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**Post-Brexit Immigration Policy
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Dedication

My thanks go to Almighty God who gave me knowledge and strength to do this work, and who also provided me with such great people to whom I dedicate this simple work.

A grand tribute goes to my parents for being patient with me and who provided me with invaluable pieces of advice during the realization of this work.

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Abstract

This research deals with the post-Brexit immigration policy in the United Kingdom. It examines the motivations that drive Britain to vote for leaving the European Union. It is motivated by one main problematic which is the immigration policy Britain would adopt after its withdrawal from the European Union. However, the research offers two hypotheses: First, the British government may adopt a new immigration policy concerning the EU citizens who seek to reside and work in the United Kingdom after Brexit. Second, it may revise and approve the immigration policy adopted before. Yet, to test these hypotheses, qualitative data are collected through which this dissertation study investigates the anti-immigration sentiments among the British people as Polish people immigrated in huge numbers to the UK, and who reflected different aspects of life of the UK citizens. As a response, Brexit referendum was held and the British people voted to leave the EU. To this point, Theresa May has suggested the White paper which includes rules about the future relationship between the UK and the EU. However, after her resignation, Johnson Boris is elected the current prime minister of Britain and who gets it officially out of the European Union. Finally, this dissertation concludes with the concern of the COVID-19 which becomes an obstacle in the UK and EU transition period that should arrange their future relationship.

Post-Brexit Immigration Policy (2016-2020)

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List of Abbreviations and Acronyms

BBC: British Broadcasting Corporation.

BNA: British Nationality Act

CIA: Commonwealth Immigrants Act

CUKC: Citizens of the United Kingdom and Colonies

DEA: Directorate for European Affairs

EEA: European Economic Area

EEC: European Economic Community

EU: European Union

HGV: Heavy Goods Vehicle

NCW: New Commonwealth

NHS: National Health Service

ONS: Office for National Statistics

UK: United Kingdom

UKIP: United Kingdom Independence Party

UN: United Nations

WRS: Work Registration Scheme

General Introduction

General Introduction

The European Union was created as a political and economic union to comprise twenty eight (28) countries that are primarily located in Europe. Its member states share an internal single market in which they act as one. Moreover, the free movement of people, goods, services and capital are the aim of the internal market. So that, passport controls are abolished in order to travel within the Schengen Area. The Euro currency is common between nineteen (19) EU member states once a monetary union came into force in 2002.

The United Kingdom used to support the control of immigration. However, this latter had been stopped once the UK joined the European Union in 1973, as the European Union used to support the free movement of people. Therefore, the United Kingdom was again a source of a huge number of immigrants like when it adopted the open door policy after the Second World War. People from the Eastern part of Europe immigrated to Britain to look for job opportunities and for better standards of life, resulting then in the rise of xenophobic sentiments among the British people.

As xenophobia and hate against foreigners rose among the British citizens towards immigrants, especially workers, the UK raised the question for its membership in the European Union. Following this concern, David Cameron, the former Prime Minister of Britain held a referendum on 26 June 2016 concerning either the UK should leave or remain within the EU. The result was in favor of the leave campaign and the Prime Minister David Cameron resigned after the decision. Theresa May, the following Prime Minister has been in charge with the Brexit issue and what next step the United Kingdom and the European union would take. To organize immigration after Brexit, Theresa May has introduced the White Paper but then quit and the following Prime Minister Johnson Boris is the one who gets Brexit done. Therefore, this research aims to study the immigration policy the United Kingdom will adopt after its divorce with the European Union. To this end, the following questions are raised:

1. How was the immigration policy after the Second World War?
2. What drives the United Kingdom to decide to leave the European Union after decades of its membership?
3. What immigration policy would Britain adopt after Brexit?

General Introduction

Based on the questions mentioned above, the following hypotheses are formed:

- The UK government may adopt a new immigration policy concerning the EU citizens who seek to reside and work in the United Kingdom after Brexit.
- The UK government may revise and approve the immigration policy adopted before, which would target the EU nationals who seek to live and work in the United Kingdom.

In order to answer the questions raised above, and confirm the validity of the hypotheses, this work adopts the qualitative approach. It addresses the policy of immigration in the United Kingdom since the Second World War, as it also examines the rise of immigrants in the United Kingdom since it joined the European Union which leads David Cameron, then, to call for Brexit. Thus, the work is divided into three chapters:

The first chapter is entitled: *Britain's Immigration Policy after the Second World War*. It tackles the early open door policy Britain adopted after the Second World War; it gave all the Commonwealth citizens the free access to the United Kingdom. However, as the unlimited immigration raised concern in Britain, controls to restrict this movement took place since 1962 continued with the introduction of a number of immigration acts till the UK joined the EU.

The second chapter is entitled: *Immigration Policy under David Cameron and Theresa May*. On one hand, it studies the hate and anger that was felt by the British people against immigrants especially against Eastern countries; those who joined the EU in 2004. On the other hand, the chapter includes the immigration policy adopted by the former Prime Minister David Cameron and the following Prime Minister Theresa May who introduced the White Paper.

The third final chapter is entitled: *Brexit Day with Johnson Boris*. It is the most important part of the study because it shows the way the UK immigration policy would take place after Brexit with the current Prime Minister Johnson Boris.

Chapter one:

**Britain's Immigration Policy After the
Second World War (1945-2004)**

1 | Chapter one: Britain's Immigration Policy After the Second World War (1945-2004)

Introduction

The first chapter deals with British immigration policy after the Second World War. It investigates the post war open door policy as Britain gave a free get right of entry to all Commonwealth citizens. However, as immigration went beyond limits, Britain began to introduce various acts to control immigration and restrict it. Additionally this chapter analyzes the United Kingdom in membership within the European Union and its shift from producing immigration acts to refugees and asylum seekers acts.

1. Britain's Open Door Policy (1948)

By the end of WW2, Britain enacted a law that called the British Nationality Act (1948). It was the main immigration law which had to try and do with entrance of commonwealth citizens into the United Kingdom. In other word, it established the citizenship category of subject of the United Kingdom and Colonies (CUKC). Further, the Nationality Act was an assertion of an open notion of British "subjectship" (Hampshire.19-22).

The 1948 Act sets out four classes of the British subjects. The first two classes include the same rights to enter the United Kingdom, to work, to vote and to stand for Parliament. The third category granted the Irish subjects special recognition. Within the event that Ireland became a Republic; Irish people could maintain their citizenship by making a request from the British government. The fourth class of British subjects meant to serve and represent British settlers in other countries that need to reclaim their subject status (Schain.130).

Even though immigration was first of all welcomed, it was then opposed because it became unmanageable. During the 1950's, the Conservative government attempted to restrict colonial immigration via a fixed set of measures prepared towards stopping colonial CUKCs from emigrating. Those measures included colonial and Commonwealth governments to limit the problem of passports and other distinct travel documents. Moreover, through differentiating between residents and subjects for the first time and to impede and restrict colonial immigration (Hampshire.21). Thus, the British government declared its decision to introduce an immigration invoice, the 1962 Act. The Act created categories that might come to be vital inside the future for immigration restriction (Kenan.21).

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2. Britain's Attempts to Restrict Immigration (1962-1971)

The year 1962 marked the end of Commonwealth special entry system. The law was described as a turning point in the United Kingdom towards restricting immigration. Although it was regarded as being aimed towards those from the New Commonwealth (NCW), all Commonwealth immigrants were to be exercised under the 1962 restrictive legislation (Hampshire. 25).

2.1.The 1962 Commonwealth Immigration Act (CIA 1962)

The 1962 Commonwealth Immigrants Act (CIA 1962) provided immigration controls to all residents of the Commonwealth but exempted those born in the United Kingdom; UK citizens whose passports were issued under the authority of the United Kingdom Government had free entry, while those whose passports were authorized by a colonial government in any of the colonies would have no free entry. The act also included a business voucher theme, so that employees could enter to the United Kingdom for work (Girvan.4).

