



Brussels, 7 May 2008

Dear President Barroso,

As Members of the European Parliament we would like to bring to your attention Mr. Franco Frattini's worrying declarations on the subject of the free movement of European citizens in the European area.

As you might be aware, on April 23rd, 2008, Commissioner Frattini stated for *La Stampa* daily<sup>1</sup> that the Directive 2004/38/EC on free movement of the European citizens within the territory of the Member States is outdated and that it must be revised. Furthermore he underlined that the Directive “handed down to the individual national governments (...) the establishment of a [minimum] threshold [of revenues] and the obligation to prove the legal origin of funds”. This declaration is *per se* a misinterpretation of the directive and a conscious attempt to mislead public opinion. As we all know, the directive refers to the requirement of sufficient resources that citizens of one EU Member State, residents of another EU state should have, in order to avoid the risk of becoming a burden to the social welfare system of the host-state.

Moreover, in a different interview, published by *Il Giornale* on April 28th, 2008<sup>2</sup>, the Commissioner of Justice and Home Affairs referred to those suspected to have committed a crime by saying that “simple expulsion is not enough” and “they must be arrested immediately, put on trial using a fast-track procedure, and then expelled to serve their sentences in the countries they came from”, because “it isn't right that foreign criminals are being housed in our [Italian] jails”. These statements are, by themselves, a serious violation of art. 47 and art. 48 of the Charter of Fundamental Rights of the European Union, regarding the right to a fair trial and the right of defence. They also show disrespect for the provisions regarding the right to a fair trial stipulated by the European Convention on Human Rights and by the jurisprudence of the European Court of Human Rights.

Let us take this opportunity to underline that a Commissioner in office – regardless of the fact that he is in a leave of absence for the last two months - should abstain from such comments that directly touch core values the European Union was built upon. We strongly believe that these declarations cast a shadow on the activity of a hard-working and responsible College of Commissioners who, has succeeded so far to show a genuine commitment to protect Community's interests and leave the national interests and sensibilities aside.

Therefore, as a matter of principle, it is your duty to maintain high standards of conduct for the Commissioners and we consider that you should not remain silent and give the necessary signal to avoid such undesired situations in the future.

<sup>1</sup> According to *BBC Monitoring International Reports from April 24th, 2008*

<sup>2</sup> According to *ANSA.it*


It is widely known that Mr Franco Frattini will most probably be part of the next Italian Government, however, as a matter of respect for EU principles and values, his departure from the position of Commissioner should not occur without at least a symbolic mark of disapproval of his behaviour during the past weeks.

Signatories

Renate Weber, MEP, ALDE



DANIEL DATARO,  
MEP, ALDE



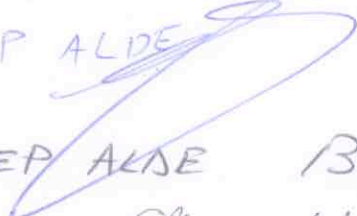
Maria Căbeu MARIA CARLSHAMPE  
MEP, ALDE

Sarah Ludford, MEP, ALDE

RAMONA MĂNEJICĂ, MEP, ALDE

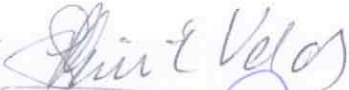


Magor Csiki, MEP ALDE



BUSOI CRISTIAN, MEP ALDE Busoi C.

IN 'TVELD, Sophie, MEP ALDE



JELKO KACIN, MEP ALDE



Fiona J. Hall MEP ALDE HALL, FIONA

RESETARIS KARIN, MEP ALDE



ISTVAN SZENT-IVÁNYI, MEP ALDE



Olle Schmidt, MEP, ALDE

Ignasi GUARDANS, MEP



JEANINE HENNIS-PLASSCHAERT



IANA WALLIS



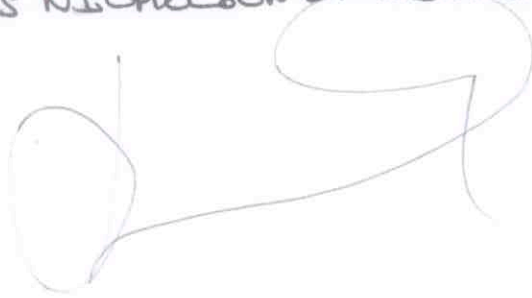
ORTUONDO LARREA, JOSU



~~Handwritten signature~~

JOHANNES MEP  
LEBECH ALDE

BARONESS NICHOLSON OF WINTERBOURNE MEP



Dirk HERCKX MEP

