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Case of Abdelhamid Hakkar

Written question No 481 to the Committee of Ministers
presented by Mr Jurgens

Recalling that in his reply to a question by Mr Jurgens in January 2004, the Chairman of the Committee of Ministers referred to the position of the French authorities to the effect that Mr Abdelhamid Hakkar, who had received a second conviction in proceedings resulting from the reopening of his case was not nonetheless required to serve two consecutive terms of imprisonment for the same offence as the first conviction would disappear as soon as the second had become final;

Noting that the second conviction could not become final at that time because it had been subject first to an appeal and then to an application in cassation by Mr Hakkar;

Observing, however, that with the decision of the Court of Cassation of 7 December 2005 rejecting Mr Hakkar's application, the second conviction is no longer subject to any possibility of appeal and is therefore final, and that as a consequence the initial conviction may finally be suppressed;

Noting furthermore that the initial life sentence included a tariff of 18 years and that this was reduced to 16 years by the second sentence but that in any event Mr Hakkar has now served 21 years in prison,

Mr Jurgens asks the Committee of Ministers:

to inform the Assembly whether the French authorities today see any reason why Mr Hakkar should not now be able to be set free from his life sentence and a decision be taken to grant him parole with respect to his other conviction(s).

Signed ¹:

JURGENS, Erik, Netherlands, SOC

¹ SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE : Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group