



Brussels, 18<sup>th</sup> of September 2017

Dear Mr Claude MORAES,  
Chair of the Committee on Civil Liberties, Justice and Home Affairs

As Members of the European Parliament, we would like to express our deep concern regarding threats, political and judiciary persecution by the Spanish authorities against Catalan politicians, media, public servants and civil society who are in favour of the independence referendum of the 1<sup>st</sup> of October.

**Political and judiciary persecution.** On the 13th of September, Spain's general prosecutor, Manuel Maza, announced that the 712 Catalan mayors (75% of the mayors of Catalonia) openly supporting the referendum on independence will have to declare before the provincial prosecutors. Mr Maza also stated that the police would arrest the Catalan mayors refusing to do so. In addition, Friday 15<sup>th</sup> the Spanish Treasury minister, Cristobal Montoro, said that in 48 hours the Spanish government would take over control of Catalonia's finances in order to "guarantee that no euros are spent on illegal activities".

**Freedom of expression and information.** The Spanish Constitutional Court required the Catalan Public Television (TVC) not to broadcast any government advertisement or inform about anything related to the organisation of the referendum. The court made clear that the director of the Catalan Television risks facing criminal charges. At the same time, the Spain's General Prosecutor has asked to block access to all governmental webpages related to the referendum, denying the access of information to all citizens. Furthermore, the Catalan press that is publishing advertisements on the referendum has been also threatened with legal action. Last Friday 15<sup>th</sup> armed military Spanish police - Guardia Civil - entered to the newsrooms of "El Punt Avui", "Vilaweb", "Nació Digital" and "El Nacional" to leave a notification of the judge with the warning. At the same moment, Guardia Civil raided several print shops in Catalonia searching for referendum material and they seized 100,000 posters.

**Freedom of assembly and of association.** Last 12<sup>th</sup> of September, the magistrate of the administrative court of Madrid José Yusty Bastarache suspended an event named "Citizens of Madrid for the right to decide" planned for the 17th of September. This act was supposed to take place in a municipal hall of Madrid. Again, Friday 15<sup>th</sup>, by the order of the Judge, the municipal police of Vitoria interrupted an event hosted by the Catalan MP Anna Gabriel about the Catalan referendum in a public building and the public was expelled. The same day, the Public Prosecutor's Office of Tarragona opened investigations against those responsible for the celebration of the event that started the campaign of independence referendum on October 1, suspended in a precautionary manner by the Constitutional Court.

During the Catalan national day celebrations -11<sup>th</sup> of September- and for the sixth successive year, one million citizens demonstrated in the streets of Barcelona to call for the independence referendum in a civic, peaceful and festive environment. This demonstration showed the spirit of this legitimate social and political claim - supported by 75% of the citizens of Catalonia and recognised by



International Law – that is confronted by the denial of dialogue and by criminal action of the Spanish state.

As the European Court of Human Rights put it, "the fact that a group of people calls for autonomy or even requests secession of part of the country's territory – thus demanding fundamental constitutional and territorial changes – cannot automatically justify a prohibition of its assemblies. Demanding territorial changes in speeches and demonstrations does not automatically amount to a threat to the country's territorial integrity and national security" (...). "In a democratic society based on the rule of law, political ideas which challenge the existing order and whose realisation is advocated by peaceful means must be afforded a proper opportunity of expression through the exercise of the right of assembly as well as by other lawful means." (Stankov and the United Macedonian Organisation Ilinden v. Bulgaria, nos. 29221/95 and 29225/95, § ..., ECHR 2001-IX).

These are the reasons why, as a Chair of the Committee responsible for the democratic oversight of Justice and Home Affairs, we urge you to intervene and call to the Spanish authorities to abandon the repressive actions against civil and political rights and to ensure the compliance of Spain with the Charter of Fundamental Rights of the European Union and with the European Convention on Human Rights.

Thank you for your attention and we remain at your disposal for further information.

Kind regards,

MEP Josep-Maria Terricabras (Greens/EFA)

MEP Jordi Solé (Greens/EFA)

MEP Ramon Tremosa (ALDE)

*PS: In addition to this letter, please find enclosed a letter (in Spanish) from Alfred-Maurice de Zayas, independent Expert on the promotion of a democratic and equitable international order, addressed to the Ambassador of Permanent Representation of Spain to the United Nations Office and other International Organizations in Geneva. In his letter he denounces political aggressions against the Catalan movement.*