

## #DefendCataloniaSaveEU

On the 9<sup>th</sup> of March 2021, the European Parliament waived the parliamentary immunity of three Catalan MEPs – Carles Puigdemont, Toni Comín, and Clara Ponsatí, **a new example of Spain's repressive actions against the Catalan people's political and social representatives.** Together with the case of Oriol Junqueras, elected MEP in detention in Spain sentenced to 13 years for organising a democratic referendum, **Spain is incurring in the violation of the right to vote and right of political and public participation of more than two million European citizens.**

**This took place after the Catalan people's right to self-determination has been repeatedly violated by Spain, as well as their rights to freedom of expression, freedom of assembly and association, and political participation.** In this sense, it is important to recall that organising a referendum without the central government's consent is not an offense under Spanish law, [as the United Nations Working Group on Arbitrary Detention pointed out in June 2019.](#)

**Nine Catalan civil and political leaders have been in prison for more than three years,** including six former members of the Catalan government, the former speaker of the Parliament of Catalonia, and two civil society leaders, sentenced to between 9 and 13 years on charges of sedition and others, crimes that have not been deemed as such by Courts in Germany, Scotland, or Belgium.

In the case of Lluís Puig, former Catalan Minister of Culture in exile, for whom the Spanish justice issued an arrest warrant, the 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 recently communicated the decision to the Spanish investigating judge Pablo Llarena, in a letter that includes a recommendation [to investigate whether there is a "risk of violation of fundamental rights."](#)

**Since autumn of 2017, the Spanish authorities have politically persecuted 3,300 peaceful activists and representatives in relation to the Catalan independence movement.** Spanish Courts have prevented three consecutive candidates from being invested as President of Catalonia by waging lawfare.

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 the Catalan people **-of which a clear 52% supported pro-independence parties in the February 14th election-**, and overall, for all democrats. We observe with astonishment the permissiveness with which Spain is treated, for the same or even worse violations of the rule of law than Hungary or Poland. **These facts represent massive discrimination and violation of human rights included in article 2 of the European Union Treaty.**

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, preventing them from taking their seats. Spain has now violated Catalan representatives' rights again, using the waiver of immunity against the three MEPs for political reasons. **The mere fact that Spanish nationalist parties are over-represented in the**

**Committee on Legal Affairs that processed the request should be reason enough to question the legitimacy of a procedure used by the Spanish authorities to persecute political dissent.**

The decision to waive the Catalan MEPs' immunity will be appealed in the Court of Justice of the European Union. In case of reversal of the European Parliament decision, **this would mark a terrible loss of prestige for its reputation as a democratic chamber, with potentially harmful implications for all EU citizens' right to political participation.**

For all these reasons, **we urge the EU institutions to correct Spain's non-democratic attitude regarding Catalonia, which does not go in accordance with the European founding principles.** The credibility and legitimacy of the European Union as an integration project based on fundamental rights and principles is at stake.

**Signatories:**

Clare Daly, member of the European Parliament (Ireland)

François Alfonsi, member of the European Parliament (Corsica)

Diana Riba, member of the European Parliament (Catalonia)

Mick Wallace, member of the European Parliament (Ireland)

Pernando Barrena, member of the European Parliament (Euskal Herria)

Jordi Solé, member of the European Parliament (Catalonia)

Oriol Junqueras, former member of the European Parliament (Catalonia)

José Bove, former member of the European Parliament (France)

Mark Demesmaeker, former member of the European Parliament (Belgium)

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Gérard Onesta, former member of the European Parliament (France)

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Jean-Luc Bennahmias, former member of the European Parliament (France)

Gorka Knörr, former member of the European Parliament (Euskal Herria)

László Tökés, former member of the European Parliament (Hungarian minority, Romania)

Ana Miranda, former member of the European Parliament (Galicia)

Ralph Bunche, General-Secretary of the Unrepresented Nations and Peoples Organization (UNPO)

Davyth Hicks, Secretary General of the European Language Equality Network (ELEN)

Attila Dabis, International Coordinator at the Institute for the Protection of Minority Rights (IPMR)

Steven Vergauwen, International Secretary at International Commission of European Citizens

Dominique Noguères, activist

Carme Forcadell, former President of the Catalan National Assembly (ANC)

Hugo Maes, President of the Vlaamse Volksbeweging (VVB)

Jordi Domingo, Major Consul of Consolat de Mar

Balázs Izsák, President of the Szekler National Council

Bart Maddens, professor at the Public Governance Institute of the KU Leuven University

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Òmnium Cultural

Col·lectiu Praga

Col·lectiu Drets