

Resolution on the situation of the Rule of Law in Spain

Whereas on 1 October 2017 an unauthorized and illegal referendum was held in the Spanish region of Catalonia in an attempt to legitimize the unlawful actions of minority independentist parties,

Whereas on 10 October 2017 the regional Parliament of Catalonia approved a unilateral declaration of independence, which on 8 November 2017 was declared by the Spanish Constitutional Court as unconstitutional,

Whereas article 2 of the Treaty of the European Union clearly states that the rule of Law is one of the main guiding principles of the European Union, which is accepted by all its member states,

Whereas the international community, including representatives of the European institutions, EU member states, the United States of America and hundreds of countries around the globe have rejected the legality of the unilateral declaration of independence,

Whereas political actors and civil society leaders involved in the illegal referendum and in the unilateral declaration of independence have been prosecuted in accordance with the rule of Law, some of them being arrested for their crimes against the Spanish Constitution, against Spain, and illegal use of public resources,

Whereas some of the accused have illegally fled the country in order to avoid prosecution,

Whereas on 23 July 2023 general elections were held in Spain with a clear victory of Partido Popular,

Whereas all the judicial associations in Spain have rejected by public letters any legitimacy of the so-called “amnesty” negotiated by Pedro Sanchez with independentist parties,

The IDC-CDI,

1- Condemns the attempts from Prime Minister Pedro Sanchez to hold on to power at any cost, including by pursuing coalition negotiations with prosecuted politicians belonging to parties whose sole goal is to break Spain apart,

2- Rejects fully the text of the draft amnesty law imposed by independentist parties to back a government led by Pedro Sanchez. Condemns the Spanish Socialist Party for supporting this unconstitutional law, which humiliates the Spanish people and the Spanish judicial system by allowing prosecuted individuals who have committed crimes against the constitution and have not asked for forgiveness for their illegal actions to seek for revenge against the judicial system by inquiring into the legality of their previous prosecution and judicial condemnations,

3- Requests to the European institutions, in particular the European Commission, to address this breach of the Rule of Law in Spain as soon as possible,

4- Recognizes that the approval of this draft law jeopardizes the future integrity of Spain and the independence of the Spanish judiciary system. Moreover, it is a dangerous precedent for other democratic European countries that respect the rule of Law.