



7.3.2011

0009/2011

## WRITTEN DECLARATION

pursuant to Rule 123 of the Rules of Procedure

on the violation of the right to own property represented by the Ley de Costas (Law on Coastlines) on the Costa Brava (Cataluña, Spain)

**Ramon Tremosa i Balcells, Marta Andreasen, Santiago Fisas Aixela, Oriol Junqueras Vies**

Lapse date: 9.6.2011

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**Written declaration on the violation of the right to own property represented by the Ley de Costas (Law on Coastlines) on the Costa Brava (Cataluña, Spain)**

*The European Parliament,*

- having regard to Article 33 of the Spanish Constitution,
  - having regard to the European Parliament's resolution of 26 March 2009 calling on Spain to respect the rights of those adversely affected by the implementation of the *Ley de Costas* (Law on Coastlines) 22/1988,
  - having regard to the European Union Charter of Fundamental Rights,
  - having regard to Rule 123 of its Rules of Procedure,
- A. whereas private property is protected by Article 17 of the European Union Charter of Fundamental Rights (recognised under Article 6 TEU) and by the Spanish Constitution (Article 33),
- B. whereas the application of the Spanish *Ley de Costas* jeopardises the right of thousands of citizens to property which they acquired before this law came into force,
- C. whereas the situation is prejudicial to the prestige of tourism-related activity in Spain, and particularly in certain towns on the Costa Brava, such as Empuriabrava,
1. Calls on the Spanish Government to take into account the European Parliament's resolution and to respect private property in any action it may undertake and to submit a comprehensive report on the current application of the *Ley de Costas*, together with proposals for resolving cases in which, as in Empuriabrava, the application of the *Ley de Costas* infringes the rights of citizens;
  2. Instructs its President to forward this declaration, together with the names of the signatories, to the Council, Commission and to the Governments and Parliaments of the Member States.