PUIGDEMONT TO CHALLENGE BAN ON STANDING AS MEP

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Former Catalan leader Carles Puigdemont and two of his cabinet members have been banned from running in the European Parliament elections next month, on the grounds that they are "fugitives" abroad.

The Spanish Central Electoral Board upheld a complaint from two right-wing parties - Partido Popular and Ciudadanos - arguing that the three candidates were "not eligible".

The ex-regional leader, Puigdemont, his former education minister Clara Ponsati, and former health minister Toni Comin, fled to Belgium from Spain in late 2017, to avoid charges over a referendum on Catalan independence in October 2017.

The three of them would face arrest on charges of rebellion, if they returned to Spain. All three have avoided being sent back to Spain through a European Arrest Warrant.

A divided electoral board

The electoral board voted, nine in favour and four against, removing the politicians' right to run in the elections. However, the document announcing their ineligibility, also contains strong contradictions between the members of the board.

The paper lays out the reasoning for why the nine of the members of the board agree that the would-be MEPs do not meet the requirements to be eligible, based on the Spanish national law on the general electoral regime from 1985.

It says that the three politicians are inscribed in the Spanish electoral census at their address in Spain, but that they have "obviously" not lived there for the past two years, and that they are not inscribed in the "census of the absent resident voters".

That compared with the fact that they are in absence and not being tried in Spain, excludes them as candidates.

The president and the vice-president of the board, as well as, the two remaining members, state in the paper in a "dissident opinion", that excluding them is forcing the interpretation of the law, and that it is not up to the Central Electoral Board to make such a decision.

The announcement came the day after the Spanish general election, and only hours before the deadline on Monday night for Spanish candidates to register for the European Parliament elections.

Puigdemont, Ponsati, and Comin sent out a statement on Monday night, stating that "faced with this flagrant violation of a fundamental right such as passive suffrage" their party - Together for Catalonia - Free for Europe - will take immediate legal action both in Spain and at the European level, to defend their rights as candidates and for their voters' rights to vote for them.

"We will not resign ourselves to accepting a resolution that clearly contradicts Spanish and European legislation, and that undermines a basic pillar of democratic system - as it so often happen in the Spanish justice when dealing with independentist politicians," the three stated.

Puigdemont's lawyer, Gonzalo Boye, said on Catalan public television, that they would go as far as to challenge the outcome of the May 26th elections, if need be.

'Good news'

"Good news", tweeted Ciudadanos leader Albert Rivera about the announcement. "The electoral board has accepted Ciudadanos' recourse and forbids Puigdemont to present himself at the European [elections]. Those who make a coup d'etat and flee justice, cannot present themselves at an election of this state and receive a public salary," he said.

Pablo Casado, the leader of the Partido Popular, tweeted: "We are satisfied with the decision of the Electoral Board that has admitted the appeal of the PP and has excluded Puigdemont as a candidate for European elections. He is in a situation of procedural rebellion, what he must do is come to Spain and appear before the courts."

Conservative unionists see Puigdemont as one of the main threats to the unity of Spain.

"They want to silence and put aside a candidature because of what it represents: the determination to defend the mandate of the October [referendum], and the decision of millions of Catalans to form a republic," argued Puigdemont, Ponsati, and Comin. "Which they do not want explained at the heart of the European institutions," the added.

For now, the three MEP candidacies, will be substituted by Gonzalo Boye, Puigdemont's lawyer, Xavier Trias, the former mayor of Barcelona, and Spanish politician Beatriz Talegon.

The electoral board on Monday also excluded Sami Nair - a French national - from running in the EP election for the Spanish social democrats. The board argues that the French sociologist has not asked for the right to vote in Spain, and is therefore not eligible in Spain.

Kaynak/Source: