

**Question for written answer E-002145/2018
to the Commission**

Rule 130

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Subject: Arbitrary use of European Arrest Warrant (EAW)

The Catalan President, Carles Puigdemont, has been remanded in custody by a German court since 25 March 2018, pending a decision on whether to extradite him to Spain via an EAW¹.

The Spanish intelligence services had been following Mr Puigdemont and alerted the German authorities to his presence in the country so that they could arrest him. However, they did not warn Denmark or Sweden when Mr Puigdemont was in their territory. This sets a dangerous precedent for the future of the 'area of freedom, security and justice' established in the Treaty on European Union².

The Spanish Supreme Court has also reissued the EAWs for the four Catalan ministers in exile and has issued an international arrest warrant for the Secretary-General of the Republican Left of Catalonia³.

The EAWs had been withdrawn by Spain last November once it became clear that the Belgian courts were not going to execute them blindly⁴.

Does the Commission consider that the Spanish authorities are using the EAW arbitrarily to punish democratic political behaviour and the pursuit of goals that, according to fundamental rights, should never be considered crimes?

Does it think that arbitrary acts such as the withdrawal of the initial EAWs⁵, waiting for Puigdemont to enter Germany before securing his arrest⁶ and the recent detention of Hervé Falciani with a view to his extradition to Switzerland after six years living in Spain⁷ undermine the effectiveness of the EAW?

¹ <https://www.politico.eu/article/carles-puigdemont-catalonia-arrested-germany/>

² <https://euobserver.com/opinion/141498>

³ <http://www.catalannews.com/society-science/item/spain-to-issue-international-arrest-warrant-against-puigdemont>

⁴ <http://www.bbc.com/news/world-europe-42237377>

⁵ <https://www.theguardian.com/world/2017/dec/05/spanish-judge-withdraws-arrest-warrants-for-carles-puigdemont>

⁶ <https://www.theguardian.com/world/2018/mar/26/catalan-leader-carles-puigdemont-remanded-in-custody-in-germany>

⁷ https://www.swissinfo.ch/eng/swiss-leaks-_whistleblower-herv%C3%A9-falciani-arrested-in-madrid-at-swiss-request/44022190