

Strasbourg , 20 November 2023

Dear colleagues of the Party of European Socialists,

We extend this letter to you as fellow Members of the European Parliament and as colleagues with whom, despite our ideological differences, we collaborate with for the betterment of the European Union.

Today, however, we would like to call your attention in a cry out for help on the concerning political events we see developing in our country, Spain, and the dangerous threat that your fellow socialist party, PSOE, is posing on one of our common and fundamental European values: the Rule of Law.

It is capital to begin stating, nonetheless, that our source of concern does not come from the recent formation of the legitimate Spanish Government, led by a reelected Pedro Sánchez. We give full recognition to the democratic majority, represented in the Spanish Congress, that has recently voted for the new President. We will not fuel or participate in any campaign aiming to delegitimise such election, as that would imply delegitimising our very own democratic institutions.

Notwithstanding, we do want to rise and share our concern about the democratic toll that such election has supposed to our country in terms of respect for the Rule of Law. Our burden has nothing to do with the validity of the new majority, but rather with the expense at which this agreement has been reached in terms of respect for the most essential European values.

Therefore we would like to inform you about the price of this agreement. Here are the facts:

On November 13th, the Spanish Socialist Party submitted the so-called "*Organic Law for the Amnesty for the Institutional, Political, and Social Normalization in Catalonia*" to the Spanish Parliament, product of the political agreement with the separatist right-wing party *Junts per Catalunya*.

At its core, the draft proposal of such law effectively grants an amnesty for criminal offences committed over the last twelve years, contingent upon a demonstrated link to the pro-secession movement. Similarly, the law would eliminate any type of administrative or financial responsibility that the separatist political parties may have incurred due to the illegal use of public funds within the framework of the secession process. This blanket amnesty includes offences of European relevance, such as embezzlement and terrorism.

Compounding these concerns on the law of amnesty is the creation of parliamentary commissions, as also outlined in the aforementioned agreement, that would be tasked with overseeing judges' rulings. This includes the political evaluation of their actions for potential *lawfare* and the recommendation of "actions of responsibility or legislative modifications". This is not only unprecedented but also unacceptable in

terms of respecting the separation of powers and the principle of no-interference in the judiciary's independence.

Both the Spanish Supreme Court and the General Council of the Judiciary, the highest court in all legal fields and the body governing judicial functions, have expressed their profound concern. They assert, as well as we do, that these actions represent a fundamental breach of the Rule of Law and the separation of powers. Furthermore, all four associations of judges and magistrates in Spain—thus, including both conservative and progressive judges—have expressed their deep unrest and criticism regarding these measures. Other associations of public servants, including diplomats and state attorneys, have issued public releases voicing similar worry.

Your party, as a relevant political actor, has always stood with the Rule of Law, alongside the main European political families. This has been true for other threads the Rule of Law has suffered within our Union, such as those coming from the Governments of Hungary or Poland. Spanish citizens would not understand that, in this occasion, you would choose to look away.

Hence, we ask you to stand by your principles one more time and we urge you to exert your influence to withdraw this impunity as well as continuing to remain vigilant with the further political developments in Spain.

It is not yet too late and your support in this matter would be an invaluable service in safeguarding the principles we claim to defend as a Union.

We remain at your disposal to provide any additional information or address any further inquiries you may have in regards of this particular issue.

Sincerely,

A handwritten signature in black ink, consisting of a stylized, cursive letter 'A' followed by a period.

**Adrián Vázquez Lázara**

Head of Delegation, Ciudadanos - Renew Europe