

**Question for written answer E-003893/2022/rev.1
to the Commission**
Rule 138
Ignazio Corrao (Verts/ALE)

Subject: Infringement of fundamental rights of foreign nationals without a residence permit held in in administrative detention centres in Italy

A journalistic investigation entitled 'Sulla loro pelle' (Rai News 24)¹ has uncovered the shortcomings of CPRs² in Italy, highlighting systemic infringements of the right to health and personal freedom of a very large number of foreign citizens.

Under EU Directives 2008/115/EC (Articles 1, 7 and 15) and 2013/32/EU (Articles 18 and 20), priority must be given to protecting the physical and psychological integrity of detainees. Furthermore, detention is only admissible in the absence of alternative solutions and where there is a reasonable prospect of removal.

Despite this, even where there is no reasonable prospect of repatriation, people are still being routinely placed in administrative detention in Italian CPRs, where standards of healthcare are consistently below the European minimum, as is also made clear in the report submitted by the National Ombudsman for the Rights of Persons Deprived of their Personal Freedoms.

In 2017, in view of the findings set out in its Implementing Decision 6358/17, the Council of the European Union called on Italy to remedy the identified shortcomings, by improving infrastructures, services and living conditions in its detention centres, for example.

Given the foregoing:

1. Can the Commission establish whether Italy has in fact breached any relevant EU directives since the above recommendation was issued?
2. Will it make representations to the Italian authorities regarding this conclusive evidence of non-compliance with EU rules on the repatriation/removal of irregular third-country nationals?
3. Which CPRs have been supported with EU funds?

Submitted: 30.11.2022

¹ <https://www.rainews.it/video/2022/11/sulla-loro-pelle-linchiesta-vincitrice-del-premio-morrione-be53a389-f89c-4c12-a174-c3adb29db895.html?nxtep>

² Pre-removal detention centres