

WRITTEN QUESTION E-5695/07  
by Jan Marinus Wiersma (PSE)  
to the Commission

Subject:           Expulsion Decree, Italy

On 1 November 2007, Italian President Napolitano signed a decree that allows local prefects to summarily expel EU citizens from Italy if they are judged a threat to public security. According to the Italian authorities, the measure is in line with the EU Treaty and Directive 2004/38/EC<sup>1</sup>, and this has been affirmed by both Commissioner Frattini and Commission spokesman Friso Roscam Abbing.

The latter also stated that 'there cannot be a situation of group expulsion or group assessment' (BBC, 6 November). Reports indicate, however, that the prologue to the decree shows it is aimed at Romanians.

Has the Commission undertaken a thorough review of the decree to ensure it is in line with European legislation?

In particular, has the Commission ascertained that the availability of judicial redress procedures in the decree is in line with Directive 2004/38/EC?

Can the Commission confirm that the decree, including any non-binding elements, is not unduly circumventing European legislation to target EU citizens, with whatever background, as a group?

Will the Commission undertake action to monitor the application of the decree, so as to ensure the basic rights and freedoms of European citizens are not violated?

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<sup>1</sup> OJ L 158, 30.4.2004, p. 77.