



CONSTITUTIONAL COURT OF SPAIN
Office of the President
Press Office

PRESS RELEASE No. 47/2018

THE CONSTITUTIONAL COURT GRANTS LEAVE TO PROCEED TO THE APPEAL BROUGHT BY THE FORMER VICE-PRESIDENT OF CATALONIA AGAINST THE REFUSAL TO GRANT HIM A PRISON TRANSFER

The Plenary Session of the Constitutional Court has resolved to admit the appeal for constitutional protection (“*recurso de amparo*”) lodged by the former vice-president of the Government of Catalonia, Oriol Junqueras, against a ruling of the Criminal Chamber of the Supreme Court. This ruling had refused to grant him a transfer to a prison closer to his place of residence.

The appellant considered that the decision of the Supreme Court infringes several of his rights. In particular, he considers that the mentioned decision violates the right of a prisoner on remand to an ordinary judge predetermined by law and to a fair trial (article 24.2 CE); the right to political participation (article 23.2 CE), on the grounds that the exercise of his parliamentary office was hindered, and the right to freedom of ideology (article 16 CE). The appeal does not request a precautionary suspension, but does request to trigger urgent proceedings.

The magistrates have ordered the admission of the appeal on the grounds that it “*addresses a question affecting an aspect of a fundamental right on which there is still no case law rendered by this Court*”. Moreover, the case at issue does have a “*special constitutional relevance*”, as required by article 50.1 of the Organic Law of the Constitutional Court regarding the admission of any appeal for constitutional protection.

The jurisdictional decree (“*providencia*”) of the Court has set a period of 10 days for the Supreme Court to submit the certificates corroborating the content of the proceedings at issue. In addition, parties to the proceedings, other than the appellant, are summoned to appear within 10 days.

Madrid, 10 May 2018