

CIVIL RIGHTS IN CATALONIA AT STAKE

Freedom of the press, speech and assembly have all been challenged by the Spanish government this past week in order to stop Catalonia's self-determination referendum to be held on 1 October

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Ever since Catalonia's self-determination referendum was officially called on 6 September, the Spanish government has responded by threatening civil rights in Catalonia. European values, the freedom of speech, freedom of information and freedom of assembly are being violated by Spain sending police forces to search newspapers and printing companies; stopping and annulling political meetings; seizing referendum material; and threatening to imprison democratically-elected politicians¹.

Freedom of the press

These days there are growing threats to freedom of expression. Catalan [media outlets](#)² and [printing companies](#)³ are being searched by the Spanish military police looking for printed material related to the referendum such as voter census, ballots and campaign posters. This weekend Spanish police confiscated around [1.5m posters and pamphlets](#)⁴. The Spanish [Public Prosecutor's Office instructed security forces](#)⁵ to remove all voting materials which the order said "could contribute to the [consummation of the crime](#)^{6, 7}." [Citizens are protesting](#)⁸ by simulating "voting" and organizing impromptu poster-hanging campaigns in a challenge to Spain.

The Director of a local weekly newspaper has been formally [accused of being an accessory to alleged crimes](#)⁹ related to preparations for the 1 October. Catalonia's Attorney General's office, itself a branch of the Spanish one, has also presented lawsuits

¹ <https://www.reuters.com/article/us-spain-politics-catalonia-boxes/police-in-catalonia-hunt-for-hidden-ballot-boxes-in-bid-to-foil-referendum-idUSKCN1BQ2MZ>

² https://elpais.com/ccaa/2017/09/09/catalunya/1504954386_126381.html

³ <http://www.huffingtonpost.es/2017/09/08/la-guardia-civil-registra-una-imprenta-de-constanti-tarragona-en-busca-del-material-para-el-1-o-a-23201633/>

⁴ <http://www.aljazeera.com/news/2017/09/spanish-police-confiscate-catalan-referendum-material-170918080656349.html>

⁵ https://elpais.com/ccaa/2017/09/12/catalunya/1505214467_216261.html

⁶ <https://www.bbc.co.uk/news/amp/world-europe-41262254>

⁷ <http://www.catalannews.com/politics/item/prosecutor-orders-catalan-police-to-confiscate-ballot-boxes-in-the-wake-of-one-million-strong-rally>

⁸ <http://www.catalannews.com/politics/item/spain-s-guardia-civil-confiscates-1-4-million-referendum-posters-from-warehouses>

⁹ <http://www.catalannews.com/society-science/item/newspaper-editor-charged-with-accessory-to-Referendum-related-crimes>

in Catalonia's high court against all Ministers in the Catalan government's Cabinet. These lawsuits accused the ministers of perversion of justice, disobedience and misuse of public funds.

Court Calls on Catalan Media to "Abstain" from Reporting on Lead-Up to the Vote

Freedom of the press was also compromised this past week when newspapers and televisions were told not to cover the lead-up to the 1 October referendum. First newspapers were told by judges not to publish the Catalan government's official advertisement announcing the referendum. To protect themselves from possible sanctions from Spain's Constitutional Court some newspapers have felt obliged not to run the [official advertisement](#)¹⁰, some have decided to go on with the campaign in an imaginative manner [by using humor](#)¹¹.

Unfortunately press freedom violations go beyond threats for publishing advertisements. Catalonia's High Court of Justice (TSJC) notified Mr. Vicent Sanchis, the Director General of Catalonia's public TV network, TV3, of orders from Spain's Constitutional Court (TC) cancelling the Catalan government's purchase of special programming informing citizens about the 1 October referendum (including advertising).

The [TV3 Director General was told the network was to abstain from reporting](#)¹² on agreements or actions leading to the celebration of the 1 October referendum. The notification said the following: "I am warning you regarding your duty to stop or paralyze any initiatives leading to ignoring or evading the ruled suspension. Particularly, you should abstain from beginning, processing, informing and/or dictating, within your field of competences, agreements or actions of any kind that lead to the preparation and/or celebration of the self-determination referendum in Catalonia."

Referendum Web Pages Shut Down

In addition, web pages related to the Catalan referendum have been shut down. "This page isn't working." This message appeared on many computer' screens on the night of 13 September, when a judge ordered that the official website of Catalonia's independence referendum be [shut down](#)¹³, and Spain's military police, the Guardia Civil then did so.

¹⁰ https://cat.elpais.com/cat/2017/09/09/catalunya/1504961381_944721.html

¹¹ https://twitter.com/A_RoyoMarine/status/909008980088885249

¹² http://www.abc.es/espana/abci-advierte-director-no-debe-difusion-referendum-201709121613_noticia.html

¹³ https://elpais.com/ccaa/2017/09/13/catalunya/1505324341_709098.html

Democratically-Elected Politicians Could Face Prison for Allowing Vote

Yet, this was not the only challenge to freedom of expression in Catalonia. Along with the referendum website being shut down the Prosecutor ordered an investigation of the more than 700 mayors, across Catalonia who agreed to host a polling station in their municipalities for the 1 October vote (around 75% of all mayors in Catalonia). Local prosecutors have already summoned some of the mayors, who are to appear in court this week. The Prosecutor ordered that in the event that they fail to appear in court, then the police will have to [arrest them](#)¹⁴.

