Basic information	
2009/2529(RSP) RSP - Resolutions on topical subjects	Procedure completed
Resolution on the refusal to extradite Cesare Battisti from Brazil **Subject** 6.10.08 Fundamental freedoms, human rights, democracy in general **Geographical area** Brazil	

Key events			
Date	Event	Reference	Summary
05/02/2009	Decision by Parliament	T6-0056/2009	Summary
05/02/2009	Results of vote in Parliament		
05/02/2009	Debate in Parliament		Summary
05/02/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2009/2529(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Urgent debate or resolution
Legal basis	Rules of Procedure EP 150
Stage reached in procedure	Procedure completed

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Motion for a resolution		B6-0076/2009	03/02/2009	
Motion for a resolution		B6-0081/2009	03/02/2009	
Motion for a resolution		B6-0087/2009	03/02/2009	
Motion for a resolution		B6-0089/2009	03/02/2009	
Text adopted by Parliament, single reading		T6-0056/2009	05/02/2009	Summary

Resolution on the refusal to extradite Cesare Battisti from Brazil

2009/2529(RSP) - 05/02/2009 - Text adopted by Parliament, single reading

The European Parliament adopted by 46 votes to 8 with no abstentions, a resolution on the refusal to extradite Cesare Battisti from Brazil. The resolution had been tabled for consideration in plenary by the EPP-ED, PES, ALDE, and UEN, groups.

It is recalled that Cesare Battisti was convicted in absentia, in final judgements handed down by the Italian courts, of four murders and of involvement in an armed group, robbery, possession of fire-arms and armed acts of violence. He went into hiding until he was arrested in Brazil in March 2007. On 17 January 2009 Battisti was declared a political refugee by the Brazilian Government, and his extradition has been refused on the grounds that the Italian justice system fails to provide sufficient guarantees in respect of prisoners' rights.

Parliament noted that this decision may be interpreted as a sign of mistrust towards the EU, which is founded, inter alia, on respect for fundamental rights and the rule of law, which include the rights of prisoners. Those principles are shared by all Member States. It took note that legal proceedings have been brought, and that the final decision of the Brazilian authorities should be issued in the coming weeks. Members trust that the re-examination of the decision on the extradition of Cesare Battisti will take into account the judgment delivered by an EU Member State in full compliance with the principle of the rule of law in the EU. Parliament expresses the hope that, in the light of such considerations, the Brazilian authorities reach a decision founded on common principles shared by Brazil and the EU.

Lastly, it points out that the partnership between the European Union and the Federative Republic of Brazil is based on the mutual understanding that both parties will uphold the rule of law and fundamental rights, including the right of defence and the right to a fair and equitable trial.