In addition, vouchers were distributed in three categories: category (A) for persons with a specific job offered by an employer, category (B) for persons with experiences and qualifications or who were found useful to Britain, and category (C) for workers with no specific skills or job offer. Furthermore, an annual quota set by the government was given to each class. The annual quota was 20,800 for class (A) and (B), and 10,000 for class (C). Class (C) was variable, that could be changed according to the British economy's need and wants. (Layton 29).

Likewise, dependents also had the right of entry. In the 1962 Act, dependents were identified as immigrant wives and young people under the age of sixteen. Additionally, immigrants could be refused admission if they were convicted of a crime; those considered by the Home Secretary to present a national security danger, or judged by a medical inspector to be suffering from a mental disorder or to be a public health risk. Finally, all those problems to restriction could be deported if they were over seventeen years old and were convicted of an offense punishable through imprisonment. This power of deportation of colonial citizens extended for 5 years after entry (Paul. 116).

Yet, Indians living in Kenya had the right to enter the United Kingdom. Thus, they immediately moved to the UK to escape the 'Africanization' policy adopted by Kenya. As a

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result, the United Kingdom saw again another wave of immigration towards it. Thus, as a response, the UK created a new act to manage immigration (Hampshire 35).

The law passed by Labour Government in 1968 was a negative reaction to the arrival of an enormous number of Asians (Indians) from East Africa (Kenya); in response to the so-called Kenyan Asian crisis (Hampshire. 33). Kenya gained independence in 1963, and with the adoption of the 'Africanization' policy by the Kenyan government, most of Kenyan Asians chose to retain their CUKC status. They were barred from economic sectors, and despoiled from the civil service¹ in the country. Therefore, those with CUKC status began to move to Britain. Yet they were not submitted to immigration controls because of the 1962 Act.

2.2.The 1968 Commonwealth Immigrants Act (CIA 1968)

James Callaghan, former British Prime Minister, requested Home Secretary on February 15, 1968, Cabinet ratification to declare an immigration law to remove Kenyan CUKC's right to enter the United Kingdom. He argued that it was "both important and urgent that the control of immigration should be applied to residents of the United Kingdom and the colonies who did not belong to the United Kingdom in the case of acquiring or being naturalized or adopting as a direct family relation". This entails to bare the future right of entry that was previously enjoyed by the citizens of the United Kingdom and Colonies; to those born there or who had at least one parent born there (Girvan. 4).

The key provisions of the CIA 1968 were: first of all, the restriction from immigration controls for CUKCs with UK passports would then refer to persons born, adopted or granted citizenship in the United Kingdom, or at least to persons who had one parent or grandparent as such. Furthermore, immigration officers were allowed to place a requirement on any immigrant to report to a medical officer of health, in the interest of the public health and as a condition of entry. In addition, landing in the United Kingdom was considered an offense unless an immigration officer investigated it. However, the time after the arrival of the immigrant was extended from twenty-four hours to twenty-eight days within which any investigation could begin. Finally, an offense was made to allow a person to land if he or she was suspected or known to be harmful to the master of an aircraft or ship (Hampshire. 37).

¹The Indians living in Kenya were barred from any right they used to have as kenyans due to the afrinicazation policy. Thus, they stopped practicing their civil service as well.

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The period of exclusion did not end there, which no longer entitled them to enter the United Kingdom, except by special vouchers, but only three years after the 1968 Commonwealth Immigration Act, with the passage of the 1971 Immigration Bill through Parliament. Health Government fulfilled its election n to change immigration legislation (Hampshire.39).

2.3.The 1971 Immigration Act

The Conservative Party Manifesto for the 1970 election ensured that immigration law reformed to provide the Home Secretary with 'complete management over people's entry to Britain'. The Immigration Bill introduced the idea of 'patriality' into UK immigration law, and outlined those with the right of entry and residence (the right to abode) as 'patrials'. Partiality signified a close family affiliation to the United Kingdom (Girvan. 5). That is to say, the Act was to stop the permanent immigration of the workers from the Commonwealth. It elaborated the definition of 'patrial' immigrants first introduced in the CIA of 1968 as persons born in the UK and who had resided there for five years or longer.

There had been three principle ways that an individual could qualify for a partial status: first, if a person was a citizen born in the UK, second, if he or she had spent approximately five years living within the UK. Finally, he or she had a parent or grandparent born in UK (Hampshire. 40). Thus, it was possible for many to receive partial status based on family qualifications.

In addition to that, the 1971 Immigration Act made an interest that in future migrants would require a 'work license' for a selected job. Additionally, license would be granted only to skilled immigrants. This implied that the standards for license for the Commonwealth residents would be higher than for the non-Commonwealth residents, who could get permits for semi-skilled and unskilled labour; for example, in hotels and restaurants. However, Britain still had to develop and expand its economic system. Hence, it decided to join the European Union in 1973.

3. Britain's Membership in the European Union

The European Union (the EU) is a union that consists of twenty-eight (28) European partnering countries. This latter share economic and political interests. The EU made its first

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step after the Second World War to help to improve the countries' trade and economy on one hand, and to avoid future wars on the other hand (Archick. 1).

3.1.The Origin and the Evolution of the European Union

Jean Monnet, who is viewed as the founder of modern Europe, argued that economic integration would be necessary to reducing world war. Yet, in 1951, he became the head creator of the European Coal and Steel Community (Staab. 8). Additionally, the 1957 Treaty of Rome represented the accompanying and following step towards the European incorporation. Yet, the Treaty built up the common market and in this manner the European Economic Community (EEC) by France, Germany, Belgium, Luxembourg, Italy, and the Netherlands (Directorate for European Affairs DEA.24-25). The Treaty annulled the exchange of tariffs between members. It started first as the known 'Montanunion' between France and Germany. That Montanunion was supposed to bring together the Steel and mining businesses of both countries. The idea behind that both Germany and France had battled numerous frightful wars against each other, and they saw steel and mining as important for fuelling the military and armed forces (Staab. 8).

The year 1973 marked the main wave of enlargement in the European Union when Britain, Ireland, and Denmark joined, followed by Greece five years later in 1981. Portugal and Spain, especially with the signing of the Single European Act of 1986 which encouraged the development of the European single market. The Act also encouraged the unfastened trade of capital, money, goods, items, and those, as if the member states were one nation yet, the Europe's extension increased in the decades that the followed when Eastern Germany joined after its unification, and in 1995, Finland and Sweden joined the EU (Directorate for European Affairs DEA.four-21).

Additionally, the move toward a typically market showed a need for economic coordination. Therefore, the Maastricht Treaty established the European Union, which led to the flow and circulation of the Euro currency in January 2002. Of the twenty-eight EU Member State, nineteen are part of the Euro-zone, while others, such as Bulgaria, the Czech Republic, Hungary, Denmark, and the United Kingdom are not (Staab. 126). Yet, ten new member countries joined the European Union, practicing the largest extension in the EU history, followed by Romania and Bulgaria in 2007 and Croatia in 2013. The European Commission, the European Parliament, the Council of the European Union and the Court of

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Justice are the key foundations responsible for running the EU (Directorate for European Affairs DEA.24).

4. UK Joining the EU

In the 1961, United Kingdom requested to become an European Economic Community member for first time. Nevertheless, the French President General Charles De Gaulle blocked the negotiations for its membership. The second try was in 1971, when their economic situation had become bad. Subsequently, they were in want of getting the entry to the EEC. But, for the second time General Charles de Gaulle blocked United Kingdom's membership application with a Veto. Since Britain was asked many times a different ways to deal with: it was one of the victorious and dominant powers in the Second World War and a nuclear superpower and had its troops deployed everywhere in Europe. So for this reason, France was afraid from the possibility of Britain could be more powerful and could benefit more influence in Europe. It lasted until 1973 that United Kingdom could become an European Economic Community member (Ronek.125-131).

