

WRITTEN QUESTION E-4764/09
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to the Commission

Subject: International protection of immigrant minors in Greece

In the women's prison at Elaionas, Thebes, a little Afghan girl aged three and a half has been held for 10 months in a basement with 18 other people and her mother, who is awaiting a decision on being granted political asylum. The child already has health problems for which she has been repeatedly hospitalised.

On 18 September 2009 the competent judicial authorities rejected requests for suspension of their deportation and release from detention, which had already lasted many months, although the application for political asylum is still pending. Because of the mother's racial origin their lives and physical integrity would be in great danger if they were deported to Afghanistan.

1. Is the Commission aware of this case, and does it agree that it is a flagrant breach of the European Convention on Human Rights (particularly Articles 3 and 6), the provisions on protection of minors in the Directive on return, with which Member States are asked to harmonise their legislation, the 1989 International Convention on the Rights of the Child, and the fourth Geneva Convention of 1951?

2. Since the moment when the mother's place of origin in Afghanistan (Bessoui) came entirely under the control of the Taliban, and its inhabitants (the Hazara tribe) were threatened with immediate annihilation, is this case not a flagrant breach of the principle of non-refoulement (Article 33 of the 1951 Geneva Convention) which prohibits governments from forcing anyone, directly or indirectly, to return against their will to another country where they are likely to suffer severe violations of their human rights?