

**Question for written answer E-000630/2024
to the Commission**

Rule 138

Antoni Comín i Oliveres (NI), Carles Puigdemont i Casamajó (NI), François Alfonsi (Verts/ALE)

Subject: The admission by Spanish Judge Manuel García Castellón of deceiving the French authorities and its implications for judicial cooperation and the rule of law

On 21 February 2024, a Spanish journalist disclosed the details of a talk¹ given by Manuel García Castellón, a judge at the Spanish National Court. During the talk, Judge García Castellón revealed to the audience that, while serving as a liaison judge in France, he misled the French authorities during a meeting in Bordeaux by falsely claiming that a dangerous criminal sought by France was hiding in Spain.

Judge García Castellón explained that his motive for deceiving the French authorities was to compel them to agree to a Security Agreement between Spain and France, known as the Malaga Agreement, dated 26 November 2002².

In the light of this admission:

1. Does the Commission intend to initiate any form of investigation into the deception by the Spanish authorities concerning judicial cooperation between Member States in criminal matters?
2. How does the Commission view the impact of this type of deception on the principle of loyal cooperation in criminal matters, as enshrined in Article 82 of the Treaty on the Functioning of the European Union?
3. Does the Commission consider that actions of this type on the part of a judge are compatible with the principles of the rule of law enshrined in Article 2 of the Treaty on European Union?

Submitted: 27.2.2024

¹ <https://x.com/SIntxaurreondo/status/1760330557274132955?s=20>.

² <https://www.boe.es/boe/dias/2003/12/26/pdfs/A46109-46117.pdf>.