



ILUSTRE COLEGIO
DE LA ABOGACÍA
DE MADRID

The Governing Board of the MADRID BAR ASSOCIATION, in its extraordinary meeting of November 9, 2023, has unanimously approved the following institutional declaration:

In relation to the document signed by PSOE and JUNTS made public today, this Governing Board, in accordance with Article 3.1 of its Articles of Association and Article 1.5 of the Articles of Association of the General Bar Council of Spain (*Consejo General de la Abogacía Española*), which confers on it the defence of the social and democratic State, subject to the rule of law, proclaimed in the Constitution, in the utmost institutional neutrality and respect for political plurality, shows its great concern for the content of this document. And, to this effect, STATES:

1st.- The formation of parliamentary majorities must always be subject to the principle of constitutional legality.

2nd.- The separation of powers, the foundation of the Rule of Law, and its mechanisms of control and checks and balances, impose full respect for and compliance with the courts of justice and their jurisdictional function.

3rd.- The use of the term *lawfare* (instrumentalisation of justice for political ends) in reference to the courts and tribunals has no room under the Rule of Law. Consequently, it is unacceptable to create parliamentary commissions of enquiry to oversee the actions of the courts and tribunals.

4th.- The submission of magistrates to the law and judicial independence constitute the foundations of the Rule of Law, which must be respected and complied with by all public and private actors. This requires a call for responsibility.

5th.- The Spanish Constitution and the Treaty on European Union govern all actions, including those of political parties, and must not only be complied with and enforced, but also defended by all the branches of the State and civil society.

For the reasons set out above, the Madrid Bar Association will, in full compliance with its purpose, take whatever action is appropriate to defend the rule of law and the separation of powers.

Madrid. November 9, 2023

MADRID BAR ASSOCIATION (Ilustre Colegio de la Abogacía de Madrid - ICAM)