



ELDH European Association of Lawyers for Democracy & World Human Rights

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt

EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo

EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme

EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

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Bologna, Donostia, Düsseldorf, Vienna, 17 July 2026

ELDH Welcomes the CJEU Judgment on the Spanish Amnesty Law and Calls for the Definitive Closure of the Judicialisation of the Catalan Political Conflict

The European Association of Lawyers for Democracy and World Human Rights (ELDH) welcomes the judgment of the Court of Justice of the European Union confirming that the Spanish Amnesty Law is compatible with European Union law.

This ruling constitutes an important affirmation of the principles of the rule of law, legal certainty and the legitimacy of adopting legal measures aimed at overcoming political conflicts through democratic means.

For ELDH, however, the judgment should also mark the end of the judicialisation of the Catalan political conflict. Supporting independence, advocating for self-determination, and calling for or organising a peaceful and democratic referendum enabling the people of Catalonia to decide their political future should never have been treated as criminal conduct. These activities constitute the legitimate exercise of fundamental rights, including freedom of expression, freedom of assembly, political participation and democratic representation.

ELDH therefore calls for the definitive closure of all judicial proceedings and investigations against Catalan political representatives, public officials, activists and citizens arising from their involvement in the Catalan political process, including those related to the peaceful protests that followed the 2017 events.

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The criminal law must never be used as an instrument to suppress peaceful political expression or to prevent the democratic defence of constitutional or political projects, irrespective of whether they advocate maintaining or changing the existing constitutional order.

ELDH reiterates that lasting solutions to political conflicts can only be achieved through dialogue, democratic participation and full respect for human rights. In this regard, ELDH reaffirms that the peoples of Catalonia and the Basque Country have the right to freely and democratically determine their political future through peaceful, democratic and lawful means, in accordance with international human rights standards and the principles underpinning democratic societies.

The CJEU judgment should therefore open a new chapter based on dialogue, democratic legitimacy and respect for fundamental rights, bringing to a definitive end the use of criminal proceedings to address political disagreements.