In spite of the reality that United Kingdom enjoyed free trade with the other countries, it continued managing controlling immigration movement. The 1981 enactment was the last act to do with United Kingdom and Colonies (Hampshire.180). Despite the fact that the 1986 Single European Act made to support the free exchange of people (Directorate for European Affairs DEA.21), the United Kingdom adopted new legislative decisions by replacing immigration acts with the asylum seekers acts, and the first act introduced was the 1993 Asylum and Immigration Appeals Act (Girvan. 5).

4.1. The 1993 Asylum and immigration Appeals Act

The 1993 Asylum and Immigration Appeals Act centered specially the immigration patterns after the end of the Cold War. The 1990's noticed a large increase in the number of the individual asylum applications made in the UK individual fleeing war, instability and natural disasters (Girvan. 5). Besides, people began attempting to require advantage of the asylum law, to enter the UK labour market. Accordingly, this period described by the hardening of differentiations between 'refugee', 'asylum seeker', and 'economic migrant', classes that entailed totally various rights to stay, to get entry to welfare and work (Fiddick. 15).

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Also, fingerprinting was presented for all asylum seekers coming into the United Kingdom and certificated asylum seekers were granted a right to a local housing, but, similar to the former Commonwealth Immigration Act, the 1993 Appeals Act was not efficient as planned and the United Kingdom kept on controlling the acts it introduced. Therefore, another act was published three years later in 1996 (Fiddick. 16).

4.2.The 1996 Asylum and Immigration Act

A greater punitive approach was introduced in the 1996 Asylum and Immigration Act, concentrated on 'bogus' asylum seekers, especially immigrants with fake documentations (Mayblin. 8). The act, too, raised powers of capture (arrest) and searches (investigations). It extended punishment for bogus asylum claims and specifically directed to accelerate the asylum decision-making process. Moreover, the Ministry of Foreign Affairs was given the power to 'white list' countries to portray as secure any country regarded without serious danger of persecution under any of the refugee categories, thus affirming the asylum claim from a citizen of a 'white listed' country (Fiddick. 18).

4.3.The 2004 Asylum and Immigration Act

The act deals with detention without warrant for those who were unable to provide asylum documentation during asylum interviews. Moreover, at this act an electronic observation 'tagging' was introduced for persons set under residence restriction. However, specific punishment was introduced for dealing or encouraging the departure of individual purpose of exploitation. And, based on the rules of the 'white list', legislation was passed permitting the departure of refugee from the United Kingdom to other countries in order to protect them and respect human rights (Girvan. 8).

The year of 2004 saw the joining of different countries in the European Union, mainly from Central and Eastern Europe like Slovenia, Hungary, and Poland (Staab. 34). Moreover, as the EU encouraged the free movement of people among its member countries, the Polish people viewed the United Kingdom as a place where they could fulfill their dreams; Poland was a poor country and Polish people were searching for better jobs opportunities to work and life conditions (Burell. 4). So, many Polish people migrated to the United Kingdom. As a result, the increase of xenophobia among British population became a problem that Britain needed to solve (Duvell. 237).

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Conclusion

European Union supported the free movement of individuals which facilitated the immigration of the Polish people to the United Kingdom in huge number. Hence, xenophobia sentiments felt very strongly against them among the UK citizens. That hatred of foreigners grew and created a problem which made Britain again in charge of restriction and controlling the immigration movement toward its lands. The Former Prime Minister David Cameron managed the next step towards immigration. He adopted new immigration policy that aimed to reduce immigration “from the lower hundreds of thousands to tens of thousands”. Then, Theresa May; the Prime Minister of Britain, has held the Brexit issue and began negotiating on how immigration would be after Britain leaves the European Union. The next chapter will shed light on the next steps taken by both the previous Prime Ministers David Cameron and Theresa May.

Chapter two.

**Immigration Policy Under David Cameron
and Theresa May**

Introduction

The second chapter tackles the rise of xenophobia among the British people once the enlargement of other Central and Eastern European countries in the European Union in 2004. The chapter also examines British immigration policy under David Cameron, the former Prime Minister. Moreover, this chapter deals with David Cameron's call for the Brexit referendum 2016 and his resignation after the vote. The chapter also tackles the post-Brexit immigration policy under Prime Minister Theresa May. The former Prime Minister has suggested the 'White Paper' to clarify the future of the EU immigrants who both reside and work in the UK and UK national living in the EU.

1. The Rise of Xenophobia in Britain (2004-2016)

The first of May 2004 marked the greatest enlargement and expansion in the history of European incorporation: the number of its members increased from fifteen countries to twenty-five countries. Simultaneously, most member states selected a progress period that would limit the free movement of new EU citizens from the eight joined countries (new EU countries minus (Cyprus and Malta). But, Ireland, Sweden, and the United Kingdom decided not to force any limitation on the entrance to their labour markets (Schain. 145).

1.1. The Polish Movement in the UK

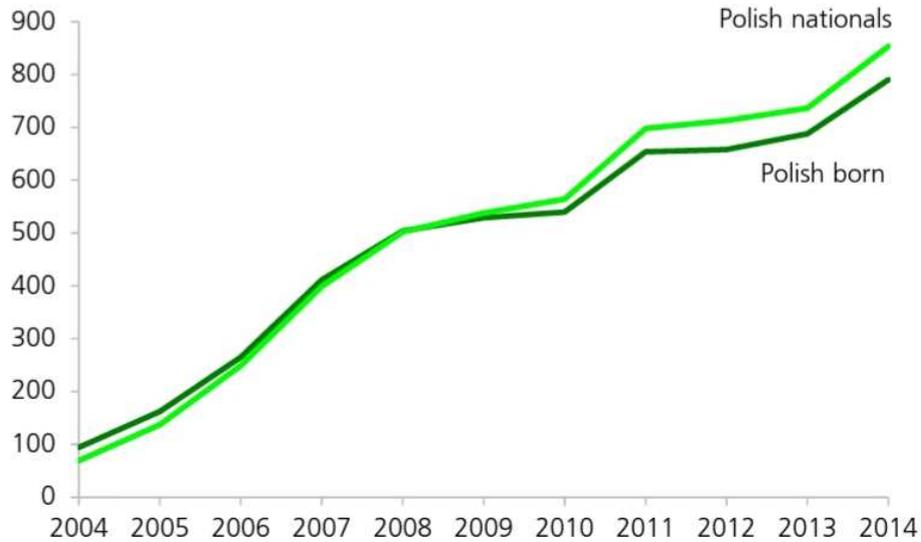
The United Kingdom (UK) was a magnet of young Polish people, especially women; either those who were ready to get employment in sectors such as finance and business, obtaining work permits or those who were able to risk irregular jobs (Burell. 168). Thus, Polish immigrants mirrored the image of both lawful and unlawful employee representatives in Britain.

In addition, Polish people moved to UK as unregistered (undocumented) and registered (documented) immigrants. Moreover, Franck Duvell in his book *Illegal Immigration in Europe* tackles a case study about Polish undocumented immigrants who broke immigration laws to travel to the UK, specially, London. He highlighted two factors which help to place the live of irregular immigrants; those without proper immigration status, either to live or work. The first factor was that they needed to stay invisible to the immigration authorities, to other law enforcement officers, and to citizens and legal residents who would possibly

perceive them as harmful in some way to their interests. While the second factor was that they had to survive without the help of those institutions built to protect the life of lawful members of that society, including welfare services and systems, regulatory bodies and agencies for persons and property. But documented immigrants were business visa and work permits holders from Poland who managed the trade in services or applications for work permits.

