

PROXY OBSERVER

SEÑALAMOS A LOS CULPABLES DE LA VIOLENCIA

REPORT: Militarised Police, Social Movements and the Right to Organise and Protest in Spain

Report prepared for:

Organization for Security and Co-operation in Europe OSCE
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Reference: *Manifestación Patio Maravillas #ManiPatio*

INTRODUCTION:

Three very clear phenomenons have emerged from this latest protest in Madrid:

1. Spanish authorities are using the full might of the State, including police resources, in situations which do not warrant it and which are not a “security” threat.
2. Spanish police are acting in a highly politicised manner using tactics which are similar to those used in hostage / national security situations when dealing with the peaceful occupation of empty buildings by social movements.
3. Spanish authorities are acting outside international law, making use of banned crowd control resources and tactics which represent a potential danger to public safety.

BACKGROUND TO THE PROTEST:

Spain’s central government is continuing to target “occupied” social centres in both Madrid and Barcelona. The latest social centre to be threatened is in Madrid and is known as *Patio Maravillas*.

Patio Maravillas is the heart of political, cultural and social activities in Madrid. Many of the protests organised by Spanish pro-democracy movements are organised from centres such as this.

This fact has not escaped the attention of Spain's right-wing government, which sees the political activities and protests being organised from these social centres, as a threat to its authority. They now appear to want to close them down.

Proof of this is the fact the government in Madrid refuses to allocate an alternative building to the now threatened *Patio*, insisting that there are no suitable buildings.

However, Madrid has dozens of empty public buildings, all waiting to be sold off to private speculators or friends of friends. Corruption, added to a desire to end social protests, is the motivation behind the governments decision to close Spain's social centres.

THE ORGANISERS:

The "save the *Patio*" protest was organised by the social group [@patiomaravillas](#) which runs the *Patio* and is made up of local neighbours, social groups, political activists and other political movements.

Other groups involved in the organising of this event, included small unions and student activists. The protest had broad support from most of Madrid's pro-democracy movements.

LOCATION & DATE OF PROTEST:

The protest was scheduled for the 5th of January 2015, initially as a concentration or gathering in a local plaza known as *Plaza Dos de Mayo*. Later, as crowds grew, the gathering became a protest with an organised route, all perfectly legal and well within the constitutional right to protest.

THE EVENT:

As observers of this protests, it is difficult for us to understand the actions of Spanish police. This was probably the most frightening of all the protests we have observed so far, even feeling the need to contact the *OSCE* urgently via *Twitter* asking for immediate intervention for fear of the consequences.

Spanish police over-reacted to the situation and the reason for this soon became apparent. The protest culminated in a street called *C/ Hermanos Alvarez Quintero* where an empty public building had just been occupied by a group of activists.

The occupied five-storey building, had been closed for almost eight years, ever since the medical centre which was located there was closed by the government. It is one of many empty public buildings in Madrid being eyed up by private speculators.

As the protest march neared the building, banners announcing the occupation were hung from the balconies by those locked inside. The unused medical centre, was declared the new site of the *Patio Maravillas*.

Inside the building there were approximately 100 people, according to official sources, with an additional 2,000 people in the street below, according to the Spanish press.

From the reaction of the police, it appears that the authorities were once again caught off guard by the unexpected outcome of this protest, and reacted as though the situation was an emergency terrorist situation.

It took Spanish police some time to send their “elite” *antidisturbios* to the scene, armed with illegal rubber bullet rifles and dressed in full riot gear. Meanwhile, protestors sang songs as neighbours clapped from balconies.

Once the police arrived, it was already dark and the mood quickly changed as Spanish police carrying rifles began threatening protestors, ordering people to move away and clear the road.

Those inside the building were literally under siege, and were trying desperately via *Twitter* to negotiate with the police in an effort to avoid injuries. One such *Tweet* (which we have included in this report) pleaded with Spanish police not to do “*anything crazy*”.

It is evident to us as observers, that the situation did not warrant this reaction from police. It was not only highly irresponsible, but the actions of the police placed the public under serious threat.

POLICE SIEGE

That armed Spanish police should surround and lay siege to a building that had been occupied peacefully for social purposes, as though it were a hostage situation, demonstrates clearly that the tactics of Spain’s *antidisturbios* (UIP) represent a serious threat to public safety.

Initial police demands (made at gun-point) for protestors to move away from the building in return for no direct intervention against those inside the building, turned out to be false. Within an hour, the police were inside the building.

The police had no court order stating that protestors should vacate the building, the situation was at all times calm, and the organisers were willing to collaborate with the authorities. The reaction from Spanish police was unwarranted and potentially dangerous.

AGENTS OF THE LAW ACTING OUTSIDE THE LAW

In any democratic nation, citizens can expect agents of the law, not only to enforce the law but to abide by the law themselves. This is clearly not the case in Spain.

The actions of the UIP during this protest show that Spanish police continue to act outside the law, refusing to comply with the most basic legal requirements which serve to ensure citizens' rights.

Once again Spanish police failed to correctly identify themselves with ID numbers, a legal requirement which guarantees the right of citizens to make a formal complaint.

Likewise, Spanish police continue to cover their faces with scarfs during protests, making it impossible for citizens to identify individual officers who may have broken the law. We have included photographic evidence with this report.

ABOLITION OF ANTIDISTURBIOS

At least one Spanish political party, *Podemos*, has included in its election manifesto its intent to abolish Spain's *antidisturbios* (UIP) a fact which the OSCE must bare in mind when analysing the contents of this report.

The UIP "*Puma units*" are a highly politicised branch of the police and are used by the regime in Madrid for political ends, as is evident from this latest episode. In normal situations, it should not be necessary to carry out this type of police operation.

