

**Question for written answer P-008355/2016/rev.1
to the Commission**

Rule 130

Josep-Maria Terricabras (Verts/ALE) and Ramon Tremosa i Balcells (ALDE)

Subject: Upholding fundamental rights and the rule of law in Spain

Spain's National Court has declared that Joan Coma, a town councillor in Vic, is to be placed under formal investigation for alleged incitement to sedition. If convicted, he could be sentenced to eight years in prison. The investigation relates to statements he made at a town council meeting on 9 December 2015. At the meeting Mr Coma spoke in favour of a resolution adopted by the Catalan Parliament on Catalonia's sovereignty¹.

Furthermore, on 30 June 2015, at the cup final between FC Barcelona and Athletic Bilbao, there was loud whistling from the crowd when Spain's national anthem was played. This legitimate, democratic demonstration was initiated by civil society groups in protest at the attitude of the Spanish Government and monarchy with regard to Catalonia. The National Court has declared that Santiago Espot, a private individual, is to be placed under formal investigation².

In light of the foregoing:

1. Does the Commission consider the conduct of the Spanish judicial authorities to be compatible with Article 2 TEU?
2. Is the Commission intending to issue a recommendation on the rule of law in Spain, as it did in relation to Poland?

¹ <http://www.lavanguardia.com/politica/20160323/40639846592/concejal-cup-sedicion-investigado.html>.

² <http://www.lavanguardia.com/politica/20161017/411053729315/pitada-himno-audiencia-nacional-santiago-espot.html>.