

*Franco Frattini*  
*Vice-President of the European Commission*

-4.05.05 07 33 9770

*Dear Mrs Lucas,*

Thank you for your letter dated 14 March 2005, in which you express your worries about the Serious Organised Crime and Police Bill in the UK. You consider that this legislation could put at risk several fundamental rights and EU values.

I would like to stress that the Commission does not have general competence as regards fundamental rights under the terms of the Treaties on the European Union and establishing the European Community, and may only intervene in the event of fundamental rights violations in the field of the application of Community legislation. This is in conformity with Article 51 of the Charter of the Fundamental Rights of the EU: "The provisions of this Charter are addressed to the institutions and bodies of the Union with due regard for the principle of subsidiarity and to the Member States only when they are implementing Union law."

The specific provisions of the legislation to which you refer have no European Community dimension and do not constitute any implementation of Union law. In fact, the matters it regulates are purely internal to the UK. For this reason, I am afraid that it would not be possible for the European Commission to examine it any further.

However, I would like to stress that, if a person considers that his or her fundamental rights have been violated, the possibility of appealing to the European Court of Human Rights, after the exhaustion of all domestic remedies, offers him guaranteed protection as the ultimate means.

*Best regards!*  
*Franco Frattini*

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