

**Question for written answer E-001102/2022
to the Commission**

Rule 138

Izaskun Bilbao Barandica (Renew)

Subject: State of play with regard to the implementation in the Member States of Framework Decision 2008/675/JHA

If the Commission has carried out any further assessment of the implementation in the EU as a whole or in Spain in particular of Framework Decision 2008/675/JHA (COM(2014)0312 final) since its assessment in the report of 2 June 2014, I am not aware of it. The shortcomings in the transposition of that framework decision in Spain have already given rise to a number of court cases at the European Court of Human Rights, none of which have resolved the underlying issue. Nor has a decision been taken on the Spanish courts' refusal to refer a question to the Court of Justice of the European Union for a preliminary ruling on the interpretation of Article 3(5) of Framework Decision 2008/675/JHA. Spain is currently considering amending Organic Law 7/2014 to bring it into line with that decision, the provisions of which are key to building the mutual trust on which the common criminal justice area is based.

1. Have the Member States rectified the shortcomings identified in the 2014 report?
2. If not, have infringement procedures on that matter been opened?
3. Would Spain's amendment of OL 7/2014 bring it closer into line with that framework decision?