

**Question for written answer E-002551/2017
to the Commission**

Rule 130

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Subject: Sentence passed on Cassandra Vera and freedom of expression

On 29 March Cassandra Vera, a Spanish citizen, was sentenced by the National High Court to one year's imprisonment for tweeting jokes about the death of the Franco-era prime minister Carrero Blanco in 1973¹. This sentence follows a string of cases that have come before the courts not only since the Spanish Criminal Code was amended in 2015, but also as a result of Organic Law 4/2015 of 30 March 2015 on the protection of public safety, known as the 'gag law'. The sentence is based on the charge of disparaging or humiliating victims of terrorist crimes or their family members, but it takes no account of the fact that even Carrero Blanco's granddaughter has published a letter expressing the view that it is absurd to call for people to be jailed for tweeting about her grandfather². It adds to the punishments inflicted on Twitter users since the above-mentioned law was adopted.

Does the Commission consider the new wording of Article 578 of the Spanish Criminal Code to be wholly compatible with Article 11 ('Freedom of expression and information') of the EU Charter of Fundamental Rights?

¹ https://www.theguardian.com/world/2017/mar/30/spanish-woman-given-jail-term-for-tweeting-jokes-about-franco-era-assassination?CMP=tw_t_gu

² http://politica.elpais.com/politica/2017/01/18/actualidad/1484767780_556799.html