

EU Court of Justice strips Catalan separatist leader Puigdemont of parliamentary immunity

Alejandro López
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The European Union's General Court of Justice (EGC) has stripped parliamentary immunity from three Catalan Members of the European Parliament (MEP), including former Catalan regional premier Charles Puigdemont.

The Spanish Supreme Court is set to issue a new European Arrest Warrant for Puigdemont. Fearing arrest, Puigdemont cancelled last minute his attendance to the plenary session of the European Parliament that begins this Monday in the French city of Strasbourg, as the Macron government stokes mass repression against anti-police protests following the police murder of 17-year-old Nahel. Macron is deliberately strengthening far-right and fascist forces within the state and in French politics.

Puigdemont was planning to travel from Belgium, where he has been living since 2017, when he fled Spain after Madrid's brutal police crackdown against the Catalan independence referendum he organised. The crackdown left over 1,000 peaceful voters injured. This was followed by threats to impose a military-led state of emergency on Catalonia, the detention of top officials of Puigdemont's regional government, and a show trial condemning nine of them to a decade in jail for sedition.

In 2019, Puigdemont, still in exile, was elected as a Member of the European Parliament (MEP).

In its ruling passed Wednesday, the Luxembourg-based court rejected the appeal filed by Puigdemont against the European Parliament's decision to waive his immunity. It claimed that the EU parliament's resolution in March 2021 sponsored by neo-fascist Vox, and supported by 404 European Members of Parliament of the liberal, conservative and social-democratic blocs, was not initiated with the intention of damaging the activity of the Catalan MEPs.

The EU resolution lifted the immunity of Puigdemont

and former MEPs Antoni Comín (former Catalan regional health minister) and Clara Ponsatí (former regional education minister), paving the way for their extradition back to Spain where they faced over a decade in jail. It was backed by the ruling Spanish Socialist Party (PSOE) and the right-wing Popular Party (PP).

The EGC's ruling claims that the events prompting the request to lift immunity took place in 2017, when the three were not yet MEPs. It added that it is not up to the European Parliament to analyse the legality of Madrid's anti-Catalan judicial acts, which it considers "the exclusive competence of the national authorities".

Puigdemont has announced he will submit an appeal to the European Court of Justice. If extradited, he faces fraudulent charges of embezzlement and disobedience, which carry a prison sentence of up to four years.

The "rebellion" offense he was previously charged with was abolished by the PSOE-Podemos government earlier this year. This was negotiated with the Catalan nationalists in back-door talks in exchange for the reform of the penal code that included criminalization of strikes and protests.

Spain's previous attempts to have Puigdemont extradited during his stays in Germany, Belgium and Italy have failed. In March 2018, Puigdemont was arrested in Germany and then freed after the court decided they could only approve his handover over misuse of public funds. The Spanish judiciary then rejected the extradition, wanting to pursue Puigdemont for the crimes of rebellion and sedition, carrying a maximum of 30 years in prison.

Puigdemont was arrested in Italy in September 2021 and then released due to the European Court ruling stating that the Catalan MEPs had interim immunity. That interim measure was to await the clarification of the appeals which have now been resolved.

Without immunity, Puigdemont has lost the legal shield he had in Europe.

After the EU parliament passed the neo-fascist sponsored resolution, the *World Socialist Web Site* wrote, “This unprecedented decision is a warning to the European working class. Europe’s principal parties of rule have joined forces to pass a resolution originating from Spain’s leading fascist party to persecute Catalan lawmakers, lobbied for by the PSOE, with the active complicity of the pseudo-left Podemos party. The EU thus gave its political seal of approval to Madrid’s fascistic anti-Catalan campaign, the main means through which the Spanish ruling class has intervened to shift politics far to the right.”

As the European powers plunge into an intensifying NATO war on Russia in Ukraine, a deepening economic crisis with a vast surge in inflation and soaring food prices, and face a rapid growth of the class struggle, the European ruling class is consciously fanning the flames of the anti-Catalan campaign.

Underlying this is an agreement with Madrid on the need to build a police-state regime across Europe in order to wage imperialist war abroad and class war at home. The attack on the Catalan nationalists takes place following an accelerated political offensive of the European working class. There have been mass strikes in France, Belgium, Italy, Portugal and Spain, anti-war protests in Denmark, and a massive mobilization of millions of workers across Britain.

The ruling takes place in the run-up to a snap election scheduled for July 23 called by the PSOE-Podemos government, following their electoral debacle in the local and regional elections in May. Terrified of the emergence of mass opposition to war, austerity and police-state repression, it has called these elections to hand over power to the right-wing Popular Party (PP) and the neo-fascist Vox party.

The latest ruling will provide fuel to the right-wing electoral campaign in Spain. The anti-Catalan campaign, simmering in the background over the past year, is set to re-erupt to shift politics further to the right.

PP leader Alberto Nunez Feijoo welcomed the ruling and demanded acting PSOE Prime Minister Pedro Sánchez respond to the ruling “in the next few hours and promise that he will not pardon Puigdemont”. The acting PSOE-Podemos government duly responded, with its spokesperson, Isabel Rodríguez from the PSOE, expressing “satisfaction” at the court ruling and demanding that Puigdemont “answer for the events” of

2017.

Proving that workers cannot vote for Podemos’ new outfit, Sumar, in the hope of obtaining a less callous and repressive policy, the party’s spokesperson Ernest Urtasun cynically called for “dialogue and de-judicialisation” of the Catalan issue, even as Sumar campaigns to renew a coalition government with the PSOE.

Sumar, composed of the same pro-NATO, pro-capitalist politicians of Podemos and led by acting Deputy Prime Minister Yolanda Díaz, is deeply implicated in the Spanish bourgeoisie’s drive toward police-state forms of rule. Over the years, Podemos has supported the crushing of protests calling for the release of Catalan prisoners and was part of the government that oversaw the sham trial against Catalan political leaders. In the EU parliament, while they tried to cover themselves by voting against the resolution upheld last Wednesday by the ECG, they are partners with the PSOE which backed it.

The various Catalan nationalist parties’ perspective of securing greater control of the region’s economic wealth for the Catalan bourgeoisie also stands exposed.

In 2021, the nine Catalan political leaders jailed for nine to 13 years were released after back-door negotiations with the PSOE-Podemos government over the disbursement of billions of euros in European Union bailout funds. In exchange, the Catalan nationalists have backed the minority PSOE-Podemos government as it intensified war against Russia in Ukraine, drew up the largest military spending increase in Spanish history, to over €27 billion per year, cut pensions, imposed below-inflation wage increases and passed a labour law reform slashing workers’ legal protections.

It is critical to mobilize the working class in a unified struggle across Europe, based on a socialist perspective, in defence of democratic rights and to halt the descent into police state rule—as an essential component of building a new mass anti-war movement.



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