

**Question for written answer E-003646/2015/rev.1
to the Commission**

Rule 130

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Subject: Early warning system for breaches of the EU Charter of Fundamental Rights

In February the Commission, in the shape of its Vice-President Frans Timmermans, whose responsibilities include better regulation, the rule of law, and the EU Charter of Fundamental Rights, announced its plan to set up an early warning system to identify and remedy cases in which fundamental rights of European citizens are being manifestly infringed, for instance in connection with the enforcement of EU law. The Spanish General Council of the Judiciary, ignoring the opinion of almost half its members, has suspended a criminal court judge, Santiago Vidal Marsal, for three years for engaging in his free time in learned work intended to contribute to a hypothetical Catalan constitution. Demonstrating inexcusable ignorance of the Spanish Constitutional Court's judicial practice, the ruling deems that a professed loyalty to the Spanish Constitution and legal system prohibits advocating for their reform. In addition to being at odds with domestic law, the punishment is contrary to, at the very least, Articles 10, 11, 12, 20, and 21 of the EU Charter of Fundamental Rights.

1. When the Commission speaks of its projected early warning system, does it have cases like this in mind?
2. If the initiative is not meant to deal with cases of the type described, what kind of matters will be covered?
3. Does the Commission consider actions of this sort to be conducive to the rule of law and to mutual trust between criminal justice systems in Member States?