

Resolution on Brazil: extradition of Cesare Battisti

2011/2523(RSP) - 20/01/2011 - Text adopted by Parliament, single reading

Following the debate which took place on the same day, the European Parliament adopted a resolution on Brazil: extradition of Cesare Battisti.

The resolution had been tabled by the EFD, ALDE, EPP, S&D and ECR groups.

Parliament recalls that Cesare Battisti, an Italian citizen, was found guilty at seven trials and convicted in absentia, in final judgements handed down by the Italian courts, of four murders and of involvement in an armed group, robbery and possession of firearms, and sentenced to two terms of life imprisonment. The latter went into hiding until he was arrested in Brazil in March 2007. The Brazilian Supreme Court in November 2009 decided to allow the extradition of Cesare Battisti and authorised the incumbent President of Brazil to release the prisoner to Italy, in accordance with the rules of the 1999 Extradition Treaty between Italy and Brazil, but this was refused by the then-incumbent President. Parliament notes that that decision is being challenged by the Italian Government before the Brazilian Supreme Court. It further notes that on 6 January 2011 the President of the Brazilian Supreme Court refused the immediate release of Cesare Battisti and officially reopened the case, which will be considered in February when the Court resumes work.

Parliament calls on the European External Action Service to conduct a political dialogue with Brazil and to ensure that every decision taken complies fully with the EU's basic principles and is conducive to good relations with the Member States. It expresses confidence that, in the light of the mutual understanding that the EU and Brazil uphold the rule of law and fundamental rights, including the right of defence and the right to a fair trial, the competent Brazilian authorities will exercise their right and fulfil their duty to process the Italian Government's new request that the decision on the extradition of Cesare Battisti be reviewed, and explore ways of ensuring that the bilateral treaty on extradition is interpreted correctly.