

**Question for written answer P-007213/2017
to the Commission**

Rule 130

Juan Fernando López Aguilar (S&D), Iratxe García Pérez (S&D) and Elena Valenciano (S&D)

Subject: Immigrants being held in Spanish prisons

More than 500 migrants arrived on the Murcian coast last weekend. Given the lack of immigration detention centres (known as CIEs in Spain), the Spanish government decided that they should be held in a prison in the province of Malaga.

The purpose of Spain's CIEs is to intern illegal immigrants before they are deported. In 2009, 70% of illegal immigrants were deported, compared with 29% in 2016. Spain has seven CIEs currently in operation, even though it has sufficient resources to build more than the number it has committed to, in view of the clear evidence of overcrowding.

It should be borne in mind that these immigrants have not been sentenced to prison. In the light of Article 2 of the Treaty on European Union on respect for human dignity and freedom, Articles 1 and 4 of the EU Charter of Fundamental Rights on the prohibition of inhuman or degrading treatment, and Article 16 of the Return Directive, which stipulates that prisons may be used only where the Member State 'cannot' provide accommodation in other specialised facilities, does the Commission believe that this decision by the Spanish government is compatible with the Return Directive and the EU's foundational values? If not, what action will it take?