

**Question for written answer E-009801/2014  
to the Commission**

Rule 130

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**Subject:** Compliance with EU law and fundamental rights of Italian circular and annexes thereto on fingerprint collection from irregular migrants

According to Annex II to a circular distributed by the Italian Ministry of the Interior in late September 2014, irregular migrants who refuse to be identified are committing a crime, and police forces should 'obtain pictures and fingerprints even with the use of force, if necessary'.

Following the issuing of these instructions, the Italian media have circulated photographs and videos of migrants' bruised and wounded bodies and published their statements that they have been beaten, threatened and segregated because of their refusal to comply with the circular.

In the Commission's view, does this Italian circular comply with the standards of necessity and proportionality laid down in the EU Charter of Fundamental Rights and the right to dignity enshrined therein (Article 1)?

1. Should the Italian authorities be reminded that:
  - under Article 8 of Directive 2008/115/EC, coercive measures must be used 'as a last resort', be proportionate and 'not exceed reasonable force'; and that
  - under Article 8 of Council Regulation (EC) No 2725/2000, the collection of fingerprints must be carried out in accordance with the safeguards laid down in the European Convention on Human Rights and the UN Convention on the Rights of the Child?
2. Will the Commission initiate infringement proceedings and, in any case, invite Italy to modify the circular – or any other systemic violation promoted by the Italian state towards migrants – as a matter of urgency?