

Mobility: Immigration alert

December 2023



European Union

EU Council proposes simpler residence requirement for long-term resident status applicants

Executive summary

On 23 November 2023, the Council of the European Union agreed on a proposal to allow qualifying third-country nationals to accumulate residence periods in different EU Member States to be eligible for the EU long-term resident status.

Background

The Long-Term Residents Directive sets out the conditions that enable third-country nationals to acquire EU long-term resident status. Currently, individuals must have legally and continuously resided in a single EU Member State for at least five years to be eligible. This status is available to third-country nationals alongside long-term resident schemes governed by individual Member States.

In general, holders of EU long-term resident status can travel within the EU and reside in other Member States, and are treated on par with EU nationals regarding access to employment, self-employment, education, tax benefits and other factors, subject to them meeting relevant conditions. The EU Council has the right to revoke individuals' long-term resident status in exceptional situations.

Key developments

The proposed change aims to further attract third-country nationals by simplifying the eligibility criteria for the EU long-term resident status. If adopted, this change will enable holders of certain types of residence permits (e.g., EU Blue Cards, residence permits issued for the purpose of highly qualified

employment) to accumulate residence periods of up to two years in more than one Member State to meet the five-year EU residence requirement. They will still be required to meet the relevant conditions at an EU level (e.g., evidence of stable and regular resources, sickness insurance) and any applicable regulations at a Member State level.

The proposed change, if accepted, will amend the Council's [2003 directive](#) regulating the status of EU long-term residents. The Council is expected to initiate interinstitutional talks with the European Parliament to conclude a final legal text.

Impact on employers

The proposed changes, if adopted, will enable employers to attract and retain highly skilled third-country nationals by offering them easier intra-EU mobility rights.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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ey.com

Ben Willis
Partner - People Advisory Services, EMEIA Immigration Leader
Tel: +44 20 7951 9589
Email: ben.willis@uk.ey.com

Jose Vaz
Senior Manager - People Advisory Services, Global Immigration
Tel: +46 70 1481325
Email: jose.vaz@se.ey.com

Nivard Bronckaers
Senior Manager - People Advisory Services, Global Immigration
Tel: +32 496 556 267
Email: nivard.bronckaers@be.ey.com