Over the three-years period (2004-2006), the number of those arriving in the United Kingdom increased to 31.4 percent (Home Office. 2004-2006), making it the first country receive flows from Poland, who applied to contributed to the Work Registration Scheme (WRS). Within the next few years, UK population was set to increase to seventy millions (Home Office. 2009). But, immigration had contributed to social issues that impacted the living standards of the UK citizens (Burrell. 233). On the one hand, United Kingdom was overcrowded and faced an acute housing shortage that pushed up house prices, causing unwillingness to build on green lands. On the other hand, overcrowding and urbanized pollution increased as a result of the growing population; it was hard to build more roads in many cities because of the limited space.

The Office for National Statistics (ONS) presents annual statistics of the Polish population in the UK by birth and nationality from 2004 to 2014 as it is shown in the following figure.

Figure 01: Polish Migrants Living in the UK (2004-2014).

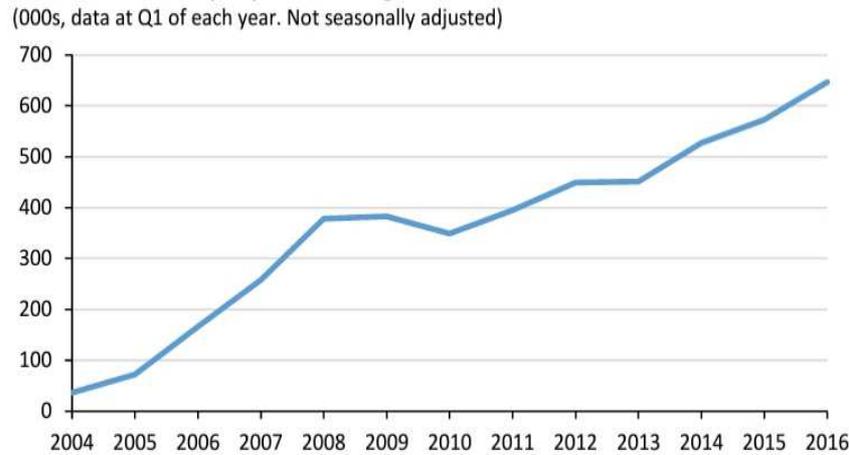
Source: ONS, Population by country of Birth and nationality (2014).

As the graph shows, the number of Polish nationals living in the UK rose around 69,000 in 2004 (when Poland joined the European Union) to around 853,000 in 2014. The number of Polish children born to Polish nationals, who live in the UK take their parents' nationality, also grew more rapidly. Therefore, the rise in the number of Polish who were both live and born in the UK represents immigration.

1.2. Xenophobia in Britain in 2004

One of the big drives to the rise of xenophobia in Britain was that the immigrants were highly skilled, qualified, and educated and the number of Polish in the UK substantially increased (Hawkins and Moses. 9). This entails that the UK was permitting only professional employee to work who were either already working or significantly needed to be working. Nevertheless, the more work opportunities were taken from the skilled immigrants instead of being to the local UK citizens and not letting them the chance to be employed. Therefore, the impact was that high rate of joblessness of the UK citizens was increased. In this way, demography played a major role in deciding the outcome of hatred and racism from the UK citizens towards the foreigners.

The following figure shows the number of Polish citizens working in the United Kingdom.

Figure 02: The Number of Polish People Working in the UK.

Source: Labour Force Survey 2004-2016.

The figure indicates that the number of Polish workers in the UK has increased significantly since Poland's accession to the EU in 2004. In 2016, 646,000 people born in Poland were employed in the UK.

In addition, another issue felt in the UK was the increasing of Euroscepticism in the EU. Since, the United Kingdom joined the EU in 1973, it had a significant fraction of Eurosceptic (Glencross. 2). British politics had continually a critical and skeptical faction of deeper integration with the rest of Europe (Geddes. 148). Thus, this faction had developed by years and became stronger.

The Conservative Party Leader, David Cameron, was elected as Prime Minister of Britain in 2010. He promised to make a new immigration strategy in order to regulate and control the movement of immigrants (Channel4. 2015).

2. David Cameron's Immigration Policy

David Cameron¹, the former Prime Minister, had been in Parliament since 2001. In 2005, he had his position as a Conservative leader, and a Prime Minister in 2010. David Cameron announced that he aimed to minimize and reduce net migration "from the hundreds of thousands" lower back down to "tens of thousands" by the end of date (2010-2015), as he claimed: "I believe that...net migration to this country will be in order of tens of thousands

² David William Donald Cameron born 9 October 1966) is a British politician who was the Prime Minister of the United Kingdom from 2010 to 2016. He served as the Leader of the Conservative Party from 2005 to 2016

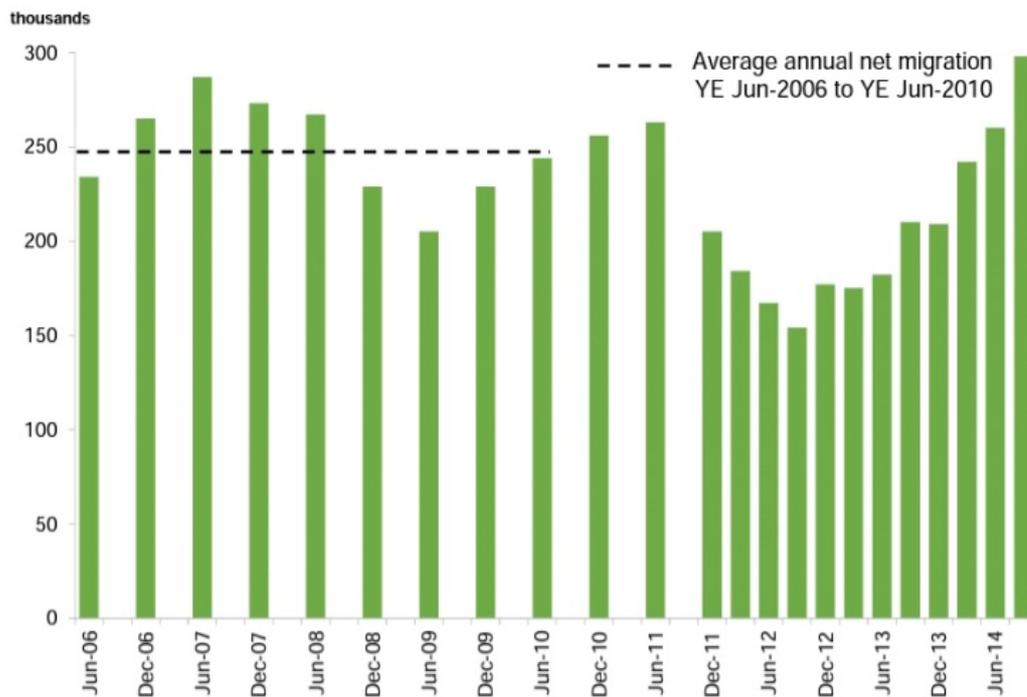
each year, not the thousands of thousands every year that we have seen over the last decade” (Channel 4. 2005).

The National Office of Statistics (ONS) posted in April 2014 a revised set of net migration results for United Kingdom for the duration 2001 to 2011. Complete net migration during this period was evaluated to have been 346.000 higher than was to be before thought; the original estimate of 2.18 million having been overhauled to 2.53 million (ONS.2014).

