

**Question for written answer E-002159/2022
to the Commission**

Rule 138

Idoia Villanueva Ruiz (The Left)

Subject: Investigation of the possible torture and murder of Mikel Zabalza and the difficulty of doing so owing to the Spanish Official Secrets Act

It has recently come to light that the newspaper DEIA received a report from a clandestine union of the Guardia Civil at its Intxaurrondo headquarters that Mikel Zabalza, who was arrested in 1985, had been tortured and murdered there by members of the Guardia Civil. This contradicts the version of events given by the government of Felipe González, according to which Mikel Zabalza drowned in the Bidasoa River while trying to escape.

The Basque Government has declared Mikel Zabelevado a victim of terrorism, and the Government of Navarre will soon do likewise. The Spanish Government's Ministry of the Interior and Defence has still not declassified the reports on this case, which are with the National Centre for Investigations (CNI), with a view to clarifying what happened.

1. Does the Commission feel it acceptable for there to be no time limits or democratic mechanisms for the declassification of reports by the law enforcement agencies of a Member State, on the grounds of upholding an Official Secrets Act that pre-dates its constitution, in a case where the human rights of an EU citizen may have been violated?
2. How does the Commission's view the fact that the intelligence services of a Member State have failed to provide the information needed to clarify events surrounding an alleged murder by its law enforcement authorities?