



## BRIEFING

Yesterday evening, hundreds of thousands of people rallied across Catalonia in **protest against the imprisonment of the presidents of two pro-independence civil society organisations.**

At the request of the Spanish Government, the Chief and a deputy official of the Catalan police as well as the leaders of the two main pro-independence civil society organisations had appeared before the Spanish National Court to face **charges of sedition** (an offence punishable with 4-15 years imprisonment). While the two Catalan officials were ordered to surrender their passports and report to court in two weeks, the **two civil society leaders were sent to prison without bail<sup>1</sup>** as petitioned by the Spanish prosecutor.

These events come after **2,262,424 Catalans cast their vote in a referendum on self-determination on 1<sup>st</sup> October 2017**, in spite of the violence used by Spanish police forces, which left 893 injured<sup>2</sup>. The implementation of the results (90.09% of participants backed independence) was temporarily put on hold by the President of Catalonia on 10<sup>th</sup> October, given the calls for dialogue received from several European governments, international figures and institutions, in order to allow for negotiations to take place.

However, the judicial measures taken on Monday against Catalan officials and civil society leaders are just the latest example of **the continued refusal from the Spanish executive to engage in a dialogue** with the Catalan Government to address the current situation. Indeed, that morning, **the President of Catalonia had addressed a letter to President Rajoy asking the Spanish executive for a meeting to “seek solutions by way of dialogue”** and “*find a solution rather than generate confrontation*”. However, a few hours later, **the Spanish executive responded ignoring the call for a meeting and setting a new deadline (tomorrow, 19<sup>th</sup> October at 10 am) after which measures will be taken to intervene the self-government of Catalonia.**

As the Catalan Government has stated on countless occasions –and still believes- **a process of dialogue and negotiation is in the interest of all parties** in order to avoid unnecessary social and economic tensions. The same openness to dialogue and negotiation will inspire any response of the Catalan Government.

However, in the current context, the Catalan Government cannot accept a legalistic entrenchment from a Government which bases its positions on biased interpretations of the Law and the Constitution, and which has repeatedly infringed them (as illustrated in the **attached document**) when, for instance:

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<sup>1</sup> See, in this regard, Amnesty International Spain's [statement](#) asking for their release.

<sup>2</sup> See, in this regard, the [report](#) of the independent investigation conducted by Human Rights Watch.



- Using a biased interpretation of the Constitution to negate a referendum (See points 1 and 10 in the attached document).
- Ordering arrests and criminal procedures when against the organisation of a referendum, which is not a crime in Spain. (See point 2 and 3).
- Extending the role and mandate of certain Courts beyond their legally recognised powers. (See points 3 and 10).
- Illegally deploying 10,000 police forces in Catalonia on the basis of non-applicable norms. (See point 4).
- Violating fundamental human rights by contravening the right to privacy and secrecy of communications, the rights to freedom of expression and of information, the rights of assembly and demonstration and the right to political participation, among others. (See points 7, 8 and 9)<sup>3</sup>.
- Persistently ignoring any ruling contrary to its interests (See point 12).

In spite of all this, **the Government of Catalonia reiterates its call on the Spanish Government** to accept reality –**a political problem exists** regarding Catalonia-, and to acknowledge that, **if it is genuinely interested in solving the problem, it must tackle it politically and not judicially.**

Failure to do so will bring about profound and lasting negative effects for all. This is why dialogue and negotiation must prevail. After all, listening to people, understanding their positions and building agreements are the foundations on which the European Union was built.

Barcelona, 18<sup>th</sup> October 2017

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<sup>3</sup> See, in this regard, the [joint statement](#) delivered by several UN special human rights rapporteurs and independent experts.