

(English version)

**Question for written answer E-001545/24
to the Commission
Marcin Sypniewski (ESN)
(23 August 2024)**

Subject: Commission position on the rule of law in Poland in the context of the exposure of the spying activities of Pavel Rubtsov, AKA Pablo Gonzalez

On 1 August 2024, a prisoner exchange took place between Russia and Western countries. Pavel Rubtsov, operating in Poland under the pseudonym Pablo Gonzalez, was among the individuals named as being loyal to Russia. Rubtsov, who officially presented himself as a Spanish journalist, was detained by Polish authorities in February 2022 on charges of spying for Russia. In its reports on the rule of law in Poland, including the 2023 Rule of Law Report Country Chapter on the rule of law situation in Poland, the Commission claimed that Rubtsov's arrest was a violation of the freedom of the press in Poland. However, it is now known that Rubtsov was indeed acting as a Russian spy.

Given the above:

1. On what or whose information did the Commission base its allegation of a violation of the rule of law in relation to Pavel Rubtsov, and how did the Commission verify the information that it received?
2. Does the Commission intend to include this case in future rule of law reports in order to prevent similar errors of assessment in the future?
3. What steps will the Commission take to investigate such cases more rigorously in the future before issuing official statements that may affect the reputation of the Member State concerned?

Submitted: 23.8.2024

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(6 January 2025)**

The Commission has strongly condemned Russia's espionage, hybrid threats and disinformation campaigns. There can be no doubt of the Commission's position in this regard.

The Commission's annual Rule of Law Report is prepared in continuous dialogue with the 27 Member States and is based on a transparent methodology, developed in consultation with the Member States in full respect of the principles of equal treatment, impartiality and objectivity.

It relies on a broad variety of sources, including national authorities, independent bodies, international institutions, and other stakeholders such as civil society.

The country chapter for Poland of the 2023 Rule of Law Report ⁽¹⁾, to which the Honourable Member refers, briefly mentions the case of Pablo González under the pillar of media freedom.

It factually reports on his arrest by the Polish Security Services and the charge of illegal espionage on behalf of Russia without taking a position.

The case of Pablo González, who at the time was believed to be a freelance journalist, had been brought to the attention of the Commission by different organisations expressing concern over his arrest and the length of his pre-trial detention.

This was also an alert published on the Council of Europe's platform ⁽²⁾ and the Commission usually refers to such alerts in its Rule of Law Report in relation to all Member States.

The Commission is aware of the outcome of the case and considers it important to pay careful attention to any references to individual cases in the Rule of Law Reports.

The Commission is committed to further strengthening the Rule of Law Report, as expressed in the Political Guidelines.

⁽¹⁾ https://commission.europa.eu/document/download/b576c76e-0755-4690-9266-7895c4294433_en?filename=48_1_52627_coun_chap_poland_en.pdf
⁽²⁾ <https://fom.coe.int/en/alerte/detail/107637244:globalSearch=true>