

FORM FOR TABLING A QUESTION FOR
WRITTEN ANSWER (Rule 130)**Select only one addressee:**

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Priority question

AUTHOR(S): Barbara Spinelli

SUBJECT: Compatibility of the establishment and management of hotspots with EU law
(please specify)

TEXT:

Since September, within the activated "Hotspot" in Lampedusa, public authorities have adopted new illegal practices in violation of the rights of migrants and asylum seekers. Migrants are hastily "interviewed" and provided with an inadequate form as regards asylum procedures.

Therefore, many migrants are subjected to return decisions without having a real opportunity to apply for asylum under Directives 2011/95/EU and 2013/32/EU. After return decisions have been adopted, migrants are driven out of the centres and only supplied with an expulsion order establishing to leave the country within seven days, via "Fiumicino" airport.

Directive 2013/32/EU states that migrants held in detention facilities shall receive appropriate information concerning asylum (Article 8). Persons who have expressed their wish to apply for asylum are applicants for international protection and should enjoy the rights provided for in Directives 2013/32/EU and 2013/33/EU (§27).

Considering that those practices have shown a lack of sufficient guarantees of human rights' protection, by not genuinely taking into account the individual circumstances of each case, they contravene Article 19 of the EU Charter and the well-established jurisprudence of the ECtHR.

Therefore, we ask the Commission to investigate on the establishment and management of the hotspots and their compatibility with EU law.

Signature(s):



Date: 27/11/2015