



EUROPEAN PARLIAMENT

TOMASZ PORĘBA

Brussels, 17.02.2010

Erminia Mazzoni
Chairwoman
Committee on Petitions

Dear Ms Mazzoni

I would like to draw your attention to the alleged infringement of parents' rights to contact their children which have been signaled to your Committee numerous times in the last parliamentary term. I refer to the specific cases involving citizens of Member States when dealing with German and Austrian Youth Affairs Offices (Jugendamt).

This specifically refers to the allegations which have been made against Jugendamts and their consistent breach of family rights as guaranteed by the Treaties. Although there have been other alleged violations of family rights by Jugendamts, I am particularly interested in the right of a parent to use his/her mother-tongue with their child during meetings supervised by the aforementioned institutions.

I refer to Article 18 of the Treaty on the Functioning of the European Union prohibiting the discrimination on grounds of nationality. What is more, Article 3 Chapter 3 of the Treaty on the European Union also states that the Union "shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child. [...] It shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced".

As you may well know, this matter was also addressed in the report prepared by Roberta Angelilli, adopted as Resolution 2007/2093 (INI) of the European Parliament, which in paragraph 116 urges the Member States "to remove all restrictions on the right of parents to have contact with their children resulting from nationality differences, particularly in connection with

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the choice to speak a language other than the official language within a given country; takes the view that the removal of restrictions on multinational families in which there is a conflict between the parents should entail unrestricted freedom to speak in the language chosen by the child and the parent, with due respect for any requirements that meetings be supervised which may have been imposed by the courts.”

I am aware that the Committee on Petitions of the European Parliament is familiar with this problem, with as many as 250 complaints being forwarded to the Committee in the past few years from citizens of many Member States, including Poland, Spain and Italy. As a Member of the European Parliament, I am very concerned with this matter and interested in finding a satisfactory solution. Therefore I would like to ask you, as Chairwoman of the PETI Committee, to increase your efforts in investigating these complaints and placing the matter high in the PETI agenda.

This is an extremely sensitive issue that involves citizens of many Member States, and deals specifically with the rights of parents and their children.

Should you have any other questions or concerns, I would be delighted to meet with you or your representative to discuss this matter further.


Tomasz Poręba
Member of the European Parliament