

6th Criminal Chamber, judgment [sentenza] of 10 Mar. 2021 No 9821, legally summarised as follows: « *On the European Arrest Warrant. The recognition of the right to subsidiary protection by the Italian State does not constitute an obstacle to surrender to another member State of the European Union, as per Article 2 of Law No 69 of 22 April 2005: indeed, against the claim that the person requested, if surrendered to the other Member State, would not have there the same guarantees provided by the Italian constitution concerning asylum, not only stands Article 33 of the Geneva Convention on the protection of refugees which provides that the "non refoulement" principle applies only to the territories where the life or freedom of the person would be threatened on account of their race, religion, nationality, membership of a particular social group or political opinion, but also the fact that the status of a person granted asylum or international protection within the European Union has a uniform nature and is valid in all the European Union Member States. (The case concerned a warrant for purposes of prosecution in France)*» (Rv. 281110-01)