

WRITTEN QUESTION E-0740/09

by Cristiana Muscardini (UEN), Roberta Angelilli (UEN), Domenico Antonio Basile (UEN), Sergio Berlato (UEN), Alessandro Foglietta (UEN), Antonio Mussa (UEN), Umberto Pirilli (UEN) and Salvatore Tatarella (UEN)
to the Commission

Subject: Extradition of terrorists

The EU has on several occasions set out a strategy to combat terrorism with a view to protecting the security of its citizens and safeguarding democratic institutions at both national and Community level. Proceeding on that basis and seeking justice for the victims, Italy has asked the Brazilian Government to extradite Cesare Battisti, a terrorist multi-murderer who has been sentenced to life imprisonment by an Italian court – until such time as there is proof to the contrary, Italy remains a state under the rule of law – in order that he might serve his sentence in the country where he was guilty of as many as four murders. The extradition request was initially sent to the French Government as well, but in the mean time Battisti had fled to Brazil. As is common knowledge, Brazil has refused to allow his extradition, because it maintains – incorrectly – that the Italian legal system does not offer the necessary safeguards. Italy, from the President downwards, is rightly incensed at this unjustified affront to its institutions and is therefore likely to lodge a reasoned appeal. Going beyond the legal grounds, however,

1. How does the Commission view this refusal by a head of state, an act contrary to the most basic rules of international law?
2. Does it consider that obstructing the course of justice in relation to a murdering terrorist negates the EU's commitment to fighting terrorism?
3. Would it be possible for the request for compliance with the rules on extradition under international law to be assessed within the broader context of relations, including trading relations, with Brazil?
4. Does the Commission intend to act in this matter and ask the Council to scrutinise the conditions under which extradition takes place between non-European countries and EU Member States?