

Family members of a citizen of the Union - Directive 2004/38/CE

Directive 2004/38/CE of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

Application of the directive to citizens of the Union, or assimilated, as well as to their family members.:

The directive applies to EU citizens who travel to a Member State other than the Member State of their nationality or already reside there as well as to their family members who accompany or join them.

The directive also applies to citizens of the European Economic Space and the citizens of Switzerland who travel to a Member State other than the Member State of their nationality or already reside there, as well as to their family members who accompany or join them.

Last but not least the directive also applies to EU citizens who return to their Member State of nationality after having resided in another Member State, as well as to their family members who accompany or join them.

Entry visa for Third-country nationals who are family members of a EU-citizen and who require a visa to enter the Schengen territory for a short stay.

If you want to accompany or join a citizen of the Union, or assimilated, who travels to a Member State other than the Member State of his nationality or who resides already in a Member State other than the Member State of his nationality, you have to apply for an entry visa (visa C) at the Embassy or Consulate competent for your place of residence.

If you bring (a) **proof of family ties** with the citizen of the Union, (b) **proof that this citizen will travel to or reside in a Member State other than the Member State of his nationality**, as well as (c) proof that you accompany or join him, this entry visa will be issued free of charge as soon as possible and on the basis of an accelerated procedure

It is advised to submit by preference legalized or apostilled documents and documents in French, English or Dutch to facilitate the examination of your visa application. The Embassy or Consulate can ask for documents to be translated or legalized whenever the original has been drawn up in a language which the Embassy does not understand, or if there are doubts concerning the authenticity of a document.

If you are not a beneficiary of the Directive 2004/38/CD (e.g. you are a family member of a citizen of the Union but you will not accompany him, neither will you join him), please read the information on documents required for the different types of visa according to the Visa

Code.

Family reunification in Belgium with a citizen of the Union (non-Belgian)

If you want to reside more than 90 days in Belgium, you will have to apply for a residence permit at the local administration of your place of residence after your arrival in Belgium

Every file has to be composed of a set of original documents. It is your responsibility to submit a photocopy of those documents of which you need the original copy back. The Embassy will only return documents of which it received a photocopy.

REQUIRED DOCUMENTS

1. A travel document in which a visa can be affixed (e.g. national passport)
2. One signed Schengen visa application form filled out on the website Visa On Web: <https://visaonweb.diplomatie.be/>
3. One recent picture (35 x 45 mm - white background).
4. Copy of the identity card or passport of the EU-citizen.
5. Proof that you are accompanying or joining a citizen of the Union who is himself a beneficiary of the directive + proof that this citizen of the Union will travel to a Member State other than the Member State of his nationality.
6. Proof of family ties with the citizen of the Union :
 - a. For spouses: marriage certificate legalized
 - b. For children (= under 21 years): birth certificate legalized
7. For children only: If applicable legalized parental authorization of the parent who is not travelling or legalized authorization of the legal guardian.

The applicant may be invited for interview

For more detailed visa information (different types of visas, which documents to submit, conditions, exceptions, periods of treatment, etc.) check the website of the Federal Public Service Home Affairs – Immigration Office : www.dofi.ibz.be