

**Question for written answer E-005164/2016/rev.1
to the Commission**
Rule 130
Morten Messerschmidt (ECR)

Subject: Deportation of criminals from elsewhere in the EU to serve their sentence in their own countries

There is an ongoing case in Denmark involving a Croatian national who has received 28 convictions for serious violent crime and various other offences since he was 18. He has been sentenced to a total of 10 years in prison for 23 convictions, and has been receiving benefits during most of his time in the country. A district court ruled that he could be deported, but that decision was subsequently reversed by the High Court and the Supreme Court, whose rulings included references to the convicted person's right to family life as enshrined in the European Convention on Human Rights.

I understand, however, that in 2010 Belgium expelled around 300 EU citizens on the grounds that they were a financial burden on the country. In 2011, the number of people expelled tripled to around 1 000, and in 2012 that figure doubled to around 2 000. This naturally raises the question of whether the aforementioned criminal – who is Croatian, and therefore an EU citizen – could be deported from Denmark on similar grounds.

Given that this practice exists as an option, can EU legislation prevent Denmark from expelling the aforementioned EU citizen to serve his sentence in Croatia?

If so, does that EU legislation also apply if an EU citizen is a criminal and a financial burden on their country of residence?