



Declaration nr. 5

Name of the person introducing the declaration: Jordi Sole i Ferrando

On behalf of the party: Esquerra Republicana de Catalunya

Declaration: State violence and political and judicial repression in Spain

Over the last few years, the European Free Alliance has been warning about the dimension the political conflict in Catalonia was taking, mainly due to the Spanish Government's refusal to engage in dialogue and to accommodate the legitimate democratic demands of the Catalan people and institutions. A clear majority of the Catalan people supports self-determination in a legally binding referendum and commits to accepting the result, whatever it may be.

However, the Spanish Government not only refuses time and again to enter into negotiations but has used institutional violence to stop the October the 1st Referendum on self-determination. This referendum, although planned by the Catalan Government, actually took place thanks to the commitment of many thousands of Catalan citizens, since the Spanish Government used all kinds of actions to prevent it. These actions included the breach of the rights to freedom of expression, information and a free press, and assembly during the weeks prior to October the 1st as stated by international organisations such as UN OHCHR or accredited NGOs like Human Rights Watch or The Elders. Closure of hundreds of websites, forcible entry into public and private premises, seizure of printed material and even arrests occurred on the 20th and 21st September.

On October the 1st, when the polling stations opened with ballot boxes and papers, the Spanish police forces (*Policia Nacional* and para-military *Guardia Civil*) forced entry into dozens of polling stations using extreme violence to seize the ballot boxes injuring more than 1,000 peaceful citizens. **Once more, we strongly condemn this unacceptable use of violence and demand that the Spanish Government formally apologise and repairs the damage caused.**

After the referendum, which showed clear support for the Catalan independent republic by voters, the Spanish Government refused to negotiate an agreement that would take into account the results. Even international calls and high-level offers of mediation were rejected by Madrid.

On the other hand, in late October the Spanish *Audiencia Nacional* Special High Court, decided to imprison the two "*Jordis*", the leaders of the civic organisations that led the massive, peaceful demonstrations held annually since 2012. Even worse, on November the 2nd, the same Court decided to imprison without bail half of the Catalan Government accused of sedition and rebellion. This decision was later confirmed by the Spanish Supreme Court. Although these alleged crimes clearly demand the use of violence, the Supreme Court is maintaining that the violence used by the Spanish political forces is to be blamed on them! So the attitude of the Catalan Government obliged the Spanish Government to ask the police forces to beat the pacific citizens. Meanwhile, the rest of the Government members are in exile in Brussels without the possibility of returning. This situation is completely unacceptable, and **we strongly condemn the existence of political prisoners in Spain.**

We also denounce the abuse of article 155 that was never intended to dismiss a legitimate Government overnight or to close the Parliament and call new elections. Direct rule from Madrid has meant the closure of the Catalan Government delegations abroad, and has caused serious harm to the provision of basic public goods to the Catalan citizens, irrespective of their political convictions.

The 21st December Catalan Elections called via article 155 gave an absolute majority of seats in the Catalan Parliament to pro-independence parties, but the Spanish Government is reinterpreting the law to prevent the political prisoners and exiled politicians from assuming their responsibilities, denying their most basic political rights to participation.

More and more voices are denouncing the regression of civil and political rights in Spain and the erosion of the rule of law and separation of powers.

Accordingly, we urge the European Institutions, Governments and democratic actors to compel Spain to:

- stop abusing powers and eroding the rule of law, thus endangering fundamental rights and the most basic democratic principles,
- immediately release political prisoners, stop the political trials and let politicians in exile come back home,
- accept the results of the democratic elections in Catalonia, let elected candidates take their responsibilities and form a Government without interfering in the people's will
- start bilateral negotiation with the Catalan government in good faith to solve the political conflict instead of continuing the escalation whilst eroding democratic standards

We also urge the European Union to defend the Catalan citizen's fundamental rights and to engage in a constructive solution to the situation, respecting the universal right to self-determination of peoples.