During 2010–2012, the Home Office updated the terms and conditions applied to the European immigration categories to make then a range of changes including: reducing the number of visas offered to qualified workers with a job offer, and introducing more strict requirements to decide who should stay permanently in the UK. Additionally, whereas the government also included closing the visa which enabled highly skilled workers to come to the UK without a job offer, it created some more specific visa provisions for highly skilled/valued immigrants (such as businessmen, entrepreneurs, and those with exceptional talent). Moreover, it also discussed the reform of student visa conditions by reintroducing visa interviews and limiting the rights of foreign students to work and bring family members to the UK, and subjecting education providers to more demanding requirements. In addition, the Prime Minister David Cameron also wanted to stop and reform the post-study work visa by introducing new family visa eligibility criteria, such as the £18,600 ‘minimum wage’ requirement for companion visas, in order to protect public funds (Gower. 1). Finally, it deals with limiting the entitlements of new immigrants to certain welfare benefits, in an attempt to fix some of the perceive ‘pull factors’ for European immigration as it also enacted the Immigration Act 2014 to make it less difficult to eliminate the people who denied permission to remain in the UK (by decreasing the potential for appeal and simplifying the method of elimination) and creating a more ‘hostile environment’ for people living in the UK without a valid immigration status.

The following figure is an illustration of the annual net migration in Britain from 2006 to 2010.

Figure 03: Net migration, 2006_2015 in Britain



Source: ONS, Migration Statistics Quarterly Report, February 2015.

The figure shows the average of the annual net migration during the preceding years before 2010 had been around 247,000, reaching a peak of 287,000 in June 2007, and a low of 205,000 in June 2009. Subsequently, the government needed to limit the net migration by around 150,000 from its previous level to achieve net migration of less 100,000 by May 2015. Thus, net migration tumbled down over the following two years, arriving at 154,000 in September 2012. Then net migration rose again, achieving 298,000 in September 2014, and increased to 320,000 in June 2015.

As those changes were introduced (BBC. 2015) and to reconsider migration and control and restrict the movement of immigrants the Prime Minister David Cameron (2010-2015) guaranteed if he won the 2015 elections, he would call for a referendum concerning Britain's membership in the European Union.

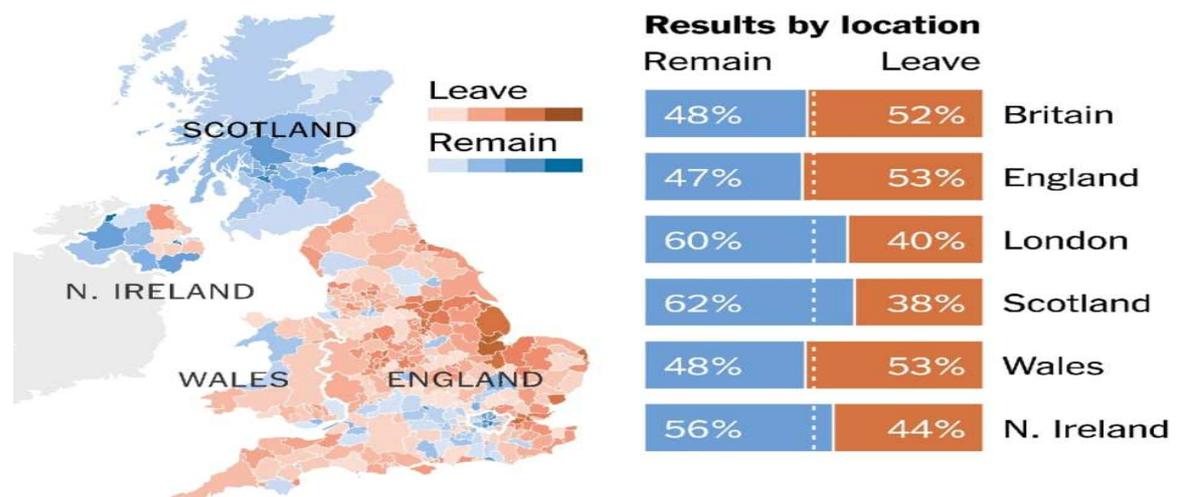
2.1. The 2016 Referendum, Calling for Brexit

David Cameron first rejected the calls for a referendum on the UK continued being member in the European Union. In 2012, indeed, he announced less than a year later that his Conservative Government would hold one if re-elected in 2015 a second term. In this way, Cameron drove his Conservative Party to win the elections in 2015. However, there was a division with the declaration of the Party's decision. His Party was divided concerning whether the UK was or not should be a member of the EU. Thus, to help restore the split, the Conservative set out an action to let people having their state on Britain's membership with the EU (Glencross. 9-11). The former Prime Minister, David Cameron, called for the referendum in June 2016, in a speech to the Parliament's House of Commons in February 2016 (Conservative home. 2016).

The referendum held in 2016 by the Conservative Government was not the first vote to call the UK citizens for the relation with the European Union. The Labor Government held the first vote in June 1975 and saw the acceptance of country continuing membership within the Common Market, or the European Economic Community (EEC), as it was known. While the second referendum was a vote that held on Thursday 23rd June 2016, in which voters needed to choose the correct choice about whether the UK leave or remain inside the European Union.

The following figure is an illustration of the referendum results in the United Kingdom.

Figure 04: Referendum Results in the UK.



Source: <https://www.nytimes.com> accessed on March, 10th, 2020.

Britain, England, and Wales voted to leave the EU, while London, Scotland, and Northern Ireland voted to remain in the European Union. But, the leave won 51.9% to 48.1%. The turnout for referendum was 71.8%, with vote by more than 30 million people (the Guardian. 2014).

In fact, at a time when David Cameron was under pressure from leaders of the Eurosceptic Party and when the Conservative s appeared to lose votes against the UK Independence Party (UKIP), he made the promise and guarantee that he would resign if the leave vote won.

2.2. David Cameron Resignation

The Prime Minister David Cameron lost his job on the ‘remain’ campaign and vowed to stop and quit his position if people voted to cut their relation within the EU. Thus, he resigned Friday morning after the leave campaign won the vote. Theresa May was the following successor of Cameron as a Prime Minister. She immediately took the responsibility of the referendum results and promised to get Britain out the 28 country bloc as she said: “Brexit means Brexit” (McGowan. 4).

Theresa May started negotiating on British power and further connection between the united Kingdom and the European Union, and immigration is no exception.

3. Theresa May Immigration Policy

After that David Cameron resigned as Prime Minister Theresa May became the new one, like David Cameron, and like David Cameron, Theresa May was against Britain leaving the EU as a conservative member. However, after the 2016 referendum, Britain faced the rise of xenophobic sentiments among British people towards Polish people. In addition to that, after the UK voted to leave the European Union, Polish people claimed that they were treated badly and it was time to go back home.

3.1. The Rise of the Violent Xenophobia in 2016

Xenophobia has been seen both in the period before referendum and in the period after referendum was held (Medium. 2018). Indeed, Brexit referendum has made a “hostile immigration environment” that led to racial and high levels of nervousness among immigrants (The Guardian. 2018). This entails that the post-Brexit vote hostility showed the spread of

racist and xenophobic violence, as the United Nations (UN) special reporter and the Professor Tendayi Achiume stated: “explicit racial, ethnic and religious intolerance”.

Besides, xenophobia in the United Kingdom is not about a fear of foreigners itself; UK citizens do not hate foreigners because they are immigrants, but the explanation is that the EU citizens came to the UK as equivalent to the British people, to live and work in the UK. In other words, those foreigners, on one hand, might have access to the National Health Services (NHS), bank account checks and other fields (BBC. 2016). So, they are seen as having different rights that are deemed only to the British. On the other hand, foreigners have social and cultural effect on the UK also, for example, the Polish language becomes the second most widely spoken language in Britain after the English Language.

Nevertheless, after the Brexit vote Polish migrants faced different forms of racial violence. Moreover, Polish American congress (1944-2016) stated that in a survey of 600 Polish business owners in the UK, 45 per cent said they are trying to move back to Poland or to another country due to Brexit, while 30 per cent said Brexit has already directly affected their relations with the surrounding society. Additionally, in a series of conversations with the Guardian, Poles have described their shock, dismay, and in some cases, their anger at what they perceive as a rejection of their presence in Britain, and their struggle to come with the uncertainty about their rights and future status. “We were full of admiration for this country, and we were enjoying a fantastic life, but everything has changed in 2016,” claims EwaLewecka, a teacher who moved to the UK with her two children in 2005, “Now I feel disappointed, unhappy, unwanted, the country is not the same, the people are completely different.” She expressed her anxiety to the Guardian reporter (The Guardian.2019). Moreover, a 40 years old Polish worker died after being punched to the ground for speaking Polish in the street, and a 21-year-old student was slain with a broken bottle in his neck because he spoke Polish with his friend as well (*Independent*, September 20, 2016).

