

**Question for written answer E-001837/2017  
to the Commission**

Rule 130

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Subject: Uniform implementation of the EU Framework to strengthen the rule of law in all Member States and judicial independence - Venice Commission's report on Spain's Constitutional Court

On 19 January 2016, Commission Vice-President Frans Timmermans declared: 'When national rule of law safeguards seems to come under threat, the EU needs to act.'<sup>1, 2, 3</sup>

Accused of serious civil disobedience over Catalonia's unofficial non-binding 2014 independence vote, former Catalan President Artur Mas has been banned by a court from holding any public office for a period of 2 years and fined EUR 36 000.<sup>4, 5</sup>

The Council of Europe's constitutional law experts, the Venice Commission, published a critical analysis of amendments to Spain's Constitutional Court on 11 March 2017<sup>6</sup>. The new powers attributed to the Court include the suspension of officials refusing to implement judgments.

On the other hand, in Spain there are 34 judicial rulings by the Constitutional Court in favour of Catalonia with which the Spanish Government has failed to comply<sup>7</sup>.

To be consistent with what Vice-President Timmermans said:

1. How will the Commission make sure that there is a uniform application of the rule of law in Eastern European countries (Poland and Hungary) and in Spain?
2. Does the fact that the Spanish Government has not implemented 34 rulings by the Constitutional Court not violate the EU rule of law framework?
3. Regarding the Venice Commission's conclusion, what is the Commission's assessment of judicial independence in Spain regarding these trials of democratically elected leaders?

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<sup>1</sup> [http://europa.eu/rapid/press-release\\_SPEECH-16-114\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-16-114_en.htm)

<sup>2</sup> [http://ec.europa.eu/justice/effective-justice/rule-of-law/index\\_en.htm](http://ec.europa.eu/justice/effective-justice/rule-of-law/index_en.htm)

<sup>3</sup> [http://ec.europa.eu/justice/effective-justice/files/com\\_2014\\_158\\_en.pdf](http://ec.europa.eu/justice/effective-justice/files/com_2014_158_en.pdf)

<sup>4</sup> <http://www.politico.eu/article/former-catalan-president-artur-mas-banned-from-public-office-for-two-years-independence/>

<sup>5</sup> [http://www.lemonde.fr/europe/article/2017/03/13/catalogne-l-ex-president-independantiste-artur-mas-condamne-a-deux-ans-d-ineligibilite\\_5093734\\_3214.html](http://www.lemonde.fr/europe/article/2017/03/13/catalogne-l-ex-president-independantiste-artur-mas-condamne-a-deux-ans-d-ineligibilite_5093734_3214.html)

<sup>6</sup> <http://www.coe.int/ca/web/portal/-/critical-analysis-of-amendments-to-spain-s-constitutional-court-venice-commission>

<sup>7</sup> <http://www.cataloniavotes.eu/en/the-list-of-the-34-judicial-rulings-by-the-constitutional-court-in-favour-of-catalonia-with-which-the-spanish-government-has-failed-to-comply/>