

WRITTEN QUESTION E-2701/09
by Ignasi Guardans Cambó (ALDE)
to the Commission

Subject: Possible discrimination concerning the right of abode in the United Kingdom

In the United Kingdom British citizenship is not directly linked to British nationality. Indeed, currently in the United Kingdom there are six different categories of British nationals: British citizens, British overseas territories citizens (BOTC), British overseas citizens (BOC), British subjects (BS), British nationals overseas (BNO) and British protected persons. Amongst these six types of British nationals, only British citizens enjoy the right of abode and are not subject to immigration controls in the United Kingdom. All the other categories are deprived of the rights of entry and the right of abode in the UK and are subject to immigration controls.

Taking into account that Article 17 of the Treaty establishing the European Community establishes that 'every person holding the nationality of a Member State shall be a citizen of the Union':

Does the Commission consider that this notion of European nationals having the nationality of one Member State but not enjoying the right of abode accords with the principle of non-discrimination on grounds of nationality, freedom of movement and European citizenship established by Articles 12, 17 and 18 of the Treaty establishing the European Community?