It has been said:” Control over borders is just a euphemism for controlling immigration, and controlling immigration is just a euphemism for controlling xenophobia and racism” (Medium.2018). That is, it is not just a matter to control borders and limit immigration, but it is also to reduce forms of racism, discrimination and xenophobia the immigration has resulted. Accordingly, Prime Minister Theresa May has made its negotiations with the British government concerning controlling immigration and has suggested the ‘White Paper’.

4. The White Paper of the EU and the UK Relationship after the Brexit

The free movement of people can stay unchanged and unaffected if the UK does as Norway did; being not a member of the EU but has access to the EU single market as part of the European Economic Area (EEA) (Vargas-Silva. 251). However, the post-referendum discussion has made a clear point that the EU citizens currently living in the UK and UK citizens living in other EU countries will no longer have an automatic right to permanent settlement and that their final legal status will be based on the outcome of negotiations between the United Kingdom and the rest of the EU (Vargas-Silva. 255). The British government under the Prime Minister Theresa May has proposed a document (the White Paper). After its announcement Mrs. May states:

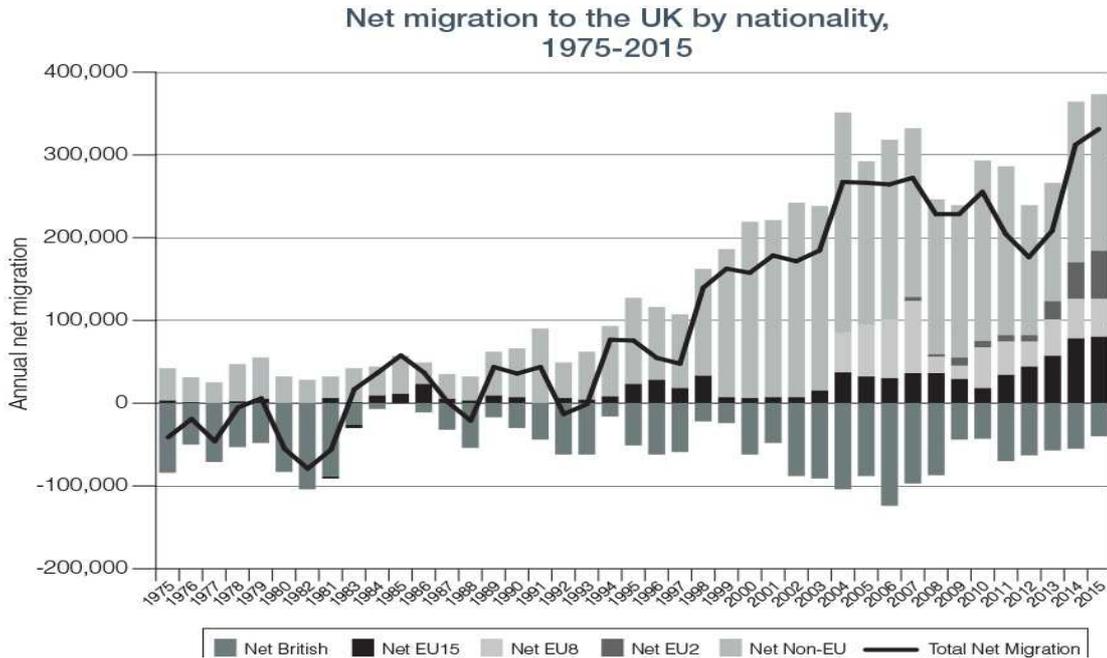
So right now, you do not have to do anything at all {...} You can look forward, safe in the knowledge that there is now a detailed agreement on the table in which the UK and the EU have set out how we intend to preserve your rights, as well as, the rights of UK nationals living in EU countries.(BBC.2018)

The White Paper sets out new laws about various viewpoints concerning the future relationship with the EU (BBC. 2018). Immigration issue is no exception, mainly about controlling migration, protecting rights for EU citizens in the UK and UK citizens in the EU as well as defending and protecting worker's rights.

4.1. Controlling Immigration

In the 'white paper' agreement, the Prime Minister has promised to remain an open and tolerant country, and to perceive the important contribution immigration makes to its society as well as to accept those high-skilled immigrants who seek to make the nation better. However, Mrs. May has promised also to control the number of people coming to the UK from EU. In addition, May has ensured that she will plan an immigration framework to control the number of people who come to the UK from the EU in the future (BBC. 2018). Therefore, the free movement of people will never be applied again and the migration of EU nationals will be subject to the UK law.

The following figure shows net migration to UK since its entry to the EU till 2015, and the number of net migration increase in the last decade, especially after 2004 accession.

Figure 05: Net Immigration to the UK (1975-2015)

Source: ONS, Explore 50 years of international migration to and from the UK', ONS, December 2016

Prime Minister, Theresa May, has also tried to adopt a strategy to control immigration. She has affirmed that migration brings benefits to the UK, yet this does not mean it must not be controlled. Thus, Mrs. May has on one hand, made an immigration framework that would allow her to control migration and to encourage the brightest and the best to come to the country, on the other hand. Yet, genuine students and those with skills and expertise will be always welcomed recognizing their important contribution to the UK's world class universities, while low-skilled students will be subject to control (BBC. 2018). The Prime Minister has also outlined the rules to secure the rights of both the UK and EU Nationals.

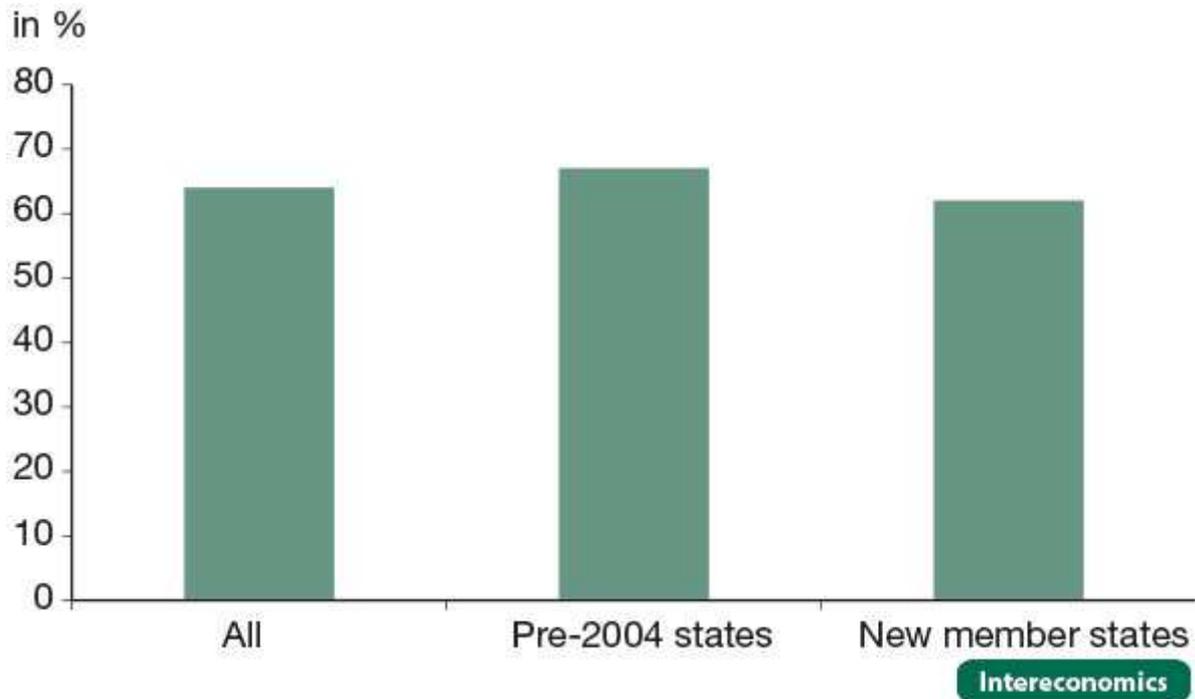
4.2. Securing Rights for EU Nationals in the UK, and UK Nationals in the EU

Theresa May, the former Prime Minister, had mentioned that moving forward the rights and status of EU nationals in the UK would rely upon the rights and status of UK nationals living in other EU countries; there will be a typical arrangement of rules applied to all EU/UK nationals (Vargas-Silva.251-255).

