



24.6.2010

## NOTICE TO MEMBERS

Subject: Petition 1622/2009 by Alessandro Lai (Italian), on refusal of a Belgian municipal authority to issue a residence permit

### 1. Summary of petition

The petitioner protests at the refusal of the Etterbeek municipal authority in Belgium to issue him with a residence permit following the expiry of his three-month permit. The municipal authorities are refusing to renew it despite the fact that the petitioner has a home, adequate income and sickness insurance. He is currently seeking employment, has commenced a language course and wishes to remain close to the European Parliament in order to complete his master's thesis in Belgium. He wishes to know whether it is admissible for the Belgian authorities simply to expel a European citizen of Italian nationality who is in no way a burden on the Belgian State.

### 2. Admissibility

Declared admissible on 19 February 2010. Information requested from Commission under Rule 202(6).

### 3. Commission reply, received on 25 March 2010.

At the same time as submitting a petition to the EP, the petitioner has also lodged a complaint with the European Commission. In the light of the issues raised in the complaint, the European Commission wrote to the Permanent Representative of Belgium to the EU on 2 February 2010 in order to seek clarification about the petitioner's situation. In particular, in its letter, the Commission requested information as to the precise grounds on which the EU citizen has been ordered to leave Belgian territory.

The Commission will keep the Committee on Petitions informed about the action taken on the complaint.

**4. Commission reply**, received on 24 June 2010.

The Commission has written to the Belgian representatives seeking clarification regarding:

1. the expulsion order applicable to the petitioner (an Italian national);
2. the decision of the Belgian authorities not to issue him with a residence permit in Belgium.

Regarding the expulsion order, the Belgian authorities (Ministry for the Interior) has informed the petitioner that this was an administrative error. Furthermore, they have recognised the petitioner's right of residence, issuing him with a registration certificate valid for five years from 20 January 2010.