



CONSTITUTIONAL COURT OF SPAIN
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THE CONSTITUTIONAL COURT GRANTS LEAVE TO PROCEED TO THE APPEAL BROUGHT BY TURULL AND RULL AGAINST THE SUPREME COURT'S DECISION TO MAINTAIN THEIR REMAND DETENTION

The Plenary Session of the Constitutional Court has accepted to rule on this matter, following a proposition made by three Magistrates of the Third Section of its Second Chamber, who advocated proceeding in this way. They had proposed to admit the appeal for constitutional protection (“*recurso de amparo*”) brought by Jordi Turull and Josep Rull against the ruling (“*auto*”) of the Criminal Chamber of the Supreme Court that had maintained their pre-trial detention.

The jurisdictional decree (“*providencia*”) rendered by the Constitutional Court holds that the requirement established in judgement 155/2009, ground 2 a), is observed in this case. Indeed, the appeal raises a question of special constitutional relevance, because it affects an aspect of a fundamental right on which there is still no case law of the Constitutional Court.

The appellants had contended that such precautionary measure, which implied their remand detention, infringed their rights to political participation and to have an impartial judge.

The jurisdictional decree has requested to the Supreme Court to submit a certified copy of the documents related to this case, within a period of ten days.

Regarding the appellants’ request to suspend the measure of provisional imprisonment, the Constitutional Court has resolved to open “*separate proceedings and to grant a period of three days to the Prosecutor’s Office and to the appellants so that they can submit their arguments concerning this point*”.

Turull and Rull had further requested another urgent precautionary measure to their benefit, regarding the publication of their respective appointments as members of the Government of Catalonia. The Plenary Session of the Court has resolved to dismiss this request.

Madrid, 6 June 2018