

Question for written answer E-001405/2023
to the Commission
Rule 138
Malik Azmani (Renew)

Subject: Netherlands blocked by Court from returning asylum seekers to Italy

The highest administrative court in the Netherlands ruled that the State Secretary for Justice and Security is no longer permitted to return asylum seekers to Italy under the Dublin Regulation¹.

While under the principle of mutual trust Member States should be able to assume that another Member State does not violate human rights under the common asylum system, the Dutch Court concluded that asylum seekers returned to Italy under the Dublin Regulation are not being offered reception, leading to potential human rights violations due to the lack of reception facilities.

Since the beginning of this year, Italy has been facing an exceptionally large number of irregular arrivals. In December 2022, Italy sent a letter to all Member States stating that transfers under the Dublin Regulation should be temporarily suspended owing to a shortage of adequate reception facilities.

1. How has the Commission followed up internally on Italy's letter to the Member States? In what ways has the Commission scrutinised and evaluated the situation in Italy's reception facilities?
2. What infringement proceedings has the Commission initiated in Member States in relation to reception conditions and what is their status?

Submitted: 28.4.2023

¹ <https://www.raadvanstate.nl/talen/artikel/english-version/state-secretary-blocked-from-returning/>