

**Question for written answer E-000144/2016
to the Commission**

Rule 130

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Subject: Compatibility of the Commission proposal on a common list of 'safe countries of origin' of asylum seekers with EU law and the Charter of Fundamental Rights (CFR)

The countries listed in the Commission's proposal for a regulation setting out a common list of 'safe countries of origin' of asylum seekers are included in the national lists of only 10 Member States, with the exception of Turkey which is on no national list. Various NGOs and experts have expressed serious concerns as regards the proposal's guarantee of the right to non-refoulement, the prohibition of collective expulsions, and the right to non-discrimination and to an effective remedy (Articles 18, 19, 21, 47 CFR), and the Commission's explanatory memorandum notes that in all the states concerned there was persecution on LGBTI grounds, as well as persecution of Roma, women or children in some states. According to the CJEU (C-383/13) it is settled case-law that the right to be heard and the right to have access to one's own file are among the fundamental rights which form an integral part of the European Union's legal order and the CFR.

How does the Commission believe its proposal will ensure that each asylum seeker's applications are examined and that decisions are taken individually, objectively and impartially (Art 10(a) of Directive 2013/32/EU) and respect the aforementioned CFR rights?