

SUMMARY

ECJ 15 May 2019, case C-677/17 (Çoban), free movement, work and residence permit

M. Çoban – v – Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen, Dutch case

Question

Must the first subparagraph of Article 6(1) of Decision No 3/80, in conjunction with Article 59 of the Additional Protocol, be interpreted as precluding a national provision, such as that at issue in the main proceedings, which withdraws a supplementary benefit from a Turkish national who returns to his country of origin and who holds, at the date of his departure from the host Member State, long-term resident status, within the meaning of Directive 2003/109?

Ruling

The first subparagraph of Article 6(1) of Decision No 3/80 of the Association Council of 19 September 1980 on the application of the social security schemes of the Member States of the European Communities to Turkish workers and members of their families, in conjunction with Article 59 of the Additional Protocol, signed on 23 November 1970 in Brussels and concluded, approved and confirmed on behalf of the Community by Council Regulation (EEC) No 2760/72 of 19 December 1972, must be interpreted as not precluding a national provision, such as that at issue in the main proceedings, which withdraws a supplementary benefit from a Turkish national who returns to his country of origin and who holds, at the date of his departure from the host Member State, long-term resident status, within the meaning of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.

Creator: European Court of Justice (ECJ)

Verdict at: 2019-05-15

Case number: C-677/17