

**Question for written answer E-001373/2022  
to the Commission**

Rule 138

**Jordi Cañas** (Renew)

**Subject:** Infringement of the principle of non-discrimination in relation to access to aid in the restaurant and catering sector affected by COVID-19 in Catalonia

In relation to a campaign to provide extraordinary aid to the restaurant and catering sector, which has been affected economically by COVID-19<sup>1</sup>, the Catalan regional government, established, in section e) of the relevant rules<sup>2</sup>, that eligibility for such aid was subject to compliance with the requirement laid down in Article 32(1) of Law 1/1998 on language policy<sup>3</sup>. However, this requirement of 'linguistic availability' was deemed unconstitutional and not applicable to private entities, companies or establishments open to the public by the Spanish Constitutional Court in judgments 31/2010 (legal ground 22)<sup>4</sup> and 88/2017 (legal ground 4)<sup>5</sup>.

This illegal requirement – which comes on top of the systematic infringement by the Catalan regional government of the rights of Spanish-speaking Catalans protected under the Spanish Constitution, the Statute of Autonomy and Articles 21 and 22 of the Charter of Fundamental Rights of the European Union – constitutes a flagrant breach of the principle of non-discrimination with regard to language in the context of the European legislation applicable within the single market.

In light of the gravity of the situation set out above:

Does the Commission intend to launch an investigation into this Catalan legislation, which constitutes an anti-competitive and discriminatory practice under EU law and is in breach of the single market's principle of non-discrimination?

---

<sup>1</sup> [https://canalempresa.gencat.cat/ca/detall/article/art\\_serveis\\_subvencions\\_2022\\_restauracio](https://canalempresa.gencat.cat/ca/detall/article/art_serveis_subvencions_2022_restauracio)

<sup>2</sup> <https://portaldogc.gencat.cat/utillsEADOP/PDF/8636/1898342.pdf>

<sup>3</sup> <https://www.boe.es/eli/es-ct/l/1998/01/07/1>

<sup>4</sup> [https://boe.es/diario\\_boe/txt.php?id=BOE-A-2010-11409](https://boe.es/diario_boe/txt.php?id=BOE-A-2010-11409)

<sup>5</sup> <https://www.boe.es/buscar/doc.php?id=BOE-A-2017-8473>