

Beat: Politics

The Belgian judge frees Puigdemont and calls him to testify on the 17th

About the European arrest warrant

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USPA NEWS - The Belgian judge who orders the European arrest warrant issued by the Spanish National Court against the former president of the regional government of Catalonia and four of its councilors, who fled to the EU capital, released the five politicians and has quoted the former Catalan president to declare next Friday, November 17. The five had voluntarily presented themselves on Sunday at a Police station in the Brussels Federal Police and appeared before the investigating judge, who nevertheless imposed restrictive measures to order their release.

The prohibition to leave the Belgian territory, the obligation to appear personally to all the requirements of the Justice and the obligation to communicate a fixed address in Belgium are the conditions that the investigating judge imposed on the five former members of the regional government of Catalonia to order his release at midnight on Sunday. The first request of the judge was met a few hours later: the five former president and its councilors must appear on November 17 to testify on the Spanish Justice's request that they be returned to Spain to be tried for the crimes of rebellion, sedition, embezzlement, prevarication and disobedience to the judges.

The five insisted on Monday that they will reject his transfer to Spain. This position could delay the solution of the case up to 90 days. The regulation of European arrest warrants requires courts to respond within a maximum period of 60 days, but this period can be extended by another 30 days in exceptional cases. Those three months are the time it can take a firm resolution on the future of the former Catalan president, Carles Puigdemont, and his four former councilors, if they exhaust all possible resources against a possible decision to deliver them to Spain.

The deadlines favor Puigdemont, since predictably there will be no firm decision before the regional elections in Catalonia called by the Spanish Government. The former Catalan president announced his desire to head the list of his party, the PdeCAT, and they considers him the best candidate. The Spanish Electoral Law only prohibits campaigning and presenting to the elections those who are firmly convicted of serious crimes such as terrorism or drug trafficking, among others. This is not the case of the incarcerated or the fugitives of the former Catalan government, who are in preventive detention and have not yet been tried.

After hearing the Belgian judge's decision to release the five fugitives, the Spanish Government, through its vice-president Soraya Saenz de Santamaria, expressed absolute respect for the decisions of the judges and stressed that Belgium is a consolidated democracy, as well as Spain, where there is separation of powers and the law is complied with. Experts consulted pointed out that it is very unlikely that Belgium denies the return of the fugitives, since it could trigger a diplomatic crisis of incalculable proportions that would threaten relations between EU member countries.

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