

SENADO
XV LEGISLATURA
REGISTRO GENERAL
ENTRADA 5.320
19/12/2023 09:30



The President

Pedro Rollán Ojeda
President of the Senate
Spain

Ref ► J.Dem.806 – SGM/ew

Strasbourg, 18 December 2023

Dear Mr President,

I thank you for your letter of 13 December 2023, whereby you requested an urgent opinion of the Venice Commission on the parliamentary bill “on amnesty for the institutional, political and social normalization of Catalonia”.

On 8 December 2023, the Commission had received a request of the President of the Parliament Assembly of the Council of Europe, against the background of an exchange of views within the PACE bureau on the rule of law in Spain, to prepare a study on “the rule of law requirements than an amnesty should fulfil”.

As the study requested by the President of PACE concerns the standards to be applied in replying to the questions raised in your opinion request, the Venice Commission decided, at its 137th Plenary Session (Venice, 15-16 December 2023) to deal with the two requests jointly and to prepare its opinion at the latest for the 138th Plenary Session (15-16 March 2024).

As concerns the urgent nature of your request, pursuant to Article 14a of the Commission’s Rules of procedure, urgent opinions may be issued “In exceptional cases, when the requesting authorities or body may justify that waiting for the next Plenary Session would not be appropriate”. Should this be or become the case, you are kindly asked to submit a reasoned request, which will be submitted to the Commission’s Bureau for decision.

A delegation of the Venice Commission will travel to Spain in view of the preparation of the opinion in the first weeks of 2024, and will hopefully have the pleasure to meet with you.

I wish to thank you for your trust in the Venice Commission.

Yours sincerely,

Claire Bazy-Malaurie