

(English version)

**Question for written answer E-000232/25
to the Commission
Isabel Serra Sánchez (The Left)
(21 January 2025)**

Subject: Police infiltration in social movements in Spain, and its impact on fundamental rights

In Spain, there have recently been cases of officers in the National Police Force having infiltrated people's lives and social movements using false identities. These actions violate the Charter of Fundamental Rights of the European Union, which prohibits inhuman and degrading treatment and protects the rights to, and freedoms of, expression, association and assembly. In addition, under Spanish law, these practices could constitute offences both against the inviolability of the home, and of the disclosure of secrets. The provisions of a Franco-era law on official secrets mean we cannot determine how many police officers have infiltrated social movements. That law is one that the European Commission has already asked Spain to review, since it is at odds with the rule of law.

1. Does the Commission consider that police infiltration in social movements in Spain violates the above fundamental rights and, therefore, the rule of law?
2. Does the Commission consider these practices to endanger the protection of human rights, and what measures does it intend to adopt to ensure that Spain respects and protects these rights in the context of police actions?
3. What is the Commission's assessment of the continued application of the Spanish Law on Official Secrets?

Submitted: 21.1.2025

**Answer given by Mr McGrath on behalf of the European Commission
(22 April 2025)**

As set out in its reply to written questions E-000297/2023 and E-001749/2024, internal security matters, including actions by national authorities for the purpose of maintaining law and order and safeguarding internal security, remain the responsibility of the Member State concerned.

Consequently, policing matters, such as the one referred to by the Honourable Member, fall within the remit of the national authorities.

In cases falling outside the scope of EU law, it is for Member States, including their judicial authorities, to ensure that fundamental rights are effectively respected and protected in accordance with their national legislation and international human rights obligations.

As regards the Law on Official Secrets, in its 2024 Rule of Law Report the Commission recommended Spain to advance with strengthening access to information, in particular via revision of the Law on Official Secrets, taking into account European standards on access to official documents.

The Commission is engaging with Spain on the follow-up given to the report and in the context of the upcoming 2025 edition.
