

March 5, 2021

On February 23, the Committee on Legal Affairs of the European Parliament voted in favour (15 votes in favour including the votes of the Spanish parties PP, PSOE, Ciudadanos and the far-right VOX; 8 against and 2 abstentions), of a report that recommends to the Plenary to lift the immunity of our colleagues MEPs Carles Puigdemont, Toni Comín and Clara Ponsatí.

The vote on this report will take place in the next plenary session, taking place next week..

The undersigned, former Members of the European Parliament, call on the Members of the European Parliament who are to take part in this vote, to vote against this proposal and therefore in favour of protecting the immunity of their colleagues Mr. Puigdemont, Mr. Comín and Ms. Ponsatí.

First, because the court that requests the waiver of their immunity, the Spanish Supreme Court, is not the competent authority to make the request, as it was argued before the JURI Committee, and neither is it an impartial court, as recently established by the Belgian justice, since the Brussels Court of Appeals found that Lluís Puig, former Minister of the Catalan Government in exile, could not be impartially judged by this Spanish Court.

Second, there is evidence that these three Members of the European Parliament are suffering political persecution. This political persecution is based on evidence, such as the judicial obstacles to prevent them from running in the European elections, the presence of up to five Spanish MEPs on the JURI Committee and their public statements on the report before, during, and after the vote; the inclusion of wrong charges in the report of Clara Ponsatí; or the leaking of the report before the vote to a far-right newspaper in Spain.

This political persecution, which in itself should be enough to ensure that the legal rights of these Members of the European Parliament remain intact, was further confirmed in the above-mentioned judgment of the Belgian courts in the case of the Catalan Minister in exile, Lluís Puig. The Court opposed his extradition to Spain, arguing that if extradited to Spain, Mr. Puig would not be treated impartially or in alignment with his rights as a European citizen.

Similarly, the High Court of Schleswig-Holstein in Germany denied the extradition of Mr. Puigdemont for the charges of rebellion or sedition because they considered the organization of a peaceful referendum could not constitute such crimes.

It is not a question of supporting the ideas defended by the Members Carles Puigdemont, Toni Comín and Clara Ponsatí; it is about defending parliamentary immunity against the justice system of a Member State that has proved its willingness to persecute those who organized a referendum so that the citizens of Catalonia could freely express their opinion. It is important to remember, that members of the Government of Catalonia and two civil society leaders were given sentences that amounted to a total of 100 years in prison for this reason.

Therefore, we ask Members of the European Parliament to oppose the request for the waiver of the parliamentary immunity of Carles Puigdemont, Toni Comín and Clara Ponsatí, by voting no to the Committee's proposal, and thus to oppose the goal of an authoritarian justice system that persecutes democratic and peaceful political dissent.

Signatories

Christian Allard (Scotland)
Martina Anderson (Ireland)
Maria Badia (Catalonia)
José Bové (France)
Lynn Boylan (Ireland)
Frieda Brepoels (Flanders)
Bairbre de Brún (Ireland)
Matt Carthy (Ireland)
Daniel Cohn-Bendit (Germany)
Birgit Daiber (Germany)
Mark Demesmaecker (Flanders)
Louis D'haene (Flanders)
Jill Evans (Wales)
Ives Frémion (France)
Per Gahrton (Sweden)
Carlos Garaikoetxea (Basque Country)
Ana Gomes (Portugal)
Koldo Gorostiaga (Basque Country)
Rebecca Harms (Germany)
Iñaki Irazabalbeitia (Basque Country)
Bernat Joan (Catalonia)
Oriol Junqueras (Catalonia)
Gorka Knörr (Catalonia)
Marije Kornelissen (Holanda)
Karmelo Landa (Basque Country)
Alain Lipietz (France)
Sander Loones (Flanders)
Nelly Maes (Flanders)
Ernest Maragall (Catalonia)
Antonio Marinho Pinto (Portugal)
Ana Miranda (Galicia)
Miroslav Mitrofanov (Latvia)
Liadh Ní Riada (Ireland)
Camilo Nogueira (Galicia)
Gérard Onesta (France)
Marie Pierre Vieu (France)
Teresa Rodríguez (Andalusia)
Raül Romeva (Catalonia)
Frank Schwalba-Hoth (Germany)
Jordi Sebastià (Valencian Country)
Lidia Senra (Galicia)
Max Simeoni (Corsica)
Bart Staes (Flanders)
Helga Stevens (Flanders)
Indrek Tarand (Estonia)
Josep Maria Terricabras (Catalonia)
Ramon Tremosa (Catalonia)
Ivo Vajgl (Slovenia)
Bodil Valero (Sweden)
Joan Vallvé (Catalonia)
Jaak Vandemeulebroucke (Flanders)
Aneelen Van Bossuyt (Flanders)