

**Question for written answer E-003484/2020  
to the Commission**

Rule 138

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**Subject:** The LTGBI flag and other non-official flags are banned in Spanish public institutions

Parliament often participates in international campaigns such as the defence of the rights of LGBTI communities, International Women's Day or other events by placing flags, symbols and even special lighting on its buildings. This practice has just been banned in Spain because of a Supreme Court ruling <sup>1</sup>. The authors of the ruling consider that the placing of unofficial symbols in institutions undermines their neutrality. According to this ruling, a city council in Spain could not propose displaying one of these symbols even by majority agreement, under the threat of criminal prosecution – in violation of the freedom of thought and expression protected by Articles 10 and 11 of the Charter of Fundamental Rights <sup>2</sup>. The ruling is also a clear step backwards in public support for minority rights and social causes. The rule of law in the EU must include the protection of minority rights.

1. Is the Commission aware of this decision, and does it believe that the defence of democratic rights and causes is compatible with the neutrality of public institutions?
2. Does the Commission believe that prohibiting public support for legitimate political and social causes is compatible with Articles 10 and 11 of the Charter of Fundamental Rights?

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<sup>1</sup> <https://www.catalannews.com/politics/item/supreme-court-prohibits-display-of-unofficial-flags-on-public-buildings>

<sup>2</sup> <https://www.dw.com/en/catalan-president-stands-trial-for-disobedience/a-51295629>