

WRITTEN QUESTION P-1082/04  
by Adeline Hazan (PSE)  
to the Commission

Subject: Decision taken by the Netherlands to expel more than 26 000 whose applications for asylum have been rejected

In the light of the decision taken by the Netherlands to expel several thousand asylum-seekers whose applications have been dismissed:

1. Does not that decision breach the principle of non-refoulement because of the situation currently obtaining in the countries of origin of a number of asylum-seekers (Iraq, Iran, Afghanistan, etc.)?

It would appear that some of the people denied asylum meet the Geneva Convention criteria and may not be expelled to their countries of origin, where they might be killed.

2. Must we not take the view that Article 47 of the Charter of Fundamental Rights of the European Union has been breached, in so far as the rejected asylum-seekers are being expelled immediately after the first notification that their application has been rejected and (since, accordingly, measures should be taken to review their cases) although they should have the right to lodge an appeal against that decision?

It seems that the applications from a large number of asylum-seekers were not given fair consideration between 1993 and 1998 (because of what is known as the 48-hour AC procedure, which did not allow the asylum-seekers to submit evidence which they had obtained subsequently).

3. Should we not condemn the use by the Netherlands Government of the English words 'deport' and 'deportation centre'? The use of such words seems at the very least inappropriate or unsuitable in this context.