

**Question for written answer E-001314/2018  
to the Commission**

Rule 130

**Seb Dance (S&D), Jean Lambert (Verts/ALE), Catherine Bearder (ALDE), Sophia in 't Veld (ALDE) and Beatriz Becerra Basterrechea (ALDE)**

Subject: Answer to Written Question E-006718/2017

Regarding some elements of the Commission's response, we are seeking further clarification on its stance.

We understand that Member States may set conditions and limitations on the rights of nationals of one Member State to reside in another. However, what is not clear from the Commission's response is whether a Member State may apply different treatment to EU citizens in asking only the nationals of other Member States to carry identity documents or cards with them.

Secondly, our question referred to the right of a Member State to refuse entry or residency based on historical criminal records, not sentences served while residing in the Member State to which the application is made.

Can the Commission confirm whether mandatory criminality checks fall within the scope of the Treaty on the Functioning of the European Union and Article 8 of Directive 2004/38/EC?