

Beat: Politics

Spain will reject the delivery of Puigdemont proposed by Germany

Only for the crime of embezzlement

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USPA NEWS - The Spanish Supreme Court received on Friday the resolution of the Territorial Court of Schleswig-Holstein on the delivery to Spain of the former president of the regional government of Catalonia, Carles Puigdemont. The German court proposes to extradite him to be judged only for the crime of embezzlement of public funds, but rejects the crime of rebellion for which he is accused in Spain.

Supreme Court sources told the Spanish media that judge Pablo Llarena, instructor of the case on the attempted secession in Catalonia, will certainly reject the German proposal. If it does, it must annul the European arrest warrant that weighs on the Catalan politician. The argument to reject Puigdemont's extradition is that, if it is accepted to try him only for embezzlement, which can lead him to prison for a maximum of 12 years, there would be a paradox that the political responsible for the failed declaration of independence be judged by a misdemeanor than the rest of the defendants and sentenced to a lesser sentence than them. According to the Spanish Penal Code, the rebellion is punishable by up to 30 years in prison.

The cancellation of the euro-order would mean that Puigdemont is free in Germany, but the European arrest warrant could be reactivated if it travels to another European country. In addition, the arrest warrant remains in force in Spain. Puigdemont appears in the list of Catalan leaders who will be judged by the secessionist attempt, although he has been declared in absentia, as well as eight other Catalan politicians who are fugitives from Justice.

The decision of the German court has generated a wave of opinions in Spain, in favor of eliminating the Schengen Area of free movement of people between European countries. Argument the defenders of this drastic measure that, if there is no uniformity in the interpretation of the laws or respect to the decisions of the national courts, it does not make sense to maintain a measure that facilitates the flight of accused and hinders their persecution by the Justice of their countries

Precisely judge Pablo Llarena has another option: to maintain the euro-order against Puigdemont and to appeal to the Court of Justice of the European Union to decide whether the German court has exceeded its functions by assessing, with German criteria, the validity of the evidence presented by the Spanish Supreme Court. The sources of the Spanish High Court consulted coincide in pointing out that this option is unlikely, since it would delay the prosecution of Carles Puigdemont for months. The magistrate will decide next week.

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