

Spain accuses Germany of dynamiting European judicial confidence

For the Puigdemont case

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USPA NEWS - The decision of the German territorial court of Schleswig-Holstein to extradite the former president of the regional government of Catalonia, Carles Puigdemont, only for the crime of misappropriation of public funds and not for rebellion or sedition, has opened a gap of incalculable consequences in the confidence between two of the main partners of the European Union and, by extension, between the EU countries. The crisis comes at the worst moment, when the wave of immigrants arriving every day on the Italian and Spanish coasts, and the threat of Islamist terrorism, have led to the access to power of xenophobic parties and the opening of a debate on free movement of people in European territory.

As expected, the Spanish Supreme Court on Thursday rejected the delivery of Puigdemont to be tried only for embezzlement of public funds. Judge Pablo Llarena also decided to withdraw European arrest warrants weighing on Puigdemont and five other pro-independence politicians fled to Ireland, Belgium and Switzerland. The reason is that, otherwise, there would be a comparative grievance between the independence leaders imprisoned in Spanish prisons and those who are escaped, to be condemned some for rebellion and others, as responsible as the previous ones, only for minor crimes.

Judge Llarena's order rejecting the delivery of Puigdemont criticizes the actions of the German court, which he accuses of accepting the version of the former president of the regional government of Catalonia without requesting the version of the Spanish Justice. The Spanish judge considers that the German court should have appealed to the European Court of Strasbourg to clarify whether it should grant the extradition of the Catalan politician in accordance with the European arrest warrant and stresses that the decision of the Schleswig-Holstein Territorial Court undermines the principles they govern judicial cooperation between European countries. The Spanish Supreme Court believes that the German court has not done its job well.

After the rejection of the extradition and the withdrawal of European arrest warrants, both Carles Puigdemont and the other five Catalan separatist politicians are free, but they will not be able to return to Spain because the Supreme Court keeps the arrest warrants in Spanish territory for the crime of rebellion. In the Spanish legal system, this crime is punishable by between 15 and 20 years in prison and prescribes at 20 years. It is the time that Puigdemont and the other five politicians must remain exiled, if they do not want to be stopped when they step on Spanish soil. All of them will be tried in absentia and could be condemned.

For the former president of the regional government of Catalonia, Carles Puigdemont, considers that the withdrawal of European arrest warrants "is the demonstration of the weakness of the legal case" that is being pursued against him. Sources close to the former president confirmed that his intention is to return to the Belgian city of Waterloo and reactivate there the republican structures that will drive a new declaration of independence in Catalonia.

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