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(Announcements)

COURT PROCEEDINGS

EFTA COURT

EFTA COURT JUDGMENT OF THE COURT

of 13 November 2019

in Case E-2/19

D and E

(Free movement of persons – Sectoral adaptations for Liechtenstein – Right of residence – Derived right of residence for family members – Directive 2004/38/EC)

(2020/C 40/04)

In Case E-2/19, D and E – 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 the Administrative Court of the Principality of Liechtenstein (*Verwaltungsgerichtshof des Fürstentums Liechtenstein*) concerning the interpretation of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, as adapted to the Agreement on the European Economic Area, the Court, composed of Páll Hreinsson, President (Judge-Rapporteur), Bernd Hammermann and Ola Mestad (ad hoc), Judges, gave judgment on 13 November 2019, the operative part of which is as follows:

The sectoral adaptations to Annexes V and VIII to the EEA Agreement, in particular Point III thereof, do not deprive the family member of an EEA national, who has a valid residence permit and is residing in Liechtenstein, of the right to accompany or join the EEA national in Liechtenstein on the basis of Article 7(1)(d) of Directive 2004/38/EC, even though the residence permit that the EEA national in Liechtenstein holds was not granted on the basis of the system provided for in the sectoral adaptations.
