

Press Release

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Concerns over repeated Italian expulsions

Statement by Thorbjørn Jagland, Secretary General of the Council of Europe

Strasbourg, 19.05.2010 – I am deeply concerned about the expulsion by the Italian authorities of Mr Mannai, a Tunisian national, to Tunisia on 1 May despite the request by the European Court of Human Rights not to do so. The Court considered that there are valid grounds to fear that Mr Mannai could be exposed to ill-treatment in Tunisia.

The expulsion of Mr Mannai came after a recent judgment in the case of Trabelsi, in which the Court found that Italy breached the Convention by expelling the applicant. Likewise, Mr Ben Khemais, who also had a pending case before the Court, was expelled to Tunisia in June 2008 despite an interim measure and in breach of the Convention.

As Secretary General of the Council of Europe, I strongly regret these repeated actions by the Italian authorities. It is essential that measures taken by the Court, which are recognized as legally binding for all Parties to the European Convention on Human Rights, are respected by all member states. Failure to do so risks undermining the system of human rights which is fundamental for the protection of all European citizens .

Mr Mannai, a Tunisian national, was arrested in Austria on 20 May 2005 on the basis of an arrest warrant issued by the Italian Authorities in the framework of an investigation concerning international terrorism. He was expelled to Italy on 20 July 2005 and sentenced to five years imprisonment following a judgment of 5 October 2006. The said judgment provided for the expulsion of Mr Mannai once he served his conviction. On 19 February 2010, the European Court of Human Rights asked the Italian authorities not to expel the applicant to Tunisia until further notice (interim measure adopted according to Rule 39 of the Rules of the Court).

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