

**Question for written answer E-013691/2013/rev.1
to the Commission**

Rule 117

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Subject: Spanish Citizens' Security Law

The Spanish Government passed a new Citizens' Security Law (Spanish: *Ley orgánica de Protección de la Seguridad Ciudadana*) on 29 November 2013.¹

The law provides for hefty fines to be imposed on those engaging in spontaneous protests or protests leading to violence. Filming the police during demonstrations and publishing the footage will also be penalised. With these regulations the government is clearly aiming to criminalise and thus prevent protests against its unpopular policies. The law prohibits actions having generated public pressure in the past, as a result of which the government changed its policies. Parts of the law also contradict Supreme Court rulings, and the measure has provoked massive criticism and protests. Spanish constitutional lawyers believe that this law violates the freedoms of assembly and opinion, as well as other fundamental civic rights, and is therefore anti-democratic and repressive. Some speak of tendencies towards an authoritarian regime. This law violates the freedom of assembly (Article 12(1)) and breaches the Union's fundamental values (democracy and freedom, Article 2 TEU). Parliament has launched the idea of a 'European fundamental rights policy cycle', with the cooperation of EU institutions, the Member States and the Fundamental Rights Agency, to ensure effective monitoring of respect for EU values.

Article 7 of the Treaty on European Union (TEU) provides mechanisms for enforcing respect for EU values. These are based on a political decision by the Council with the participation of the Commission and Parliament, and are exempt from judicial review. In the light of the Commission communication on Article 7 of the Treaty on European Union (COM(2003)0606), the Spanish Citizens' Security Law should be regarded as presenting a clear risk of a serious breach of the common values of the Union, which should be addressed by means of a comprehensive political approach.

Will the Commission discuss with the Spanish Government the scope of this law and its consequences for the Union's common values? Will it consider implementing Article 7 TEU?

Is the Commission going to issue a proposal aimed at ensuring effective monitoring of respect for EU values, in addition to Article 7 TEU?

¹ <http://www.lavanguardia.com/politica/20131129/54395005976/gobierno-aprueba-el-anteproyecto-de-ley-de-seguridad-ciudadana.html>