory, it should be a simple 'declarative' process if, as is her case, you have a sibling who was born here and is French, and you have lived and been schooled here since age six. However, the obligatory interview, which – according to an official site – is to check you are integrated and not 'unworthy', was anything but, says Amber

A COUPLE of months after I was born in Brighton, England, my parents decided to move to France for a new adventure.

This was only supposed to last a few years. However, they completely fell in love with the French people and their country, as seemingly did I.

I had bad colic during my first couple of months and my parents spent every evening pushing me around in a pram in Brighton, but as soon as I came to France, my nightly screams disappeared and I was the happiest baby ever. My parents have always told me this was when they realised they had a French daughter.

This move was meant to be.

I grew up in the town of Vence on the French Riviera with my younger brother, who was born in Nice two years after me.

He is now French, as well as British. He was able to get his French nationality three years ago when he turned 13 and is proud of his French passport and identity card.

He has lived less time in France than I have, yet he is French because he was born here.

Had I been born three months later, I too would be French. Both of us have been educated all our lives in France, we've both passed the *Brevet*

and I've passed the *Bac*, but as he was born here, he has what I want.

The last year has now proved I cannot get it as easily as he did. I sent my dossier to the Prefecture of Nice on my 18th birthday.

I was applying by declaration for the right to become French through my French brother.

Two months later, we had a knock at the door and it was the police, checking to see if I was who I said I was, that I did indeed live in France and spoke French. I felt upbeat when they left, the dossier was now in process.

I then waited months for a letter with a date for my interview. The wait was long but I was grateful and excited when it finally came.

I certainly did not feel that way when I walked out of the interview at the *Préfecture de Nice*.

All I felt was humiliation, shame, disappointment and sadness.

In fact, when I left the room, I didn't know if I even wanted to be French anymore. It was a strange feeling: as if the only place that I call home did not want me anymore, and for no clear reason.

The prefecture interview was a total disaster.

I had prepped up on my French history and read the *Livret du Citoyen*

[document with pointers about key aspects of French culture and history you might be asked about].

I answered the questions on Liberty, Equality and Fraternity and the French Revolution.

I did hesitate when the interviewer asked me a question about the constitution, but I was just considering my answer when he jumped in and told me that every adolescent in France should know the answer – and from then, it went downhill fast.

"Why do you want to be French?" he kept asking, and then insisted that my *carte de séjour* was enough for a person like me to carry on living legally in France.

I repeatedly said I didn't agree.

I said that I was so proud of my French life, that my boyfriend was French, all of my friends were French, my entire schooling had been in the French system, and that I had the right to ask to become French as my brother was French.

Over and over again, he repeated that I didn't need to become French, that the *carte de séjour* would be sufficient for "someone like me".

I love France and the Côte d'Azur; it's the only home I have ever known. I haven't been in England since 2019 and over my life have probably spent no longer than six months there.

I have loved being brought up here and would one day love my children to have the same opportunities that I have had in this beautiful country.

Yet now I am not sure that this beautiful country wants me.

As I left the interview room, the man brusquely told me I would have an answer in up to a year, and not to call or email. I left the prefecture feeling battered, and unsure of where I belong after 18 years of living here.

*Name changed at request of writer

Date set for hearing on Britons' EU citizenship

MEMBERS of an association of 'EU Britizens' are encouraging Britons to join them in Luxembourg to support a case seeking to win back EU citizenship rights.

Retired civil servant Alice Bouilliez's case is listed in the European Court of Justice (ECJ) for February 24.

The court's advocate general will give his view of the case based on documents submitted by the lawyers (the case is being led *pro bono* by *avocats* Julien Fouchet and Jean-Noël Caubet-Hilloutou), EU officials, and France and Romania (these two countries expressed views on the case).

Mr Fouchet said the court often follows the advocate's view, but they will have to wait for another hearing, around June, for the final judgment.

Mrs Bouilliez, 62, from the Gers, will be going to the court with banners and British and EU flags in February and hopes other Britons will join her to give a



This is a chance for the ECJ to clarify that EU citizenship is a legal reality

Julien Fouchet, avocat

show of how important their citizenship rights are to them. "Right now, it's like the feeling just before an exam, but I'm excited and happy because I believe it will go our way and we have all the right arguments lined up."

"It's wonderful it's got this far and is being taken so seriously."

The lawyers are not being permitted to speak, with the decisions to be made on the paperwork, but "we think there is enough in the documents to be clear that we've got a very good case", she said.

Mr Fouchet said the court has several times referred to EU citizenship – for example, in 2001 saying it had "the vocation to be the fundamental status of the member state citizens" and in 2009 that it



Photo: Alice Bouilliez

was "a legal and political concept autonomous in respect to that of nationality". This case will be a chance for the court to clarify that it is a "legal reality" and not just a "vocation", he said.

He said France has asked for the case to be rejected, as it considers that Britons have lost their EU citizenship since the UK left the EU.

However, he will argue for Mrs Bouilliez, who has based her case around her lost local and EU voting rights, that it is something fundamental that should not be removed without consent where it has serious consequences on people's rights.

Britons in the EU have, for example, also lost automatic freedom to live and work across the EU in other countries.

Those who had lost their UK voting rights after 15 years were not able to vote in the Brexit referendum and currently have no voting rights anywhere.

"France says only 44,000 Britons were struck off the voting lists, which for them isn't very serious, and 800 councillors had to stand down," Mr Fouchet said.

He also argues that some of the Britons' rights related to pensions and social security are now less favourable. "They also no longer feel part of the European project, which is frustrating for them."

He added: "The more people there are in Luxembourg in February, the more the court will see it's an important case and that many people are concerned."

Those wanting to give support can make contact via eubritizens.eu.