

**Question for written answer E-009663/2014
to the Commission**

Rule 130

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Subject: NGO access to detention centres

According to the Commission (answer given on 13 May 2013 to Written Question E-002523/2013 of 5 March 2013), Article 16(4) of Directive 2008/115/EC allows NGOs to monitor the status of pre-removal detention of third-country nationals. Member States have the right to make such visits subject to authorisation under procedural requirements which should be set out clearly and in accordance with the 'effet utile' of the directive. Repeated refusals of requests to visit detention facilities without objective justification could be considered as an infringement.

In its communication on EU Return Policy (COM(2014)0199), the Commission affirms that the transposition of this article is 'still problematic in seven Member States'. In the meantime, several NGOs continue to face repeated refusals, either without justification or insufficiently justified, when they request access to detention facilities.

1. In which Member States are both the legal framework and practices still problematic?
2. What measures has the Commission adopted in order to convince Member States to transpose Directive 2008/115/EC in accordance with the 'effet utile' and to respect this 'effet utile' in practice?
3. Did the Commission launch any infringement procedures as announced in its answer to the aforementioned Written Question?