

**Question for written answer E-007648/2016  
to the Commission**

Rule 130

**Marina Albiol Guzmán (GUE/NGL), Izaskun Bilbao Barandica (ALDE), Josu Juaristi Abaunz (GUE/NGL), Josep-Maria Terricabras (Verts/ALE), Miguel Urbán Crespo (GUE/NGL) and Ernest Urtasun (Verts/ALE)**

Subject: Obstruction of justice to maintain impunity for the crimes of the Franco dictatorship

On 4 November 2016, Gerardo Iglesias, an EU citizen, was barred from making a statement to the fourth court of first instance of Oviedo on the torture he suffered at the hands of Franco's authorities. This took place as part of criminal proceedings brought against the Franco regime in Argentina, since such cases cannot be brought before Spanish courts. He was silenced at the behest of Spain's public prosecutor's office, which is thus guilty of obstructing the course of justice.

This not only runs counter to the legal agreements concluded between Spain and Argentina but also infringes the European Charter for Fundamental Rights and the International Covenant on Civil and Political Rights, provides, among other things, that amnesties can be imposed at the end of judicial proceedings and not prior to them.

1. Is the Commission aware of this situation?
2. Does the Commission agree that this obstruction of the course of justice is contrary to the *acquis communautaire*?
3. Has a dialogue been opened with the Spanish authorities to ensure compliance with the Charter of Fundamental Rights of the EU?