

assemblea

Barcelona, February 24rd 2021

Elisenda Paluzie
President
Catalan National Assembly
Marina 315
08025, Barcelona

Ms. Magdalena Adamowicz
Member of the European Parliament
European Parliament
60 rue Wiertz / Wiertzstraat 60
B-1047 - Bruxelles/Brussels

Dear Ms. Adamowicz,

My name is Elisenda Paluzie, and I am writing to you as President of *Assemblea*, the Catalan National Assembly. *Assemblea* is a grassroots association with over 100,000 members and supporters, who has mobilized millions over the last ten years to defend the Catalan people's right to self-determination in a civic and peaceful manner.

I would like to draw your attention to the request for waiver of immunity of the three Catalan MEPs: Carles Puigdemont, Toni Comín and Clara Ponsatí. The case is an injunction that seeks to give an appearance of legality to what is persecution by Spain of political and social representatives of a European national minority. Together with the case of Oriol Junqueras, elected MEP in detention in Spain sentenced to 13 years for organizing a democratic referendum, Spain is incurring the violation of the right to vote and right of political and public participation of more than two million European citizens.

Persecuting people who have received more than two million votes to prevent them from acting as members of a parliament is only possible when the rights of the national minority who have voted for them have been subject to a prior violation. This happens as the right to self-determination has been repeatedly violated by Spain. Doing so also violated Catalans' right to freedom of expression, freedom of assembly and association, and political participation. In this sense, it is important to remind that organizing a referendum without the central government's consent is not an offense under Spanish law, [as the United Nations Working Group on Arbitrary Detention stated in June 2019](#).

My two predecessors in the presidency of the Catalan National Assembly have been in prison for more than 1000 days -one of them for her role as Speaker of the Parliament of Catalonia-, together with six former members of the Catalan government and the leader of another large Catalan civil society organization, sentenced to 9 to 13 years on charges of sedition. Charges for crimes that have not been deemed as such by Courts in Germany, Scotland, or Belgium. In the case of Lluís Puig, Catalan Minister of Culture in exile for whom Spanish justice issued an arrest warrant, Belgian justice has recently affirmed that the Spanish Supreme Court does not have the authority to try former members of the Catalan government and [raised concerns on the fact that Lluís Puig' presumption of innocence could be at risk in Spain](#). In the same vein, the Public Prosecutor at the Brussels Court of Appeal has recently communicated the decision to the Spanish Prosecutor Pablo Llarena, in a letter that includes a recommendation [to investigate whether there is a "risk of violation of fundamental rights."](#)

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Since autumn of 2017, the Spanish authorities have politically persecuted 3,092 peaceful activists and representatives (as of 27.12.2020) in relation to the Catalan independence movement. Spanish Courts have prevented three consecutive candidates from being invested as President of Catalonia using lawfare. At the end of September 2020, Spanish Supreme Court ousted the president of Catalonia Mr Quim Torra, for showing on a banner with the same message that the UN Working Group on Arbitrary Detention has been denouncing for a year and a half: that Spain has illegally imprisoned political dissidents.

The Catalan people have always believed in the European project. However, the European institutions' attitude since the referendum of October 2017 has been a constant source of disappointment for us, and overall, for all democrats. A few days ago, Belgian Prime Minister Mr. Alexander De Croo, in a response to a question posed to him at the Federal Parliament by a Flemish MP, placed Spain, Poland and Hungary on the same level, states on which he said that "have to respect fundamental European values such as the respect for the rule of law". In this regard, we see with relief EU criticism of the political repression and lack of separation of powers in Hungary and Poland. Still, at the same time, we observe with astonishment the permissiveness with Spain for the same or even worse violations of the rule of law. These facts represent massive discrimination and violation of a national minority's rights, included in article 2 of the Treaty of the European Union.

In 2019, two million Catalan voters were left without any representation in the European Parliament for more than six months due to the illegal imprisonment of a candidate and the blocking of other elected candidates by the Spanish state to prevent them from taking their seats. Spain now intends to violate our representatives' rights again, using the waiver of immunity against the three Catalan MEPs for political reasons. The mere fact that Spanish nationalist parties are over-represented in the Committee on Legal Affairs responsible for processing the request should be enough reason to consider the legitimacy of a procedure used by the Spanish authorities to persecute political dissent.

For all these reasons, as a democrat, I ask you to vote *No* to the request for waiver of immunity of the three Catalan MEPs. I also call on the EU to correct this non-democratic attitude, which does not go in accordance with its founding principles. The credibility and legitimacy of the European Union as an integration project based on fundamental rights and principles is at stake.

Many thanks in advance for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Elisenda Paluzie', with a long horizontal line extending to the right.

Elisenda Paluzie
President
Catalan National Assembly