



**PRESS RELEASE NO. 28/2020**

**RELEASE OF THE OPERATIVE PART**

**THE PLENARY OF THE CONSTITUTIONAL COURT UNANIMOUSLY  
DISMISSES THE APPEAL FOR AMPARO FILED BY PUIGDEMONT *ET AL.*  
AGAINST THE JUDGMENT OF THE SUPREME COURT THAT FORBADE  
JORDI SÁNCHEZ TO LEAVE PRISON IN ORDER TO ATTEND HIS  
INAUGURATION AT THE PARLIAMENT**

The Plenary of the Constitutional Court has unanimously dismissed the appeal for constitutional protection (*amparo*) filed by Carles Puigdemont *et al.* against the ruling issued by Pablo Llarena, investigating judge of the Supreme Court, on 9 March 2018. This ruling denied Jordi Sánchez i Picanyol his request for freedom and the inmate furlough necessary to attend his inauguration as candidate to the Presidency of the Government of Catalonia at the Parliament of this region.

The appellants considered that the Supreme Court's decision had violated their fundamental right to access on equal terms to public office (article 23.2 of the Spanish Constitution), because they were entitled to discuss and vote on the nomination of the proposed candidate as members of Parliament.

The judgment, whose judge rapporteur was Andrés Ollero, explains that the appellants failed to exhaust the judicial process before their request for *amparo* at the Constitutional Court. Indeed, "*after the ruling of 9 March was issued, they neither challenged it nor did they submitted a document to the judge rapporteur or to the Appeals Chamber of the Supreme Court in order to report the violation of their rights*". Moreover, they did not even adhere to the second instance appeal filed by Jordi Sánchez before the Supreme Court.

The operative part of the judgment has the following content:

*"Based on the above, the Constitutional Court, by virtue of the authority conferred on it by the Constitution of the Spanish nation, has decided to*

*dismiss this appeal for amparo.*

*This judgment shall be published in the Spanish Official State Gazette".*

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

Madrid, 12 February 2020.