



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 UNANIMOUSLY
UPHOLDS ENFORCEMENT PROCEEDINGS AGAIN AND WITHDRAWS
TESTIMONY TO THE PUBLIC PROSECUTOR TO INVESTIGATE IF
CRIMINAL ACTIONS MAY BE INITIATED AGAINST MEMBERS OF THE
CATALONIAN PARLIAMENT FOR PROCESSING A RESOLUTION THAT
INSISTED ON SELF-DETERMINATION**

The Plenary of the Constitutional Court has unanimously agreed to sustain again the enforcement proceedings filed by the Government against the agreement of the Bureau of the Catalanian Parliament of 29 October 2019, accepting the motion presented by the parliamentary subgroup Candidatura d'Unitat Popular-Crida Constituent (CUP_CC). This motion, "*subsegüent a la interpel·lació al Govern sobre l'autogovern*" (subsequent to the inquiry on the self-government to the Government), declares the will of the Parliament to specifically exercise the right to self-determination and to respect the will of the Catalanian people (paragraph 1). The Court has also accepted the enforcement proceedings against the agreement of 5 November 2019, which rejects the requests for reconsideration raised by parliamentary groups Socialistes i Units per Avançar and Ciudadanos, and by the subgroup Partido Popular.

The ruling, whose rapporteur was Judge Andrés Ollero, explains that the Parliament of Catalonia has violated, once again, the constitutional and statutory order after the Bureau's decision to accept the aforementioned resolution. "*It was clear that its content was objectively contrary to the Constitution, given the Constitutional Court Judgment 259/2015 and the requirements and warnings included in the orders of 10 and 16 October 2019, regarding the enforcement proceedings promoted against decisions 534/XI y 546/XII. The Bureau was aware of all these decisions before accepting that parliamentary initiative*".

In this sense, the Plenary of the Constitutional Court considers that the Parliament of Catalonia has clearly taken the steps to exercise the right of self-determination once again. This proves that this chamber insists on the non-compliance of the Constitutional Court decisions and tries to continue with the unconstitutional secessionist process of Catalonia.

The operative part of the ruling has the following content:

THE PLENARY AGREES TO

1. Dismiss the reconsideration appeals filed by the procedural representation of Mr. Josep Costa i Rosselló, Mr. Eusebi Campdepadrós i Pucurull, Ms. Elsa Artadi Vila and 31 deputies of the Parliament of Catalonia, against the court order of 12 November 2019 on the admission of these enforcement proceedings.

2. Uphold the enforcement proceedings filed by the Government attorney on its behalf with respect to the agreement of the Bureau of the Catalanian Parliament of 29 October 2019, accepting the motion “subsegüent a la interpel·lació al Govern sobre l'autogovern” (subsequent to the inquiry on the self-government to the Government), paragraph 1, and the agreement of 5 November 2019, which rejects the requests for reconsideration on that agreement. By virtue of this ruling, the Court hereby decides to:

1º) Declare the annulment of the aforementioned agreements, as regards the acceptance of paragraph 1 of said motion.

2º) Personally notify this ruling to the President of the Parliament of Catalonia, to the other members of the Bureau and to the Secretary General of the Parliament. The notification shall include a warning that it is their duty to prevent or paralyse any legal or material initiative that involves disregarding or avoiding the Constitutional Court Judgment 259/2015, either directly or indirectly, as well as the agreements stated in this ruling. Finally, these individuals are warned of their potential liability if they do not comply with what has been ordered by this Court.

3º) Withdraw testimony from individuals, in order to allow the Public Prosecution Service to claim, where appropriate, the criminal liability of the President of the Parliament of Catalonia, Mr. Roger Torrent i Ramió, the First Vice-president of the Bureau of the Parliament, Mr. Josep Costa i Rosselló, the First Secretary of the Bureau, Mr. Eusebi Campdepadrós i Pucurull, and the Fourth Secretary of the Bureau, Ms. Adriana Delgado i Herreros. This claim shall be based on the non-compliance with the mandate of the first paragraph of article 87.1 of the Organic Law of the Constitutional Court, regarding the facts that are subject to these enforcement proceedings.

May this judgment be published in the Spanish Official State Gazette."

The complete content of the ruling will be sent in the next few days, after it has been notified to the parties.

Madrid, 11 February 2020.