

WRITTEN QUESTION P-1140/04
by Adeline Hazan (PSE)
to the Council

Subject: Decision by the Netherlands to deport more than 26 000 people whose asylum claims have been dismissed

1. Is this decision not a breach of the principle of non-refoulement given the current situation in the countries of origin of some of the asylum seekers (Iraq, Iran, Afghanistan)?

It would seem that some of the people whose asylum claims have been dismissed satisfy the criteria of the Geneva Convention and cannot be deported to their countries of origin where their lives are at risk.

2. Is it not the case that there has been a breach of Article 47 of the European Charter of Fundamental Rights in so far as asylum seekers are deported as soon as they are first notified that their applications have been rejected whereas the cases should be subject to review and they should in fact be able to appeal against that decision?

Between 1993 and 1998 many asylum seekers did not have their applications processed fairly as the 48-hour 'AC procedure' prohibited asylum seekers from producing evidence obtained subsequently.

3. Should the Netherlands government not be criticised for using English terms such as 'deport' and 'deportation centre'? In this context, the use of such terms seems at the very least inappropriate or unsuited to the situation.