

# Assessment of the Amnesty Law One Year After Its Approval

AMNESTY OVERSIGHT COMMITTEE  
OF ÒMNIUM CULTURAL

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# 1. Amnesty, a Collective Achievement

The approval of the Amnesty Law on May 30, 2024, was an undeniable democratic milestone, a victory reluctantly conceded by the Spanish State. The result of the determination of the pro-independence movement, its adoption —once deemed impossible by some— represents a collective victory that opens the door to reversing one of the most significant rollbacks in fundamental rights since the Franco era: the widespread repression carried out by the Spanish State and its judiciary against the Catalan independence movement. Every amnesty is a collective victory in the struggle to end repression and uphold Catalonia's right to self-determination. However, the law has yet to be implemented with the necessary speed and fairness.

Òmnium Cultural has thoroughly documented all political trials over the past five years through the [Antirepressiva](#) portal, a digital space for analyzing and mapping repression in Catalan, English, French, and Spanish.

Political repression in Catalonia over the past decade has amounted to a true general cause against the self-determination movement. The Spanish State has violated the fundamental rights of more than 4,600 people through police violence, exile, imprisonment, abusive fines and bail, Pegasus surveillance, police infiltration, terrorism charges, and prolonged criminal investigations. This systematic judicial and political persecution has aimed to demobilize the political movement. Many of these cases remained under investigation for years before being dismissed or resulting in acquittals, clear signs of a repressive strategy meant to politically paralyze hundreds of individuals and their communities.

## 2. The Amnesty Oversight Commission

Following the approval of the Amnesty Law by the Spanish Congress on May 30, 2024, Òmnium Cultural created the [Amnesty Oversight Commission](#) to ensure thorough and independent monitoring of its implementation and to advocate for compliance. Over the past twelve months, the Commission has gathered quantitative and qualitative data on the law's application, reported violations during the request and implementation processes, and produced assessment reports presenting figures as well as the issues, risks, and trends in the law's application.

In October 2024, the Commission published an [evaluation of the first four months](#), highlighting insufficient and unequal enforcement of the law, analyzing denied requests, the institutions involved, appeals submitted, and detected administrative or judicial obstacles. Òmnium Cultural submitted these findings to the United Nations Human Rights Council.

In January 2025, the Commission presented its [second evaluation](#), noting an increase in the number of granted amnesties, largely due to pressure from civil society, defense teams, and the victims of repression. Despite this progress, the level of law enforcement remained insufficient. Òmnium's president, Xavier Antich, shared this with the Committee on Justice and DThis evaluation builds on the previous ones, updates the data, and offers a comprehensive overview of the first year of the Amnesty Law's implementation, up to May 2025. Information was obtained from victims of repression, their legal teams and support groups, anti-repression organizations, judicial actors, and media reports. Its release comes at a crucial time, just before the Spanish

Constitutional Court's ruling on the unconstitutionality question raised by the Supreme Court and other appeals democratic Quality of the Catalan Parliament on January 23. Òmnium also submitted this evaluation to the European Commission for consideration in its Rule of Law Report for EU member states.

## 3. Methodology

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## 4. Updated Data (May 2025)

1.610 victims of repression eligible for amnesty		
726 individuals with criminal cases (691) and cases before the Court of Auditors (35) potentially eligible for amnesty.	236 cases closed	178 amnesties
		49 dismissals
		9 acquittals
	35 denied	
	48 suspended due to constitutional or preliminary questions before the Constitutional Court (CC) or the Court of Justice of the European Union (CJEU)	
	75 pending judicial response	
332 not yet processed		
884 individuals with administrative sanctions	21 benefited from amnesty	
	19 denied	
	2 awaiting response	
170 security agents benefited from amnesty		

236 cases in criminal courts have been definitively closed. Of these, 178 were formally granted amnesty, while 49 were dismissed and 9 acquitted, cases that were also eligible for amnesty, and where the individuals had mostly already applied.

This represents a significant increase compared to the 72 resolutions documented last October and the 149 reported in January (116 amnesties plus 33 acquittals or dismissals, including Tsunami Democràtic, Volhov, or the so-called Russian plot). Nevertheless, it only accounts for 32.5% of the total number of individuals identified as potentially eligible for amnesty (726).

Data show a 228% increase in favorable rulings over seven months, due to both an increase in applications and eventual responses from judicial bodies, as well as recent dismissals and acquittals in amnesty-eligible cases.

Still, around 40% of applications remain unresolved or have been denied. This affects 158 individuals with ongoing criminal or Court of Auditors proceedings who have not received amnesty despite having requested it. There are three main reasons: denials, lack of response, or suspension of proceedings due to questions referred to the Constitutional Court or CJEU.

- Regarding rejections, the number has once again increased: while there were 45 in October and 24 in January (in several cases, amnesty was denied but the cases were later dismissed or resulted in acquittals), by the first anniversary of the Amnesty Law, this number had risen again to 35.
- As for cases that remain suspended due to questions of constitutionality or preliminary references, the number has remained stable at 48, similar to the figure reported in October.
- Finally, the number of cases awaiting a response has decreased compared to the more than 150 recorded in the last evaluation, standing at 75 in May. Nevertheless, this remains a very high figure, especially considering the preferential and urgent nature that the Amnesty Law is supposed to have.

The Amnesty Law also provides for the cancellation of financial penalties linked to social mobilizations or actions within the Catalan self-determination movement. According to data from the Home Office, amnesty has been granted to only about half of the individuals with administrative sanctions who applied —specifically 21 people— while 19 applications were denied.

