

WRITTEN QUESTION E-6653/08
by Neil Parish (PPE-DE)
to the Commission

Subject: Non-Spanish EU citizens and voting rights

The Kingdom of Spain, like all EU Member States, was obliged to transpose Directive 2004/38/EC¹ into national law on or before 29 April 2006. Spain refused to do this, but after infringement proceedings (Ref: 2006/0425) were begun, it incorrectly adopted the Directive via Royal Decree 2004/2007, which took effect on 28 March 2007.

EU citizens are still required, for example, to obtain a formal residence document without which their presence for some purposes may be considered illegal. The Commission will be well aware that comprehensive complaints against this procedure were registered as No 2008/4184, but responses from the Commission thus far have been perfunctory. Further, this matter has been the subject of recent petitions to Parliament and will be considered by the Petitions Committee.

Why has the Commission delayed any substantive action on these complaints, especially bearing in mind that such a delay may severely prejudice, i.e. prevent, otherwise qualified non-Spanish EU citizens resident in Spain from exercising their rights to vote in the 2009 EU Parliamentary elections for candidates on the Spanish national list, currently in the final stages of preparation?

¹ OJ L 158, 30.4.2004, p. 77.