

**Question for written answer E-001632/2019
to the Commission**

Rule 130

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Subject: Breaches of EU law in the Alsasua case

On 15 September 2017, the disproportionate sentences handed down to eight young people involved in a bar brawl in Alsasua (Navarra) prompted Commission Vice-President Frans Timmermans to announce that he would intervene using the Commission's powers as guardian of the Treaties if it turned out that the Treaties had been violated in the case. The court stripped the accused of their right to a natural judge by labelling the facts 'terrorism', although they do not fit with the cases outlined in Title II of Directive (EU) 2017/541. It also breached Articles 4 and 6 of Directive (EU) 2016/343 by creating the conditions for and allowing the accused to be repeatedly presented as guilty and violated provisions on the right to defence in Directive 2013/48/EU. The breach of those provisions resulted in a process and final judgment that clearly violated Articles 4, 8, 20, 21, 47, 48 and 49 of the European Charter of Fundamental Rights and led to the biggest demonstration in Navarre's history.

1. In view of its communication of 1 October 2018 on this case, does the Commission consider that the above violations of EU law justify, at least, an examination into the case?
2. If it considers that EU law has indeed been violated, what could the Commission do to address those violations?