One of the clearest indicators of the partial application of the Amnesty Law is the impunity for police violence. The number of security officers who have benefited from amnesty has continued to grow. Specifically, 132 Spanish police officers who were investigated for the crackdown on voters on October 1st have been granted amnesty (1 in Lleida, 46 in Barcelona in the general case and 3 in Roger Español's case, 45 in Mataró, 10 in Tarragona, and 27 in Girona). Additionally, several officers investigated for police violence in the autumn of 2019 have also been granted amnesty, including 8 Mossos d'Esquadra, 13 Spanish police officers, and 11 Civil Guards. Most of these amnesties are not yet final, and both private parties and civil society organizations —such as Òmnium Cultural— acting as popular prosecution in the October 1st police violence cases have filed appeals to the Supreme Court, as the Amnesty Law clearly excludes from its scope police violence constituting acts of torture or inhuman or degrading treatment that exceed a minimum threshold of severity.

On the other hand, amnesty was denied to the four police officers responsible for Roger Español losing a vital organ, and the judicial process continues, with Òmnium already having submitted its brief as popular prosecution. Currently, this is the only trial against police violence from that period that is expected to take place.

Meanwhile, the Amnesty Oversight Commission highlights the continued political use of the conflict by the Spanish State and the ongoing repression of the independence movement. As of now, there are still 15 appeals of unconstitutionality filed by 11 regional governments and 3 regional parliaments, all admitted for consideration by the Constitutional Court. This constitutes open opposition by political sectors of the right and far-right, who seek to block full implementation of the law, generate legal uncertainty among those affected, and capitalize on Catalanophobia for electoral gain.

Furthermore, the Spanish judicial leadership —especially the Supreme Court, the National Court, and, to some extent, the High Court of Justice of Catalonia— continues to challenge the law and demonstrates a willingness to keep criminalizing the Catalan self-determination movement, as well as to delay the application of the amnesty. In this regard, the upcoming Constitutional Court ruling on the various appeals against the law, expected during the week of June 24, will be particularly important and is likely to facilitate the resolution of numerous pending or suspended cases.

Regarding the preliminary questions referred to the CJEU, it is worth noting that in the first of these, raised by the Court of Auditors, the European Commission concluded that the expenses related to Catalonia's international advocacy during the October 1st referendum did not affect the financial interests of the European Union. Moreover, no EU Member State has joined the procedure, despite having the opportunity to do so.

## 5. Analysis and Conclusions

Although the number of closed criminal cases against victims of repression has improved and, for the first time, exceeds the number of police officers granted amnesty, the Amnesty Law is still not being applied in a preferential and urgent manner, despite this being stipulated in the legal framework to ensure effective redress. On the contrary, the application of the law remains limited, slow, and uneven, far exceeding the two-month period established for its processing.

### Significant Increase in Case Closures:

- 60% of individuals who applied for amnesty have had their cases closed. In just seven months, this figure rose significantly, by 228%.
- The majority of amnesties were granted to individuals exercising their right to protest, especially during the 2019 demonstrations against the Supreme Court's ruling that sentenced nine political leaders to over 100 years in prison.

## Insufficient Application:

- The definitive closure of 236 cases represents only 32.5% of those eligible for amnesty, which remains clearly insufficient. Around 40% of cases have not been resolved, either due to pending responses, rejections, or suspensions.
- Courts and tribunals have rarely acted ex officio to apply the law.
- Some eligible individuals have not yet submitted their applications, and certain legal teams failed to inform their clients of this possibility.

## Slow Implementation:

- 19% of applications remain pending a judicial response one year after the law's enactment.
- 12% of applications are suspended due to questions raised before the Constitutional Court or the CJEU. Although suspension should only affect the specific case, in some instances the entire process has been halted based on unrelated constitutional questions.
- In other cases, applications have been stalled by procedural obstacles, largely due to a lack of judicial will to resolve them swiftly, even though the law allows application at any procedural stage.

## Judicial Arbitrariness:

- Although it represents a relatively small percentage, 9% of denied amnesty applications show evidence of arbitrary judicial decisions. In many cases, judges failed to adequately justify their rulings or used ideological criteria.
- There are notable inconsistencies between courts: the same offense has been granted amnesty in some cases and denied in others, such as in cases of embezzlement, disobedience, or public disorder.

## Unequal Application:

- Political leaders involved in organizing the 1-O referendum, whose cases fall under particularly hostile judicial bodies such as the Supreme Court, the National Court, or partly the High Court of Justice of Catalonia, have faced a higher rate of rejections or suspensions of their amnesty applications.

## Impunity for Police Violence:

- Amnesty has been swiftly applied to state security forces who violently attacked voters on October 1st or protesters in autumn 2019. In these cases, no constitutional or preliminary questions have been raised, showing a clear bias in the law's implementation.

- The Amnesty Law explicitly excludes those responsible for crimes of torture or inhuman or degrading treatment. Several private and civil society organizations, such as Òmnium Cultural, have filed appeals with the Supreme Court to challenge these amnesties.

## Ideological Interpretation by the Judiciary:

- Several judges, including members of the Constitutional Court and the General Council of the Judiciary (CGPJ), have publicly questioned the law's legitimacy. The CGPJ even passed a resolution undermining the separation of powers.
- The Supreme Court and the National Court in particular interpret the law in an ideological and restrictive way, delaying its application and promoting constitutional or preliminary questions to obstruct its enforcement.

## Economic Repression:

- Although hundreds have been fined, only about twenty have recovered their penalties. Despite the existence of an online platform to request reimbursement, the amnesty law has not been applied consistently in administrative areas, partly due to poor communication efforts. Automatic application of the law by the Home Office, along with a public information campaign, could reverse this situation.



**SINDICATURA PER L'AMNISTIA**

May 2025

**[amnistia.omnium.cat](http://amnistia.omnium.cat)**