

WRITTEN QUESTION P-3821/02
by Elena Paciotti (PSE)
to the Commission

Subject: Violation of asylum rights in the EU

On 28 November 2002 the Italian authorities repatriated Mr Muhammad al Shari and his family, from Malpensa airport (Milan) to Syria, despite the existence of a death sentence against him in that country. This act was in breach of the Italian Constitution.

The Charter of Fundamental Rights of the European Union states that 'no-one shall be condemned to the death penalty, or executed' (Article 2), and also underwrites the right of asylum on the basis of the Geneva Convention and the protocol of 31 January 1967 (Article 18). Meanwhile, negotiations are currently in course between the EU and Syria for an association agreement.

Does the Commission not consider it necessary to intervene as a matter of urgency so as to ensure that the death sentence is not carried out and that the physical integrity of Mr Muhammad al Shari and his family is not put at risk?