Around 3.6 million EU nationals currently live in the UK, including around 600,000 are children (BBC. 2018). They can applied for 'settled status', if they have already lived in the UK for five years. Therefore, they can stay in the UK indefinitely. The former Prime Minister, Theresa May appreciated their existence and contribution saying: "I greatly value the depth of the contributions you make ; enriching every part of our economy, our society, our culture and our national life { ... } I know our country would be poorer if you left and I want you to stay" (The Sun.2018).

However, Theresa May had argued that any EU citizens who come in the period between March 2019 and 2021 would be able to reside and bring their family. They will have 'temporary status' which will permit them to stay after the end of transition in December 2020. Moreover, whenever they complete their five years residency, they will be able to apply for the 'settled status' as the Government said : "This means that they will be able to remain lawfully in the UK working, studying or being self-sufficient for the five years needed to obtain settlement." (BBC.2018). The process to apply for 'settled status' will cost no more than a passport, which is £72.50 for a standard adult version, as the former Prime Minister, Theresa May had confirmed (The Sun.2018). This entails that those given "settled status" will have the same rights as British citizens, and children born in the United Kingdom from parents from the EU will automatically become British citizens. Yet, the Irish citizens will not be affected by Brexit and will enjoy their rights and always be able to live and work freely in Britain.

The following figure shows that close to 64% of EU nationals can apply for British nationality after holding the permanent residence card for one year, and as they already lived in the UK for five years and more.

Figure 06: EU nationalshaving spent five years or more in the UK.

Source: 2015 UK Labour Force Survey.

In addition, businesses and communities of EU nationals have a significant role in building the UK's economy. Therefore, Theresa May has proposed to build a comprehensive image of the needs and desires of all parts of the UK and trying to create a system that works for all by providing 'protecting workers' rights' section in her 'white paper' agreement.

4.3. Protecting Workers Rights

In spite of the fact that, in 2017 the UK took very nearly 15,000 exiles, 40 percent of them kids, through resettlement services and granting asylum or different types of security, Caroline Nokes, the immigration Minister, stated that: the Government was committed to bring down EU net migration to the tens of thousands; an immigration system that could be attractive to people who come to work and being beneficial to the UK but does not offer an open door to those who are not thus beneficial."Mrs. Caroline added that she was trying to lower the EU's net migration and put in place an immigration policy that works for the whole of the UK once it leaves the EU, as well as promising to clarify the future of EU citizens who already live in the UK (the Independent.2018).

Concerning workers who just worked in the UK, the 2018 Great Repeal Bill attempted to preserve the standards that benefits workers. Over the past few years, the government saw a number of independent measures to protect the UK workers and ensured that they were

treated fairly, and in many cases the UK government has expended the rights of workers behind those set out the EU law. For example, UK domestic regulation already affords for five (5) to six (6) weeks of statutory annual leave (HM Government.2016), compared to the four (4) weeks set out in EU law (European Commission.2003). In the UK, women who had a child could enjoy fifty two (52) weeks of statutory maternity leave and thirty nine (39) weeks of pay (HM Government.2017) not just the fourteen (14) weeks under EU law (European Commission. 2016).The government also tried to provide flexibility around shared parental leave, where subject to certain conditions, parental leave could be shared by the father of a child, giving families the choice as to balance their domestic and work responsibilities. In addition, the UK gave eighteen (18) weeks' parental leave, and that provision goes beyond the EU directive due to the fact it is available until the child's 18th birthday (HM Government, October 2016).

In March 2019, British parliament voted for May to ask the EU to delay Brexit until April, and then later October having failed to get her agreement approved. Theresa May resigned as prime minister in July, and was replaced by Boris Johnson.

Conclusion

Free movement of workers was one of the significant focuses of the European Union. Nonetheless, the United Kingdom no longer gave such help towards that development; the UK became no more powerful to put a limit on immigration from Easter Europe. Racism and xenophobia rose among British's people that credited with inspiring Brexit. Both David Cameron and Theresa May as Prime Minister of Britain has held the issue of Brexit and began to negotiate on how immigration would be after Britain leaves the European Union. The next chapter will shed light on the next Prime Minister who named Johnson Boris and his attempts to make the Brexit day alive.

Chapter Three:

Brexit Day with Johnson Boris

Introduction

The third chapter deals with the Prime Minister Mr. Johnson's Brexit deal after being elected in the 2019 Britain general elections. This chapter tackles first dominated slogan "Get Brexit Done" of the conservative party. It then analyses Mr. Boris Johnson revised deal that helps both sides the EU and the UK to be officially separated in the beginning of 2020. This latter move the two sides to try to negotiate more about their future relationship in the called transition period that end on 30 December 2020.

1. Johnson Boris Get Brexit Done

Get Brexit Done was a political slogan frequently used by the British Conservative Party in the run up to the 2019 general elections after Theresa May resignation (BBCNews.2019).

After the 2016 EU membership referendum created a vote in favor of leaving the European Union, a period of debate within the UK and negotiations with the EU about the future began (Institute for Government.2020). In 2019, the UK fell into more political uncertainty and instability when both Theresa May and her successor Boris Johnson struggled to find a consensus in the House of Commons for a withdrawal agreement on their terms or a withdrawal with no agreement at all (BBCNews.2019).

By the time of the election campaign in late 2019, this implies that Brexit had dominated British politics for more three years, remaining a divisive issue and causing a great deal of anger among the general public (The Conversation.2019). Moreover, the inspiration for slogan came from a focus group organized by the Conservatives in a hotel in Northern England shortly before the election was called during debates about the Brexit process members, who talked of wishing to "get it done" (The National.2019).

The slogan was generally used on the Conservative Party's campaigning material and by its canvassers (Time.2019). It was also widely used by senior Conservative politicians. Additionally, the Conservatives lunched their manifesto in November 2019 under the slogan "Get Brexit Done, Unleash Britain's Potential" (The Conversation.2019).

2. Johnson Boris Plan

Firstly, the European Union's (EU) demand that there should be no border checks and controls of any sort on the Island of England for customs or regulations. This ensures there will- under this plan- be checks within the United Kingdom between Great Britain and Northern Ireland (Business Insider.2019).

In other words, it is something the Democratic Unionist Party (DUP) keeps on contradicting and opposing, and something Mr. Johnson himself had said already would be unsatisfactory and unacceptable (BBCNews.2019). So that, partly because he needed to get this deal over the line with a dramatic gesture. Therefore, a revised version of the agreement was formed, arranged and organized. Yet, the British prime minister on Wednesday proposed creating two new borders around Northern Ireland in a bid to break the Brexit deadlock with Brussels (The Conversation.2019).

