Question for written answer E-002533/2026/rev.1
to the Commission
Rule 144
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Subject: Procedural irregularities surrounding the case of the 'Ulm 5' activists in Germany

The German state is prosecuting five European citizens before the higher regional court in Stuttgart in proceedings marked by procedural irregularities: the accused appear in court handcuffed and confined to a glass cage, despite having no criminal records or prior disciplinary incidents; the trial is being held in a special courtroom, surrounded by barbed wire; the presiding judge has repeatedly rejected defence arguments without giving reasons; and the accused have been held in pre-trial detention for months for acts limited to property damage.

The European Court of Human Rights established in *Svinarenko and Slyadnev* v *Russia*[1] that confinement in restraint structures during trial constitutes degrading treatment under Article 3 of the European Convention on Human Rights (ECHR), and in *Jiga* v *Romania*[2] that presenting accused persons in handcuffs without individual justification violates Article 6(2).

The fact that the accused are being prosecuted for opposing an Israeli defence company's operations in Gaza compounds these concerns and points to proceedings bearing the hallmarks of political persecution.

1. Are the procedural conditions described compatible with Article 47 of the Charter of Fundamental Rights of the European Union and Directive 2016/343/EU[3]?

2. If not, does the Commission intend to open a formal dialogue with German authorities regarding compliance with these guarantees?

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[1] Judgment of the European Court of Human Rights of 17 July 2014, *Svinarenko and Slyadnev* v *Russia*, application nos 32541/08 and 43441/08.
[2] Judgment of the European Court of Human Rights of 16 March 2010, *Jiga* v *Romania*, application no 14352/04.
[3] Directive (EU) 2016/343 of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (ELI: http://data.europa.eu/eli/dir/2016/343/oj).