



CONSTITUTIONAL COURT OF SPAIN
Office of the President
Press Office

PRESS RELEASE No. 61/2019

RELEASE OF THE OPERATIVE PART

THE PLENARY OF THE CONSTITUTIONAL COURT DISMISSES THE AMPARO APPEAL FILED BY JORDI CUIXART AGAINST THE DECISION OF THE SUPREME COURT THAT ORDERED HIS PRE- TRIAL IMPRISONMENT

The Plenary Session of the Constitutional Court has resolved, by unanimity, to dismiss the appeal for constitutional protection (*“recurso de amparo”*) brought by Jordi Cuixart i Navarro against the decisions of the Supreme Court that refused to set him free until the beginning of its trial, after having been prosecuted on charges of rebellion.

The judgement, which was drafted by Magistrate Andrés Ollero, explains that the challenged resolutions, that affected his right to personal liberty, were rendered after having proceeded to an adequate analysis on the appropriateness and proportionality of the pre-trial imprisonment measure.

The appellant argued that the challenged decisions, dated 21st March, 9th May and 26th June, respectively, violated his right to an ordinary judge as predetermined by the law (article 24.2 of the Spanish Constitution) as well as his right to personal liberty in connection to the right to an impartial judge.

The operative part of the judgement reads as follows:

“1. To refuse leave to proceed to the amparo appeal in relation to the alleged violation of the right to an ordinary judge as predetermined by the law (article 24.2 of the Spanish Constitution).

2. To dismiss the appeal concerning all the other allegations”.

The judgement will be notified in the following days and a more detailed press release will be issued.

Madrid, 7 May 2019