

Supplementary Human Dimension Meeting Vienna, 21-22 November 2019

SESSION I
21 November 2019 16:00 – 18:00

Facilitating the Right to Freedom of Peaceful Assembly For All: Positive Trends and Challenges in Legislation and Practice

Intervention of the Catalan National Assembly (Civil Society Organization)

Thank you, Mr. Moderator,

My name is Jordi Vilanova, and I speak on behalf of the Catalan National Assembly, a grass-roots organization defending the right to self-determination of the Catalan people.

I would like to talk about threats to the right to freedom of peaceful assembly of the Catalan people, and to urge the OSCE to turn its attention to this critical situation.

On October 14th, the Spanish Supreme Court handed down prison sentences for nine Catalan civic and political leaders, with terms going from 13 years' jail for the former vice president of the Catalan government, to 9 years for civil society leaders—the former president of our own organization, the Catalan National Assembly, and the president of Òmnium Cultural.

In this regard, in May 2019 the United Nations Working Group on Arbitrary Detentions stated that the criminal charges against the Catalan civil and political leaders were aimed at justifying their detention as a result of the exercise of their rights to freedom of opinion, expression, association, assembly and political participation, and so considered it an arbitrary detention.

This week, Amnesty International published a report demanding the immediate release of both former president of the Catalan National Assembly, Jordi Sánchez, and president of Òmnium Cultural, Jordi Cuixart. Having monitored the whole trial, Amnesty concluded that the nine-year sentences imposed on Jordi Sánchez and Jordi Cuixart for sedition represent a disproportionate restriction on their rights to freedom of expression and peaceful assembly.

Amnesty further finds that the Spanish Supreme Court failed to demonstrate that the imposition of such severe penalties was proportionate to the peaceful acts of which they were accused, and urged the Spanish parliament, and I quote “to avoid criminalizing peaceful acts of civil disobedience or unduly restricting freedom of peaceful assembly or expression.”

The massive civic protests that followed the sentences after October 14th have been met with unprecedented violence by police forces. The Spanish government has deployed thousands of police officers in Catalonia, including the paramilitary Guardia Civil, in order to keep repressing the pro-independence movement.

According to the Catalan Ministry of Health there have already been over 750 protesters injured due to Police violence, including 71 journalists. Over 200 people have been arrested, and 29 are in pre-trial detention, with harrowing reports of abuse by the Police, both openly in public and on police premises away from the public eye.

Moreover, the Spanish prosecutor has forbidden several of the detainees who have been freed, from further participating in demonstrations and political events, a clear violation of their right to protest and of peaceful assembly.

On October 21st, the Commissioner for Human Rights of the Council of Europe expressed her concern at the, and I quote “disproportionate use of force and inappropriate use of anti-riot weapons by the police on demonstrators” during last week’s protests. She also called the Spanish authorities to ensure protection of freedom of expression and peaceful assembly.

Other organizations such as Amnesty International, the World Organisation Against Torture, the OSCE Representative on freedom of the media, and several UN rapporteurs, have condemned and raised concerns on Spain’s increased restrictions of freedom of expression and peaceful assembly.

For all these reasons, the Catalan National Assembly calls on Spanish authorities to respect, protect and promote the freedom of peaceful assembly of the Catalan minority, and for OSCE experts to visit Catalonia and report on the situation there.