

Against the separatist amnesty proposed by the Spanish Prime Minister that breaches the Rule of Law

Presented by: NNGG Spain

*Supported by: CDJA (the Netherlands), JSD (Portugal), ONNED (Greece), JU (Germany)
& KDMS (Slovakia)*

Acknowledging that:

- Breaches of the core European values by Member States, as it recently happened in relation to Poland or Hungary have been strongly condemned EU-wide by the European Commission and other relevant authorities — based on the principle, one union – one voice.
- Since Pedro Sánchez has been Prime Minister of Spain, his government has been depended on parliamentary alliances with Catalan and Basque separatist parties.
 - As a result, in order to remain in power, Pedro Sánchez has complied with multiple of these parties' political demands.
- In 2022, Sanchez's government already issued legal pardons for the political leaders that had been sentenced for the events that occurred in 2017, seeing them released from prison before serving their full sentences.
- Since the last Spanish general election in July 2023, which was won by the Partido Popular, the Socialist Party, which came in second place, has been negotiating with a coalition of far-left, nationalist and separatist parties to re-elect Pedro Sánchez as prime minister.
 - In this context, it is likely that among the concessions made by the Socialist Party, will be the approval of an amnesty that would pre-emptively exculpate all those involved in organising the illegal actions in Catalonia in 2017.
 - This would include Mr. Puigdemont, who has still not faced Justice in Spain, and whose party is decisive in the current negotiation to form a government, people accused of terrorism or corruption.
 - This decision, which has serious implications for Spanish democracy, will not be taken as a result of a general consensus (polls show that a large majority of Spaniards are against it), but purely for political opportunism.
- The approval of this general amnesty, which would serve as an implicit recognition that the Spanish state acted improperly by prosecuting the 2017 events in Catalonia, is incompatible with core European values, especially that of equality before the law.

Recognising that:

- The executive power overriding judiciary resolutions, undermines the rule of law of any country. The lack of a well-functioning rule of law can greatly affect other countries. In particular, when these countries have common political institutions such as the European Union.
- Political amnesties are a dangerous precedent, especially when they are only aimed to gain support for the formation of a government, and it can also set a transnational precedent which may be replicated in other Member States.

- In the fall of 2017, the Government of the Autonomous Community of Catalonia promoted unconstitutional and illegal actions to achieve the independence of Catalonia.
 - These actions included the unlawful use of public funds, the organisation of an unconstitutional independence referendum and a unilateral declaration of independence.
 - The Spanish Supreme Court condemned the politicians responsible for such illegal actions and sentenced them to serve prison terms.
 - Several Catalan political leaders, including Carles Puigdemont, who at the time was Catalonia's president, fled Spain to avoid facing their legal responsibilities.

YEPP calls on:

- The EPP to support Partido Popular (PP) and pressure the European Commission to condemn the amnesty of Catalan separatists (which may render void judiciary resolutions related to, among others, corruption and terrorism).
- The European Commission to further safeguard European values and communicate accordingly to Member States' heads of government.
- The European Commission to oversee and review EU law's compatibility for political amnesty.
- The European People's Party in the European Parliament to draft a motion opposing any future amnesty for the Catalan separatist leaders.