

**Question for written answer E-006729/2015/rev.1
to the Commission**

Rule 130

Ramon Tremosa i Balcells (ALDE)

Subject: 'Ley mordaza' - new public safety law in Spain in clear violation of Articles 11 and 12 on freedom of expression and assembly of the EU Charter of Fundamental Rights

From 1 July 2015, every kind of peaceful protest will be prohibited in Spain.

Under the public safety law, dubbed the 'ley mordaza', or 'gag law', public demonstrations in front of the Spanish parliament building and other government buildings would be deemed a 'disturbance of public safety', punishable by a fine of EUR 30 000¹, while people who join in spontaneous protests near utility services, transportation hubs and nuclear power plants would risk a jaw-dropping fine of EUR 600 000. The 'unauthorised use' of images of law enforcement authorities or police, meanwhile, presumably aimed at photojournalists or ordinary citizens with cameras taking pictures of police officers or soldiers, would also draw a EUR 30 000 fine, making it hard to document abuses.

The bill was proposed in 2013 by the government of Prime Minister Mariano Rajoy, whose conservative party enjoys a majority in both houses of parliament. The lower house passed the bill in December 2014, and, despite pleas from rights groups and the United Nations, the Senate passed it last month.

Taking account of the Charter of Fundamental Rights of the EU, and in particular Articles 11 and 12 thereof, Article 2 of the Treaty on European Union (TEU), and the position taken by the Commission on Hungary and Prime Minister Orban:

1. Will the Commission adopt the same position and apply democratic principles in the same way?
2. How does the Commission ensure respect for the general principles and the fundamental values enshrined in Article 2 TEU in all Member States?

¹ <http://mobile.nytimes.com/2015/04/23/opinion/spains-ominous-gag-law.html>