

JUDGMENT OF THE COURT**of 26 July 2016****in Case E-28/15****Yankuba Jabbi v The Norwegian Government, represented by the Immigration Appeals Board***(Directive 2004/38/EC — Right of residence — Derived rights for third country nationals)**(2017/C 90/09)*

In Case E-28/15, Yankuba Jabbi v The Norwegian Government, represented by the Immigration Appeals Board – REQUEST to the Court under Article 34 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice by Oslo District Court (*Oslo tingrett*) concerning the interpretation of Article 7(1)(b) in conjunction with Article 7(2) of Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, the Court, composed of Carl Baudenbacher, President, Per Christiansen and Páll Hreinsson (Judge-Rapporteur), Judges, gave judgment on 26 July 2016, the operative part of which is as follows:

Where an EEA national, pursuant to Article 7(1)(b) and Article 7(2) of Directive 2004/38/EC, has created or strengthened a family life with a third country national during genuine residence in an EEA State other than that of which he is a national, the provisions of that directive will apply by analogy where that EEA national returns with the family member to his home State.
