



EUROPEAN PARLIAMENT

Renate WEBER
MEMBER OF THE EUROPEAN PARLIAMENT

*“A minimum decency should make Commissioner Franco Frattini resign from this capacity,
following his statements from the past weeks”*

PRESS RELEASE

Bruxelles, May 4th, 2008 – In a prolonged pre- and post-electoral vacation, the vice-president of the European Commission, Franco Frattini, Commissioner for Justice and Home Affairs, has made – in the past weeks, in the Italian press – several statements which are unacceptable for a high-rank dignitary of the European Union, whose mandate is to respect the European legislation and to protect the rights and liberties of the European citizens.

On April 23rd, 2008, Commissioner Frattini has stated for *La Stampa* daily¹ that the Directive on free movement of the European citizens in the European space is outdated and must be revised; he allowed himself to mislead the public opinion, stating that the 2004/38/EC Directive “*handed down to the individual national governments (...) [the establishment of] a threshold and the obligation to prove the legal origin of funds*”. This is untrue, since the only thing mentioned by the Directive refers to the requirement of sufficient resources, so that the citizens of one EU member state, residents of another EU state do not become a burden to the social welfare system of the host-state. Still vice-president of the European Commission, Mr. Frattini affords to completely ignore the presumption of innocence stipulated also by art.48 of the Charter of Fundamental Rights of the European Union, when he states that “*the free circulation of citizens, which is sacrosanct, cannot become the free circulation of criminals*”.

In a subsequent interview, published by *Il Giornale* on April 28th, 2008², 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, tried 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 the defence”, not to mention the obvious violation of the provisions regarding the right to a fair and equitable trial, stipulated by ECHR and by the jurisprudence of the European Court of Human Rights.

The cynicism of these statements is even more concerning since the same Franco Frattini was declaring, on December 21st 2007, for Euronews³, that the entrance in the Schengen area of new states is “*a great opportunity (...) to make the concept of European citizenship a reality*”. He was also emphasising that the great win of the Charter of Fundamental Rights of the European Union will be that of having rights such as the freedom of movement being decided by the European Court of Justice, because any member state could infringe the rights of European citizens.

Frattini' statements from the past weeks contradict those made several months ago and they represent an attack to the present European legislation, a violation of the very mandate the Commissioner has to fulfil. A minimum decency should make Franco Frattini hand down his resignation from the capacity of European Commissioner, no matter if he will be appointed Foreign Affairs Minister in the future Italian government, or not.

¹ According to BBC Monitoring International Reports from April 24th, 2008

² According to ANSA.it

³ <http://www.youtube.com/watch?v=AOICK8X0z3s>