

**Question for written answer E-009565/2012
to the Commission**

Rule 117

Ana Miranda (Verts/ALE) and François Alfonsi (Verts/ALE)

Subject: Extradition procedure against Firat Demirkiran

On 5 October 2012, Spain's Council of Ministers approved the continuation of the procedure relating to the extradition to Turkey of Kurdish citizen Firat Demirkiran, who had been granted refugee status by Germany. However, the ruling by the German court which conferred refugee status on Mr. Demirkiran anticipated that he would be maltreated, as did the reports by the Council of Europe, Amnesty International and other human rights organisations.

As part of the responsibility for providing for the protection of refugees, established in Article 8(a) of the Statute governing the Office of the United Nations High Commissioner for Refugees (UNHCR), the High Commissioner has publicly opposed Firat Demirkiran's extradition. Extraditing a refugee breaches the principle of 'non-expulsion' or 'non-refoulement', enshrined in Article 33(1) of the 1951 Geneva Convention and 1967 Protocol relating to the Status of Refugees, to which Spain has been a signatory since 1978.

Accordingly, in 2009, the Spanish National High Court did not grant the extradition of two Kurdish refugees, who were recognised as such by Switzerland and Belgium, declaring resolutely that, 'in this case, in accordance with the note from the United Nations High Commissioner for Refugees of April 2008, the status of refugee has extraterritorial effect in those States which are parties to the 1951 Convention' (order of 14 July 2009, Section 2, Extradition 7/09).

1. Is the Commission aware of the approval of the extradition procedure against Firat Demirkiran?
2. Does the Commission intend to take measures to avoid EU countries extraditing refugees illegally, and in particular in the case of Firat Demirkiran?