



CONSTITUTIONAL COURT OF SPAIN  
Office of the President  
Press Office

## PRESS RELEASE No. 35/2018

### THE CONSTITUTIONAL COURT GRANTS LEAVE TO PROCEED TO FORCADELL AND SIMÓ'S APPEAL AGAINST THE SUPREME COURT DECISION TO ASSUME JURISDICTION IN THE CRIMINAL CASE RELATED TO THE "1-O"

The Plenary Session of the Constitutional Court has, by unanimity, resolved to grant leave to proceed to the appeal for constitutional protection ("*recurso de amparo*") brought by the former President of the Parliament of Catalonia, Carme Forcadell, and the member of its Board, Anna Simó. The appeal challenges the rulings ("*autos*") rendered by the Supreme Court which had affirmed the jurisdiction of its Second Chamber to investigate the criminal charges they are facing. They are both accused, together with other politicians, of having allegedly committed the offences of rebellion, sedition and embezzlement of public funds.

In this case, the Constitutional Court considers that there is a special constitutional relevance that justifies granting leave to proceed to their appeal. This is due to the fact that the appeal affects an aspect of a fundamental right on which there is not yet any case law (Ground no. 2, judgement 155/2009 of the Constitutional Court).

Furthermore, the Court applies the provisions of article 51 of the Organic Law of the Constitutional Court. Thereby, it has requested the Supreme Court to provide it with the documents of the relevant judicial proceedings to the Supreme Court. Likewise, it has notified the other parties, apart from the appellant, in order to allow them to join the proceedings if they wish so.

Madrid, 10 April 2018