



CONSTITUTIONAL COURT OF SPAIN
Office of the President
Press Office

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RELEASE OF THE OPERATIVE PART

THE PLENARY OF THE CONSTITUTIONAL COURT UPHOLDS THE CONSTITUTIONALITY OF THE APPLICATION IN CATALONIA OF ARTICLE 155 OF THE CONSTITUTION CONCERNING DIRECT RULE

The Plenary of the Constitutional Court has, by unanimity, upheld the constitutionality of the application of article 155 of the Spanish Constitution (CE) in Catalonia. The Court has rendered two judgements whereby it dismisses almost all the legal claims made by the two appeals of unconstitutionality (“*recursos de inconstitucionalidad*”) filed by more than 50 MPs of the Parliamentary Group Unidos Podemos-En Comú Podem-En Marea and by the Parliament of Catalonia against the Resolution of Senate dated October 27th 2017, whereby it allowed the application of the measures devised by the Government, in accordance with article 155 CE which regulates direct rule. The only point of the appeals that was upheld was the one concerning the rule that conditioned the effects of the official publication of legal norms or acts of the Autonomous Community of Catalonia to the prior authorization of the central Government or to the non-infringement of the central Government’s provisions.

The operative part of the first judgement, which ruled on the appeal of unconstitutionality filed by more than 50 MPs of Unidos Podemos, has the following content:

“Based on the aforementioned considerations, the Constitutional Court, endowed with the authority conferred upon it by the Constitution of the Spanish Nation, has decided to:

- 1. Partially uphold the appeal of unconstitutionality filed by more than 50 MPs of the parliamentary group Unidos Podemos-En Comú Podem-En Marea at the Congress of Deputies and, thereby, to declare the unconstitutionality and invalidity of the second paragraph of section E.3, included in the Resolution adopted by the Government on October 21st 2017, and approved by the Resolution of the Plenary of the Senate dated October 27th 2017, “whereby the measures requested by the Government in accordance with article 155 of the Constitution are approved”.*
- 2. Dismiss the appeal concerning all the other points.*

May this Judgement be published in the Official State Gazette”.

The operative part of the second judgement, which ruled on the appeal of unconstitutionality brought by the Parliament of Catalonia, has the following content:

“Based on the aforementioned considerations, the Constitutional Court, endowed with the authority conferred upon it by the Constitution of the Spanish Nation, has decided to:

1. *Partially dismiss the appeal of unconstitutionality, regarding the provision whereby “all the provisions, with no exception, that have been enacted as a development of, as a complement of or as an addition to the measures approved by the Resolution of the Plenary of the Senate of October 27th 2017, “whereby the measures requested by the Government in accordance with article 155 of the Constitution are approved”.*
2. *Declare the supervening loss of object of the appeal concerning the second paragraph of section E.3 included in the Resolution adopted by the Government on October 21st 2017 and approved by the Resolution of the Plenary of the Senate dated October 27th 2017”.*
3. *Dismiss the appeal concerning all the other points.*

May this Judgement be published in the Official State Gazette”.

The judgement, together with a more detailed press release, shall be notified in the following days.

Madrid, 02 July 2019