Union citizenship: free movement and residence for citizens and their families within the Member States' territory

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The committee adopted the report by Giacomo SANTINI (EPP-ED, I) amending the proposal under the codecision procedure (1st reading). In their amendments, MEPs called for a broader definition of the family as well as better safeguards against the loss of existing residence rights: - the definition of a "family member" should be expanded to include same-sex spouses, registered partners and unmarried partners, irrespective of sex, if the host and/or home country treats those couples in the same way as married couples. Member States should make it easier for other family members to enter or reside in the country on serious health or humanitarian grounds. In addition, spouses should have the right to an independent legal status and work permit; - the right of residence should not be revoked in the event of illness or accident, nor should the death of an EU citizen affect the residence rights of that person·s family members, whether or not they are nationals of a Member State; - in the case of divorce, a spouse who is unemployed should not be denied the right of permanent residence. However, if a spouse is not a national of a Member State, then divorce may lead to an end to the right of residence if the marriage has lasted less than two years (compared to five years as proposed by the Commission); - while agreeing with the Commission that the validity of residence permits must not be affected by absences from the host country for compulsory military service, serious illness, pregnancy and childbirth, MEPs believed that clear time limits should otherwise be set and therefore specfied that absences for study, vocational training or work assignments should not exceed one year; - finally, the date from which all Member States must apply the directive should be postponed by one year to 1 July 2004.