



CONSTITUTIONAL COURT OF SPAIN  
Office of the President  
Press Office

## PRESS RELEASE No. 72/2019

### THE PLENARY OF THE CONSTITUTIONAL COURT DECIDES BY UNANIMITY TO EXAMINE ON THE MERITS THE APPEAL BROUGHT BY THE *PSC* PARTY AGAINST THE REFUSAL BY THE PARLIAMENT OF CATALONIA TO ELECT ICETA AS A SENATOR

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 Parliamentary Group of Unified Socialist in the Parliament of Catalonia against the decision of the Bureau of that parliament dated May 16<sup>th</sup> 2019. The challenged resolution confirmed the earlier decision adopted by the said Bureau on May 15<sup>th</sup>, which had dismissed the motion to reconsider filed by *PSC* in respect of the system of voting for the designation of a senator by that regional parliament.

The Court considers that the appeal possesses a “*special constitutional relevance, because it raises a problem or affects an aspect of a fundamental right on which there is still no case law of this Court*”. Likewise, “*the instant case transcends its particular circumstances, since it could have general political consequences*”.

The jurisdictional order (“*providencia*”) rendered by the Court ordered to notify the Parliament of Catalonia so that it submits a certified copy of the parliamentary acts related to the of the Bureau dated May 16<sup>th</sup> 2019.

As for the request to suspend the challenged parliamentary acts, the Plenary considers that there is no exceptional urgency as required by article 56.6 of the Organic Law of the Constitutional Court to adopt such a decision without hearing the procedural parties. Therefore, the Court ordered to launch a separate proceeding to resolve on that matter.

The Court has granted three days to the Prosecutor’s Office and to the appellant to make their submissions.

Madrid, 21 May 2019