



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 HAS UNANIMOUSLY DECLARED THE TERMINATION OF THE ENFORCEMENT PROCEEDINGS FILED BY THE GOVERNMENT AGAINST THE AGREEMENTS OF THE BUREAU OF THE CATALONIAN PARLIAMENT ACCEPTING A MOTION ON INDEPENDENCE

The plenary of the constitutional court has unanimously declared the termination of the enforcement proceedings on the Constitutional Court Judgment 136/2018, of 13 December, and of its orders of 10 and 16 October. These decisions were promoted by the national Government against the agreements of the Bureau of the Catalan Parliament of 29 October and 5 November 2019. In the first case, the Bureau accepted the motion “*subsegüent a la interpel·lació al Govern sobre l’autogovern*” (subsequent to the inquiry on the self-government to the Government), which was presented by the parliamentary subgroup Candidatura d’Unitat Popular-Crida Constituent (CUP_CC). In the second case, the agreement rejected the requests for reconsideration raised by parliamentary groups Socialistes i Units per Avançar and Ciudadanos, and by the subgroup Partido Popular (PPC).

The enforcement proceedings related to the first paragraph of the motion, which insisted on the goal of independence. This was the reason why it was considered to violate the Constitutional Court Judgment 136/2018 and the aforementioned court orders. The text stated: “*The Catalan Parliament: 1. declares the will of the Parliament to specifically exercise their right to self-determination and to respect the will of the Catalan people*”.

The decision, whose rapporteur was Judge Ricardo Enríquez, explains that the court declares a supervening lack of object because these agreements had already been found null through a ruling of the same date, regarding the non-compliance of the Constitutional Court Judgment 259/2015, of 2 December. The alternative claims raised by the Government Attorney have also been upheld. These claims deal, first, with the notification and request to certain civil servants and authorities of the Parliament of Catalonia to comply with the Court's decision, and second, to withdraw the testimony from individuals in order to allow the Public Prosecution Service to assess the potential criminal liability of the President of the Parliament of Catalonia and of other members of the Bureau.

The operative part of the ruling has the following content:

“Based on the above, the Plenary agrees to

Declare the termination of the enforcement proceedings of the Constitutional Court Judgment 136/2018, and of the orders of 10 and 16 October. These decisions were

promoted by the national Government against the agreement of the Bureau of the Catalanian Parliament of 29 October, which accepted the motion “subsegüent a la interpel·lació al Govern sobre l’autogovern” (subsequent to the inquiry on the self-government to the Government) regarding its paragraph 1, and against the agreement of 5 November 2019, which rejected the requests for reconsideration of said decision.

This judgment shall be published in the Spanish Official State Gazette”

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

Madrid, 11 February 2020.