



Council of the  
European Union

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LIMITE

PE-QE 134

## REPLY TO PARLIAMENTARY QUESTION

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From: Working Party on General Affairs

To: Permanent Representatives Committee/Council

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Subject: DRAFT REPLY TO QUESTION FOR WRITTEN ANSWER  
E-003104/2018 - Josep-Maria Terricabras (Verts/ALE), Jordi Solé  
(Verts/ALE) and Ramon Tremosa i Balcells (ALDE)  
'MEPs' right of access to prisons and detention centres without hindrance'

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1. Delegations will find attached:
  - the text of the above question for written answer;
  - a draft reply prepared by the Working Party on General Affairs at its meeting on 23 November 2018.
2. This draft reply is submitted to the Permanent Representatives Committee (Part 1) and to the Council for approval.

**Question for written answer E-003104/2018/rev.1  
to the Council**

Rule 130

**Josep-Maria Terricabras (Verts/ALE), Jordi Solé (Verts/ALE) and Ramon Tremosa i Balcells (ALDE)**

Subject: MEPs' right of access to prisons and detention centres without hindrance

On 19 December 2017, seven MEPs were denied access to the Centro Penitenciario Madrid VII prison in Estremera, Spain, despite having asked for permission from all relevant authorities and having followed all necessary protocols. Their intention was to visit eight members of the Catalan Government and two social leaders who had been in prison without bail since 3 November and were awaiting trial.

This was in clear contrast with the visit that other MEPs were able to pay to the former President of Catalonia, Carles Puigdemont, in Neumünster prison, Germany, while he was briefly held there<sup>1</sup>. These differences illustrate the wide disparity of approaches taken by the different Member States when determining the conditions under which MEPs, as elected representatives of European citizens, are granted access to penitentiary centres around the EU. It is worth mentioning that Parliament approved a resolution on prison systems and conditions in October 2017 calling on 'Member States to allow MEPs the right of access to prisons and detention centres without hindrance'.<sup>2</sup>

Does the Council envisage taking any action vis-à-vis the Member States to ensure that MEPs can access all European prisons without hindrance and limitations?

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<sup>1</sup> <https://www.vilaweb.cat/noticies/former-slovenian-foreign-affairs-minister-visits-catalan-president-in-german-prison/>

<sup>2</sup> Texts adopted, P8\_TA(2017)0385.

**EN**  
**E-003104/2018**  
**Reply**

The Honourable Members are reminded that each Member State is solely competent to regulate the access to prisons within its territory.

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