

**Question for written answer E-001252/2018  
to the Commission**

Rule 130

**Josep-Maria Terricabras (Verts/ALE), Jordi Solé (Verts/ALE), Ernest Urtasun (Verts/ALE), Lola Sánchez Caldentey (GUE/NGL), Xabier Benito Ziluaga (GUE/NGL), Matt Carthy (GUE/NGL), Lynn Boylan (GUE/NGL), Liadh Ní Riada (GUE/NGL), Maria Lidia Senra Rodríguez (GUE/NGL), Miguel Urbán Crespo (GUE/NGL), Curzio Maltese (GUE/NGL), Igor Šoltes (Verts/ALE), Benedek Jávor (Verts/ALE), Bart Staes (Verts/ALE), Tania González Peñas (GUE/NGL), Josu Juaristi Abaunz (GUE/NGL), José Bové (Verts/ALE), Florent Marcellesi (Verts/ALE), Ángela Vallina (GUE/NGL), António Marinho e Pinto (ALDE), Ramon Tremosa i Balcells (ALDE), Barbara Spinelli (GUE/NGL), Luke Ming Flanagan (GUE/NGL), Tatjana Ždanoka (Verts/ALE), Martina Anderson (GUE/NGL), Marie-Pierre Vieu (GUE/NGL), Mark Demesmaeker (ECR), Estefanía Torres Martínez (GUE/NGL), Stelios Kouloglou (GUE/NGL), Helmut Scholz (GUE/NGL) and Bodil Valero (Verts/ALE)**

**Subject:** Freedom of expression under threat in Spain

This week Mallorcan rapper Valtònyc was sentenced to three and a half years in jail by the Spanish Supreme Court for exaltation of terrorism and slander against the Crown in his song lyrics<sup>1</sup>. Earlier this week, a court ordered copies of a book entitled 'Fariña', which reveals the relationship between drug traffickers and certain politicians, to be seized and its printing and sales to be halted<sup>2</sup>, and an art piece on political prisoners in Spain was withdrawn from the ARCO art exhibition<sup>3</sup>. Rapper Pablo Hasél, accused of slander against the Crown and the state, is also awaiting the outcome of his trial and could be sent to prison<sup>4</sup>.

The European Court of Human Rights has ruled that Article 490 of the Spanish Criminal Code, which protects certain institutions against public offence, is not in line with Article 10 of the European Convention on Human Rights. This article remains unchanged and constitutes the legal basis for the abovementioned rulings.

Does the Commission consider that Spanish Law 4/2015 and the Spanish Criminal Code are fully in line with Articles 11 and 12 of the Charter of Fundamental Rights of the European Union?

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<sup>1</sup> [https://politica.elpais.com/politica/2018/02/20/actualidad/1519138222\\_303069.html](https://politica.elpais.com/politica/2018/02/20/actualidad/1519138222_303069.html)

<sup>2</sup> <http://www.publico.es/culturas/farina-jueza-ordena-secuestro-cautelar-libro-farina-narcotrafico-gallego-peticion-exalcalde-grove.html>

<sup>3</sup> <http://www.lavanguardia.com/cultura/20180221/44950153381/arco-obra-santiago-sierra-presos-politicos-proces.html>

<sup>4</sup> <http://www.publico.es/sociedad/twitter-son-62-tuits-cancion-fiscalia-pide-3-anos-prision-40500-euros-rapero-pablo-hasel.html>