One of Turkey's main dissidents, the journalist Mahir Zeynalov, rose to international prominence for documenting President Erdogan's massive crackdown on journalists. Zeynalov, who was deported from Turkey after posting tweets against high-level Turkish officials, compares Spain with Turkey. In a [tweet](#)¹⁵ he expressed concern about what is currently happening in Catalonia writing: "This reminded me of Turkey | Spanish Prosecutor Summons 712 Mayors Over Catalan Referendum Plans", referring to this article in [The Globe Post](#)¹⁶ about the Catalan mayors being summoned.

Freedom of the assembly is being Violated

Human rights are not only threatened in Catalonia, but also in the Spanish capital Madrid, where the Mayor, Manuela Carmena, was scheduled to host an event in favor of Catalonia's referendum, but a Spanish [judge suspended the event](#)¹⁷.

Legal experts considered this ruling "excessive and insufficiently justified", according to [an article in the Spanish newspaper El País](#)¹⁸. One of the interviewed law experts emphasized that it was not a campaign event in favor of the referendum, but rather a way of informing and defending the hypothetical right of citizens to decide their political future. "Here the principle of *favor libertatis* should operate and when in doubt you should tolerate," the expert said. Along this same vein, the Secretary General of Spain's left-wing political party Podemos, Pablo Iglesias, stated that this judicial decision was terrible. "The right to assembly and the freedom of speech are constitutive bases of any democracy; that a meeting is prohibited in Spain in 2017 is serious and terrible, and all democrats should be alarmed," Iglesias said.

¹⁴ <https://www.nytimes.com/reuters/2017/09/13/world/europe/13reuters-spain-politics-catalonia.html?mcubz=0>

¹⁵ <https://twitter.com/MahirZeynalov/status/908034869405646848>

¹⁶ <http://www.theglobepost.com/2017/09/13/catalan-referendum-mayors/>

¹⁷ https://elpais.com/ccaa/2017/09/12/madrid/1505226735_765121.html

¹⁸ https://politica.elpais.com/politica/2017/09/13/actualidad/1505327014_625102.html

Also in the Basque capital Vitoria, the [Local Police interrupted](#)¹⁹ the Catalan politician, Anna Gabriel's, rally on the Catalan referendum after receiving a judicial order.

Spanish Police Arming Themselves and Setting Up in Catalonia

In its effort to stop the referendum, Spain has not only mobilized its prosecutors, but also its police. The three judicial police forces in Catalonia, including the regional police, the Mossos d'Esquadra, [were briefed](#)²⁰ on their legal obligation to stop any actions supporting the holding an independence referendum. The Spanish police have for example been sent out to [poster-hangings](#)²¹. Moreover, recently we have seen [an increase in the presence of riot control police in Catalonia](#)²². According to sources in Spain's National Police some police officers' vacations have been cancelled in order that the police forces are available at full force levels during the coming weeks).

International Reactions

The international community has begun to react on Catalonia's situation. Latest it was the Scottish government that expressed concern about the Catalan matter. In a [statement](#)²³ the Cabinet Secretary for External Affairs, Fiona Hyslop, said that "all peoples have the right to self-determination and to choose the form of government best suited to their needs, a principle which is enshrined in the UN Charter." She further referred to the agreement in Great Britain, in which they were "able to come together to agree a process to allow the people to decide. It is essential that democracy and civil rights are respected in all countries," she concluded.

Also members of the Danish Parliament [questioned the Spanish methods towards Catalonia](#)²⁴. On 15 September, 17 MPs from six different political parties wrote an open letter to the Spanish government expressing their "deep concern regarding the situation in Catalonia, which has reached a critical point." The Danish MPs emphasized that "in a democracy, threats and judiciary and legal responses are not the solution." In the letter, they urged to find a political solution as "the repressive actions of the last days, the increasing threats to civil servants, MPs, mayors, media, companies and citizens will not be the solution to a political problem."

This is not the first time Catalonia's political situation has been on the table in the Parliament of Denmark. In May 2015, Folketinget, the Parliament of Denmark, [approved a proposal](#)²⁵ requesting Spain and Catalonia to establish "a peaceful and democratic dialogue" on the self-determination claim and "the question of Catalonia's independence." The Danish Folketing was the first EU parliament to debate on Catalonia.

¹⁹ <http://www.elmundo.es/pais-vasco/2017/09/15/59bbb483468aeb5b4f8b463f.html>

²⁰ <https://www.nytimes.com/aponline/2017/09/12/world/europe/ap-eu-spain-catalonia.html>

²¹ http://www.elnacional.cat/ca/politica/enganxada-cartells-tarragona-policia-nacional_192471_102.html

²² <http://www.catalannews.com/politics/item/prosecutor-investigates-712-catalan-mayors-for-collaborating-with-referendum>

²³ <https://news.gov.scot/news/statement-on-catalonia>

²⁴ <http://jyllands-posten.dk/international/europa/ECE9874944/17-folketingsmedlemmer-gaar-i-forboen-for-catalonien/>

²⁵ <http://www.catalannews.com/politics/item/the-catalan-president-to-make-an-official-visit-to-denmark>