

## OSCE Should Take Immediate Action to Help De-Escalate Crisis in Catalonia and Stop Violations of Fundamental Freedoms

Statement by the Coordination Committee of the Civic Solidarity Platform

4 October 2017

We, members of the Coordination Committee of a broad NGO coalition the “Civic Solidarity Platform”, express our deep concern over the massive violations of human rights and fundamental freedoms in the run up to the pro-independence referendum and on the referendum day in Catalonia. We believe that the government of Spain has violated a number of human dimension commitments in the framework of the Organisation for Security and Cooperation in Europe (OSCE) and therefore the OSCE should play an active role in mitigation of the conflict and human rights ending violations.

We are not addressing the issue of the legality of the controversial referendum as such since this matter is outside of the scope of human rights concerns. However, we are reiterating the concept of the comprehensive security, which lies at the basis of the Helsinki Accord and states that human rights concerns are not an internal matter of OSCE participating states but are a subject of legitimate international concern. Coming from this premise, we express our position on what we see as major problems with observation of freedom of peaceful assembly and freedom of expression as well as freedom from torture and inhuman and degrading treatment.

We are particularly appalled by unprecedented police violence against participants of peaceful protests and people who came to cast their ballots at the referendum as well as brutal raiding of the polling stations by the police. More than eight hundred people have been injured when the police were dispersing crowds, including minors and elderly, according to the local emergency services; some of them are in a life threatening condition. Several women on the scene have reported being subject to sexual harassment, touching, and sexist insults. These actions by the police were clearly disproportionate, excessive, and in many cases likely constitute a violation of the right for freedom from torture and inhuman and degrading treatment.

We are also deeply worried about many reports of other alleged violations of fundamental rights and freedoms by the central Spanish government in the run-up to the referendum, including arbitrary preventive detention of dozens of people organising the ballot, breaking by the police into the offices of regional and local authorities, blocking of pro-independence internet websites, various actions to prevent journalists from doing their work, etc. According to various sources, at least 15 people were arbitrarily detained in the run-up to the referendum, and hundreds of websites were blocked by the central authorities.

At the same time, we register our strong concern about reports of one-sided media coverage and restrictions of freedom of expression on both sides. These include reports by journalists complaining about unprecedented harassment on social networks fueled by representatives of the Catalan government. At the same time, journalists working in Spanish public TV stations have publicly complained about censorship imposed by their management on instructions of Spanish central government; in particular, journalists in the TVE television channel stated that they had been ordered to diminish police violence in the coverage of the referendum day.

We are very concerned about possible escalation of tensions, including further disproportionate restriction of fundamental rights and freedoms and even more violence after political leaders on both sides of the conflict, Prime Minister of Spain Mariano Rajoy and Catalan leader Carles Puigdemont, have made defiant and strongly worded statements in the aftermath of the clashes regarding the referendum and prospects of Catalonia's independence.

We consider these developments as a clear case of a human dimension crisis prone with continued escalation and violence and believe that immediate actions should be taken by the international community, in particular by the OSCE political bodies and institutions, to assist in ending human rights violations and to prevent deepening of the crisis.

We urge **the government of Spain** to stop the use of violence and excessive force by the police, ensure prompt and impartial investigation of cases of police violence and bring perpetrators to justice.

We urge both sides to refrain from inflaming statements and call for their restraint. Both sides must work for de-escalation of tensions and take meaningful steps for restoration of political dialogue. Political leaders bear particular responsibility for what has happened and what will happen in the future.

We call on the **OSCE Chairmanship** to hold urgent consultation with Madrid and Barcelona and appoint its special representative to assist in negotiations between the two sides and in de-escalation of the crisis.

We call on the **OSCE Secretary General** to make a full use of his mandate regarding crisis situations and take prompt steps to urge the Chairmanship to act swiftly as well as urge both sides to engage in political dialogue and refrain from violence and mutual provocations.

We call on the **OSCE ODIHR** to organise an emergency monitoring of the situation, including by sending a fact-finding mission to document violations that happened in the course of the policing of peaceful assemblies and the blocking of the polling stations and to observe trials of the detained people.

We call on the **OSCE RFoM** to examine cases of blocking of internet sites and prevention of journalists from fulfilling their duties as well as lack of a balanced media coverage on both sides prior to the referendum.

We call on the **OSCE Chairmanship, OSCE Secretary General and OSCE participating States** to urge the government of Spain to immediately extend an invitation to ODIHR and RFoM for visits and fully cooperate with OSCE representatives.

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