

OSCE Supplementary Human Dimension Meeting (SHDM) II 2021

Democratic Law-Making: Ensuring Participation, April 26th-27th

Session I: Open and Inclusive Law-Making

Written statement of the Catalan National Assembly (Civil Society Organization)

Plural democracy based on the rule of law is the only form of government that effectively guarantees human rights. The legislative branch must be a platform for dialogue on issues that matter most in society, and in doing so, foster the expression of multiple voices and perspectives.

Unfortunately, democracy based on the rule of law is under threat in Spain. Since the Catalan independence referendum of October 2017, the Spanish authorities have launched a wave of politically motivated persecution against civil society activists and democratically elected representatives. Spain's judiciary has actively intervened in Catalan parliamentary activity, abolishing laws and annulling resolutions on social, economic, civil and political rights passed by the Catalan chamber, based on an extremely restrictive interpretation of the legislation, thus disenfranchising the democratic majorities.

The Spanish judiciary has used legal threats against the Catalan parliament's bureau members for processing laws and motions and has suspended democratically elected members of Parliament on dubious grounds. The most alarming case is that of Carme Forcadell, a former president of the organisation I represent, and a former Speaker of the Catalan Parliament. Carme Forcadell spent two years in pre-trial detention and is currently serving an 11-year and a half prison sentence for having allowed a debate on independence in the Catalan chamber. The violation of her parliamentary immunity, as well as the right to free speech of Catalan parliamentarians, completely undermines the legitimate representation and participation of Catalan civil society in the legislative process.

For all these reasons, the Catalan National Assembly calls on the Spanish authorities to respect, protect and promote the right to political participation of the Catalan representatives and civil society, and for OSCE experts to visit Catalonia and report on the situation there.