

**Question for written answer E-001236/2024
to the Commission**

Rule 138

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Subject: Attack on Democratic Memory Law

Several autonomous regions (Aragón, Castilla y León, Comunidad Valenciana, Baleares, Cantabria and Extremadura) that are governed by the *Partido Popular* or a *Partido Popular-VOX* coalition have repealed or intend to repeal their region's Democratic Memory (Decree) Laws. Furthermore, these regions have replaced or intend to replace these laws with 'laws of harmony', which equate the dictatorship regime with democratic periods (such as the Second Republic), although the abolished laws do not distinguish between victims.

As far back as 1962, the European Parliament's Birkelbach report affirmed that 'Guaranteeing the existence of a democratic form of State... is a condition for membership', following Francoist Spain's attempt to join the European Economic Community. Since then, the EU has protected democratic memory through initiatives such as the EU Day of Remembrance for the victims of all totalitarian and authoritarian regimes, the CERV programme (whose scope covers memory), the EP Resolutions of 2 April 2009, 25 October 2018, 19 September 2019 and 17 January 2024, in which the Union calls for freedoms threatened by misappropriation of the laws of memory to be safeguarded, as well as through the Rule of Law mechanism.

1. Does the Commission think that repealing such laws is compatible with Article 2 TEU and the Rule of Law in the EU context?
2. Does the Commission think that equating dictatorship and democracy by means of laws is compatible with the *acquis communautaire*?

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