

# Spain responds to German court decision on Puigdemont with threats of stepped-up repression

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Spain's Popular Party (PP) government has made clear it will seek to overturn the decision by a German court rejecting the extradition of Catalonia's deposed regional premier Carles Puigdemont on charges of rebellion. Backed by the media, it is insisting that there will be no let-up in the repression meted out to those involved in organising the Catalan independence referendum last year.

On Thursday, the Schleswig Higher Regional Court in Germany ruled against the extradition of Puigdemont back to Spain on charges of rebellion, declaring that the levels of violence Spain claimed had taken place in Catalonia did not satisfy the only possible comparable crime, high treason, in Germany. The court also released Puigdemont on bail.

The court upheld a second allegation, misuse of public funds, which could yet lead to his extradition. However, the ruling means that if Puigdemont were to be extradited on the lesser charge, a ludicrous situation would arise whereby the leader of the region's secessionist drive would be tried for misuse of public funds, while 13 of his Catalan associates would remain charged with rebellion.

The court's decision is a setback for Madrid, which was confident Puigdemont would be on his way back to Spain and a possible sentence of 30 years in jail based on the tacit agreement of the German government on the need to suppress the separatist movement. This sentiment was evident in the *Frankfurter Allgemeine Zeitung*, which insisted that Puigdemont remained "a criminal" who "cannot escape justice." Deutsche Welle warned that the decision would "destroy" cross-border cooperation and encourage other separatist movements in Europe, including in Germany.

Publicly, the PP government sought to diminish the significance of Puigdemont's release. Spokesperson Íñigo

Méndez de Vigo insisted on Friday that the extradition procedure had not yet been completed, and that only then would it be possible to determine if Spanish justice was able to try him for rebellion. Behind closed doors, however, there was a different mood.

Government sources told *El Español*, "Nobody in the government expected this setback. The relationship with Germany has been seriously damaged by this... For German justice it seems that we are not a comparable democracy."

Other government sources told the Catalan daily *La Vanguardia* that the news was "a disaster for Spain" because the German decision questioned the Spanish justice system in front of Europe and "will give wings to the secessionist movement."

The Spanish public prosecutor's office is considering appealing to the European Court of Justice and said it was "certain" that the court's final ruling would respect the principle of "mutual recognition" of judicial decisions that is inherent in the European arrest warrant (EAW) system.

Spanish Supreme Court Judge Pablo Llarena, who is investigating 25 Catalan nationalists for rebellion, the misuse of public funds and contempt, is also considering asking the European Court of Justice to clarify EU law and the status of EAWs.

The major Madrid-based dailies reacted with undisguised horror at the German court decision.

Prior to last Thursday's ruling, their pages were splashed with triumphal articles describing how Spain's intelligence services had tracked Puigdemont once he had left his safe haven in Belgium and collaborated with the German police to capture him. They were confident that Prime Minister Rajoy's professed close relationship with German Chancellor Angela Merkel and her refusal (along

with the rest of Europe) to intervene in Spain's internal affairs would ensure Puigdemont's return.

Warning of a danger to the PP's campaign to reimpose direct rule over Catalonia, the pro-PP daily *ABC* described the decision as "a serious setback, mainly political, which, if it leads to the investiture of Carles Puigdemont, can mean the disabling of Article 155."

*El Mundo* called the decision an "oxygen cylinder" for the separatists that will "move Catalonia even further away from constitutional normality." It attacked Germany, stating, "If this is the confidence that Europeans should have in continental solidarity to repel internal coups, then the EU is a failed project. A country like Germany, which expressly forbids secessionism as a political option and that recently ruled against the desire of Bavaria to hold a referendum on self-determination, disregards that same problem when it affects Spain."

The most critical newspaper was *El Español*, which has recently shifted its allegiance from the PP towards the right-wing Citizens Party, (Cuididanos). The latter dominated the anti-independence vote in last December's Catalan elections, while the PP was wiped out.

Calling for new elections, in a situation where Citizens is leading the PP in opinion polls, its editorial declared the German court decision to be "a severe setback to the cause opened by the Supreme Court."

*El Español* continued, "Rajoy is politically responsible... Here the problem is no longer the Catalan question: we are facing a national problem, which affects the whole of Spain, and that is why all Spaniards must resolve it in the ballot box according to the different options that the parties propose. We must appeal now more than ever to the sense of patriotism that Rajoy has presumed on occasion: a new government is necessary to formulate another policy."

For pro-Socialist Party (PSOE) daily *El País*, the decision is also a "setback for Spain," but not final. The newspaper echoes the position taken by the PP government, saying, "Carles Puigdemont has not been tried, nor therefore acquitted. The Supreme Court's case against him is still valid and has not been invalidated."

The PSOE has been severely damaged by this decision, having defended the rebellion charges against the secessionists. Its leader, Pedro Sanchez, framed the most polite and non-committal response possible, stating that it was now "difficult to have confidence in the political strategy of the Spanish government to solve this crisis... We need a political solution both in Catalonia and also in the country as a whole."

Citizens leader Albert Rivera said, "What happens in Catalonia is a problem for both the Spanish and Europeans." The decisions made by judges can be "liked more or less," but what "cannot be allowed is that people who are criminals for not complying with the laws in their country can roam around as if nothing has happened."

The separatist "criminals," Rivera continued "have been allowed to win the battle outside their borders," but within their borders "they are in jail for not respecting Spanish law."

Whatever the criticisms within factions of the ruling class against Prime Minister Rajoy and the decision of the German court, all factions agree that there should be stepped-up repression.

On the same day as Puigdemont's release, the Spanish National Court, the direct descendant of Franco's Public Order Court set up to punish "political crimes," charged Josep Lluís Trapero, former chief of Catalonia's Mossos d'Esquadra regional police, with criminal conspiracy and sedition.

Judge Carmen Lamela accused Trapero of belonging to "a complex and heterogeneous organization," whose aim was to achieve "the secession of the Autonomous Community of Catalonia," thus "clearly contravening the constitutional order."

According to Lamela, the regional police were put at the service of the secessionist movement and the "illegal referendum," and spied on Spanish police officers.

Lamela also charged the former Mossos director, Pere Soler, and the former secretary general of Catalonia's Interior Ministry, César Puig, with criminal organisation and sedition. Mossos officer Teresa Laplana has been charged with sedition.

Podemos, the largest pseudo-left party in Spain, functions verbally as a "loyal opposition," while suppressing all expressions of anti-PP sentiment and hostility to the lurch towards authoritarianism. Parliamentary spokeswoman Irene Montero declared that Podemos had always thought that "judicializing" political affairs was an "error." However, she made sure to strike a patriotic pose, warning that the government's "strategy" is "endangering" the international image of Spain and "making us all feel embarrassed."



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