Mr. Johnson wrote to European Commission President Jean-Claude Juncker, insisting the entire U.K. should leave the EU customs union on the current Brexit deadline of October 31. That would mean a customs border between Northern Ireland and Ireland, which Johnson said could be managed through electronic checks away from the border and physical checks at the premises of traders, as well as at other sites that could be located anywhere in Northern Ireland or Ireland (Business Insider.2019).

However, he said Northern Ireland should remain aligned to EU single market rules on agricultural products, as well as all other goods. That would mean a regulatory border between Northern Ireland and the rest of the U.K. and checks for goods crossing the Irish Sea (The Washington Post.2019).

Moreover, the plan would be underpinned by the approval of the Northern Irish Assembly, which would get to vote on whether to keep the two-border arrangement or align more closely with U.K. rules — hardening the border with Ireland — every four years. The Stormont Assembly has been suspended for roughly two years, however, due to a political impasse in forming a government (Politico.2019).

Johnson's proposals mark the culmination of weeks of talks with the EU, during which the U.K. has deliberately kept its position on the backstop alternative under wraps. Time is

running out to strike a deal by the European Council summit on October 17 and 18 (Vox.2019).

Following the publication of the plan, Johnson spoke to Juncker by phone. In a statement, the Commission president acknowledged “positive advances,” notably regarding the plan for Northern Ireland to abide by EU regulations. But he noted “some problematic points” and “concern” over the customs plan, and stressed that any solution must meet the EU’s objectives of preventing a hard border in Ireland, preserving cooperation between Northern Ireland and the Republic, and protecting the EU’s single market. Besides that, more points were also revised in that plan (BBCNews.2020).

2.1. The revised Brexit deal agreed by the UK and EU

Many of the changes- to Theresa May’s agreement with the EU in November 2018- refer to the future of the post- Brexit Irish border. This issue has dominated talks for months. Moreover, all sides want to avoid the return of a “hard border” between Northern Ireland and the Republic of Ireland after Brexit with checks and facilities that could be focused by paramilitary groups (BBCNews.2019).

In addition, there will be no hard border on the island of Ireland, as Northern Ireland would stay adjusted to EU single market controls on good and would operate a dual tariff system, applying the EU’s common external tariff on any goods entering Northern Ireland but destined for EU. This entails additional border checks and trade barriers between Great Britain and Northern Ireland, which is why the Democratic Unionist Party opposes the deal (Vox.2019).

Further, it has been very challenging to come up with solutions to this -acceptable to all sides. The latest protocol replaces the controversial Irish backstop plan in Theresa May’s deal. Much of the remainder of that deal will remain (Politico.2019).

2.2. Key Parts of the Revised Deal

Customs are major point revised in the deal. The whole of the UK will leave the EU customs union. The customs union is an agreement between EU countries not to impose taxes called tariffs on things coming from other EU countries, and to apply the same tariffs on things coming from outside the EU (BBCNews.2020).

Moreover, leaving the customs union means the UK will be able to conclude trade deals with other countries in the future.

Furthermore, legally there will be a customs border between Northern Ireland (which remain in the United Kingdom) and the Republic of Ireland (which stays in the EU), but in practice items will not be checked on that border (BBCNews.2020).

One more important point that is revised in the deal is the regulations on goods. When it comes to goods regulation (that is the rules they have to follow on things like labeling and manufacturing process), Northern Ireland would keep to EU rules rather than UK rules. That removes the need for checks on goods at the border between Ireland and Northern Ireland, including food and agriculture products, because both will form part of “all –Island regulatory zone”(BBCNews.2020).

Moreover, enforcing the rules is also another revised point which will be done by UK officials at "points of entry" into Northern Ireland, but the EU will have the right to have its own officials present. Additionally, it seems those EU officials may be able to overrule UK officials. The agreement states that EU representatives will be able to ask the UK authorities to take certain steps in individual cases and they will have to do so (BBCNews.2020).

Moreover, since Northern Ireland will be separated from the rest of the UK with regards to customs and the other EU rules, the deal gives its Assembly a vote on these new arrangements. However, this vote would not occur until four years after the end of the transition period (the time after the Brexit when everything remains the same so that everyone can prepare for the changes while the UK’s future relationship with the EU). The transition period is due to run until at least the end of 2020. So, the four-year period would run until the end of 2024 (BBCNews.2020).

Yet, vat is not neglected to be revised in the deal. So that, the new agreement states that EU law on value added tax (VAT a tax added when you make purchases) will apply in Northern Ireland, but only on goods, not services. However, it additionally allows Northern Ireland to have different VAT rates to the rest of the UK, which would normally not be permitted under EU legislation (BBCNews.2020).

3. Brexit Day

Under the terms of its withdrawal agreement with the bloc, Britain legally left the European Union on January.31, but it is now in transition period that retain most of the old relationship, and has to negotiate a new deal by December.31(The Washington Post.2020).

Additionally, despite the focus on January.31, the date is a staging and an organizing post making progress toward a full Brexit. Moreover, the UK and EU will continue and proceed with their current trading arrangement until December 31, 2020, while they attempt to arrange and negotiate a future deal to put in its place. Mr. Johnson on Friday spoke of “redoubling our trading relationship” (Nytimes.2020).

Conclusion

The United Kingdom left the European Union on January 31th, 2020. The UK and the EU are now in so-called transition phase, long-term relationship negotiations between the two is pending. However, only few months later, Corona virus (the Covid-19) pandemic made an impact on the UK and the EU future relationship negotiation that obliged them to take an outbreak.

General Conclusion

General conclusion

The United Kingdom left the European Union on **January 31, 2020**, bringing to an end of 47 years of British membership of the EU and the institutions that preceded it. Attention has since turned to negotiating the future EU-UK relationship beyond a steady transition period that ends on **December 31, 2020**, announcing unaccepted and major changes unless the agreement is reached (Euronews.2020).

Yet, meeting this tight deadline was a challenge; the outbreak of the coronavirus pandemic and the lockdown which have impacted both sides. However, the British government has rejected calls to extend the transition, and the EU has accepted this position(Euronews.2020).

As a result, in the months since, progress has been almost non-existent; no sooner had talks begun than the coronavirus pandemic effectively stopped the process. Nevertheless, in recent months, energies on both sides have seen distracted by the pandemic, but the time is quickly approaching for decisions to be taken on post-Brexit ties. Thus, the negotiations cover a new trade deal and the terms of the future relationship; they cover a wide range of areas including good and services, fishing and farming, security cooperation, data policy, education and science(Euronews.2020).

Despite the fact that some voices had called on the UK to seek an extension : they include the head of the International Monetary Fund (IMF) Kristalina Georgieva, the European Parliament's largest group the European People's Party, and the anti-Brexit campaign group Best for Britain on one hand. And on the other hand, while the coronavirus pandemic and the divorce deal allows for a two-year extension of the transition period to give more time for negotiation, Britain however consistently ruled out any extension that had been legislated to that effect, and both sides have agreed that there will be no continuance and prolongation, although the full effect of the global health and economic crisis in the coming months is not clear(Euronews.2020).

Finally, the no prolongation decision taken by the both sides means on the other side that the European Union and the UK will have to strike a deal in just six months to avoid Britain crashing out of the EU without one. This latter does not refer to the fear, from both sides, that the UK could "crash out" of the EU without an agreement about either the

General Conclusion

conditions of the divorce or the future relationship; if this had happened, legal agreements covering many aspects of everyday life may have suddenly ceased to apply. However, the new "no deal" is being talked about refers to a potential failure to reach agreement on future relations by the end of the 6-month transition period (Euronews.2020).

To conclude, the existing rules agreed by both sides still in effect during this period, cover matters including **freedom of movement** (the right of EU citizens to move to other EU countries to live and work), cross-border travel and personal rights. The UK intends to introduce a new **immigration policy** taking effect in January 2021. EU nationals will no longer have preferential treatment, under government plans which include a points-based system to attract skilled workers (Euronews.2020).

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