

**Question for written answer E-002335/2019
to the Commission**

Rule 138

Nicola Procaccini (ECR), Carlo Fidanza (ECR), Raffaele Fitto (ECR) and Raffaele Stancanelli (ECR)

Subject: Allegations of arbitrary refusals of entry at the Italian-French border

As reported by police and journalist sources, France, with the aim of sending illegal migrants back to Italy, is allegedly issuing fake documents for them, circumventing existing EU legislation on asylum and immigration as supplemented by the recent provisions of the European Court of Justice in its judgment in Case C-647/16, according to which: 'it follows from the actual wording of Article 26(1) of the Dublin III Regulation, read in the light of the history of that provision, that a transfer decision may be notified to the person concerned only after the requested Member State has, implicitly or explicitly, agreed to take charge of that person'.

The French authorities are reportedly even arbitrarily giving many children the status of adults, in order to avoid applying the current Dublin rules, which do not permit the rejection of unaccompanied minors.

In the light of the above, can the Commission say whether:

- 1) it is aware of this situation;
- 2) it intends to assess the facts, in order to clarify precisely how lawful the French Government's application of the rules is?