

## Question for written answer E-002701/2024

### to the Commission

Rule 144

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Subject: Incompatibility between the list of safe countries of origin made by the Italian Government and the criteria laid down in EU law

Italian Decree Law No 158/2024<sup>1</sup> (and amendment 12.09 to draft bill no 2088<sup>2</sup>) identifies a number of safe countries of origin in the Italian legal system. According to the country profiles attached to Inter-ministerial Decree No 105 of 7 May 2024, in some of the countries recognised as safe countries of origin, there are widely confirmed cases of acts of persecution and/or serious harm in specific parts of the territory or against clearly identifiable categories of person.

In the light of the provisions of the Geneva Convention, Articles 2, 3 and 4 of the European Convention on Human Rights, the criteria for designating safe countries of origin as laid down in Directive 2013/32/EU – which all require the general and consistent absence of persecution and/or serious harm – and the judgment of the CJEU in Case C 406/22, can the Commission detail:

1. whether the Italian list of safe countries of origin meets the criteria laid down in Directives 2011/95/EU and 2013/32/EU;
2. whether the fact that there are widely confirmed cases of acts of persecution and/or serious harm in countries designated as safe countries of origin should lead to those countries being taken off the national list of safe third countries;
3. in accordance with Article 37(2) of Directive 2013/32/EU, what its opinion is regarding a review?

Supporter<sup>3</sup>

Submitted: 29.11.2024

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<sup>1</sup> <https://pg-perugia.giustizia.it/cmsresources/cms/documents/DL%20158%202024%20protezione%20internazionale.pdf>.

<sup>2</sup> <https://documenti.camera.it/apps/emendamenti/getProposteEmendativeSeduta.aspx?contenitorePortante=leg.19.eme.ac.2088&tipoSeduta=1&sedeEsame=referente&urnTestoRiferimento=urn:leg:19:2088:null:null:com:01:referente&dataSeduta=20241119&tipoListaEmendamenti=1>.

<sup>3</sup> This question is supported by a Member other than the authors: Giuseppe Antoci (The Left)