CALLS FOR OSCE INTERVENTION

For the first time since *Proxy Observer* began to unofficially observe protests and compile reports for the OSCE, we felt the need to urgently contact the OSCE during a protest, asking for immediate intervention via *Twitter*.

Our concerns were well founded. Within an hour of false police guarantees, the 100 occupants of the building in *Hermanos Alvarez Quintero street*, were being marched out of the building literally at gunpoint with their hands in the air.

More worryingly, our efforts to connect the OSCE with LIVE streaming of this event were suddenly and deliberately interrupted by Spanish police, who grabbed the recording equipment from the journalist and switched it off (video evidence of this blatant censorship is included in our report).

UNNECESSARY CLOSURE OF UNDERGROUND STATION

To add to the chaos and public panic created by the police themselves with their military-style intervention, the authorities took the decision to close the nearest underground station known as Alonso Martínez at 22:00.

This meant that those protestors wishing to leave the area quickly for their own safety, were hampered further by the closure of the *Metro* station. There can be no justification for this decision, other than to create public panic.

POLICE THREATS AND HARASSMENT

As has become customary at these protests, Spanish police continue to use the same questionable tactics in an effort to criminalise and penalise protestors and protests.

Firstly, despite being a perfectly legal protest, police authorities suddenly declared it “illegal” to justify any potential violence caused by their heavy-handed tactics. No judge was consulted before police took this decision.

Secondly, as is becoming the norm under Spain’s *Ley Mordaza* (gag law), Spanish police threatened to identify on mass all those present with the sole intention of imposing a stiff fine.

ANTIDISTURBIOS AND THE IMAGE OF SPAIN

As previously mentioned in this report, Spain’s notoriously violent *antidisturbios* are a species under the threat of extinction. Their anti-democratic tactics, as well as their open contempt for international laws and standards, are now beginning to worry many.

Those concerned by the actions of this group of rebel police officers, are not just in the opposition, experts within the ruling *Popular Party* are now cautioning the government about the potential damage to Spain’s image, because of the actions of the UIP.

Their fears about the damage being done to Spain’s international image, are likely to be further reinforced after the events of the 5th of January. There can be no justification for treating otherwise law-abiding citizens, as criminals just because they choose to dissent with their government.

THE AUTHORITIES

The authorities in Spain have done much to encourage mistrust between the police and Spanish citizens. The conservative regime’s obsessive and radical over-reaction to social protests, has slowly politicised the police, turning them into the personal bodyguards of corrupt politicians.

It is worth reminding ourselves, that as with all other protests in Spain, the decision of *Patio* organisers to occupy an empty building for the purposes of social projects, does not constitute a national security risk, but a legitimate non-violent political action.

There is no justification for the Spanish government to misuse state resources for political ends, less so when the actions of social movements are non-violent and well within the democratic framework.

REPORT CONCLUSIONS:

Our conclusion from having observed this protest, is that the right to peaceful protest in Spain is under serious threat. The reaction of the authorities in Madrid to this protest are extremely worrying, and call into question the motives of the police.

During these events it was apparent to us that the protest organisers were acting responsibly, even trying to calm the police down for fear of a human tragedy. Spanish police on the other hand, were aggressive and provocative. A worrying situation when it is the police who were armed.

Spanish citizens should have the same rights as all other European citizens, that includes the right to feel safe during a protest and to be protected by the police while exercising their constitutional rights.

It is clear from the events of the 5th of January, that Spanish police do not see their role as protectors of democratic rights and freedoms, but rather the guardians of an increasingly isolated and discredited regime. The OSCE itself now classifies Spain as a nation “*without freedoms*”. The reasons why are evident to see.

REPORT RECOMMENDATIONS

We recommend the OSCE immediately contact the government in Madrid for a full explanation of police tactics and actions on the 5th January.

We further recommend the OSCE strongly condemn Spanish police for their threat to use of rubber bullets during this protest.

We recommend the OSCE raises the issue of the blocking of a LIVE transmission by the police, with Spanish representatives to the OSCE.

We suggest the OSCE reminds Spain of their European and international legal obligations under the law.

We ask the OSCE to put in place a mechanism which would allow *Proxy Observer* to make contact with the OSCE in an emergency situation.

We suggest the OSCE contacts other international organisations to formulate a plan of action to guarantee civil rights in Spain.

We ask the OSCE to define and explain to the Government in Madrid, the meaning of democratic, non-violent political dissent.

We suggest the OSCE helps Spain formulate a training programme to raise awareness among Spain's security forces, of the correct functions of a policeman and the importance of public safety.

We urge the international community to take seriously the issue of police violations of the law, as regard proper ID numbers and the covering of faces during protests.

Report dated: 10/January/2015

PHOTOGRAPHIC & VIDEO EVIDENCE:

Brief video summary of the protest

<https://www.youtube.com/watch?v=zaAHCE3s2TA>

Video showing Spanish police verbally attacking a journalist and switching off the LIVE streaming.

https://www.youtube.com/watch?v=l7ZoL_kLrTw

Tweet from protest organisers pleading with Spanish police not to do “*anything crazy*”.

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/2665999_orig.jpg?592

Spanish *antidisturbios* holding an illegal rubber bullets gun

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/1309759_orig.jpg

Ditto

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/2834443_orig.jpg

Photograph showing huge numbers of people concentrated outside the occupied building and the high risk of a stampede.

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/8012118_orig.jpg

Protestors being marched out of the occupied building at gunpoint with their hands in the air.

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/2706700_orig.jpg

Spanish police officers hiding their faces with scarfs to avoid being identified.

http://www.weebly.com/uploads/1/2/6/1/12613438/2423903_orig.jpg

For more photographs and videos, please visit our web site:

<http://proxyobserver.weebly.com/informes.html>