

WRITTEN QUESTION E-5919/08
by Maria Grazia Pagano (PSE)
to the Commission

Subject: Extradition of Marina Petrella

Having regard to the extradition order issued by the Italian authorities in respect of Marina Petrella, who was sentenced to life imprisonment in 1992 for extremely serious acts of violence committed between 1980 and 1982 while she was a member of the Roman section of the Red Brigades terrorist group;

having regard to the fact that the Red Brigades are a terrorist group which is still active and which was responsible for the murder of Prof. Marco Biagi in Bologna on 19 March 2002;

having regard to Marina Petrella's arrest in France in 2007 and the French President's decision on humanitarian grounds not to authorise her extradition in accordance with the reservation relating to the age and state of health of the persons concerned made when depositing the instrument of ratification of the European Convention on Extradition on 13 December 1957;

having regard to Article 29 of the TEU, which establishes that the EU's objective is to provide citizens with a high level of safety within an area of freedom, security and justice by preventing and combating crime, organised or otherwise, in particular terrorism;

having regard to Framework Decision 2002/584/JHA on the European arrest warrant;

having regard to the fact that the fight against terrorism is a priority objective of the European Union and that the safeguarding of the rights of victims, including the right to obtain justice and to their protection, is an integral part of the action plan against terrorism;

having regard to the fact that Italy is a Member State of the EU governed by the rule of law and respect for fundamental rights, as enshrined in Article 6 of the TEU and is therefore in a position to provide health care and ensure adequate conditions of detention, with due respect for human dignity;

- does the Commission not consider that the refusal to authorise the extradition on humanitarian grounds is incompatible with the spirit underlying the establishment of the area of freedom, security and justice, the principle of mutual recognition of judicial decisions and the provisions of the European arrest warrant?
- does the Commission not intend to propose legislation to harmonise provisions on the protection of the rights of victims of terrorism and members of their families to obtain justice and protection throughout the EU?