

PROXY OBSERVER

SEÑALAMOS A LOS CULPABLES DE LA VIOLENCIA

Report on Civil Rights Violations by Spanish Police During a Peaceful Protest in Madrid

Prepared for:

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INTRODUCTION:

The following is a detailed report outlining the events surrounding the violent dispersal by Spanish riot police of a peaceful protest in Madrid on the 16th of December 2014. The report contains examples of violations of such constitutional rights as: the right to protest peacefully; the journalistic right to inform and report freely. This report also contains recommendations to ensure that further abuses do not go unreported.

BACKGROUND TO THE PROTEST:

The protest was spontaneously organised on social media networks after it was reported in the Spanish press that 14 “Anarchist Terrorists” had been arrested and charged for possession of explosives in Barcelona.

The so-called “terrorists” were arrested at a social centre called the *Kasa de la Muntaya* and continue to be detained as of this date. The centre has been running for 25 years and has the support of the entire neighbourhood.

The raid against the social centre, called *Operation Pandora*, took place at 5 am in the morning, while the occupants, mainly women and children, lay sleeping. Spanish police in full riot gear burst into the centre after ripping out trees and the main door.

Inside the centre, anti terrorist police found such incriminating evidence as: “*mobile phones, a laptop and books.*” It soon became evident that this politically motivated raid was yet another police stunt, designed to criminalise social groups in the run-up to the introduction of Spain’s new *Gag law*.

THE ORGANISERS:

The 15 different protests which took place across the whole of Spain, including Barcelona, Salamanca, Valencia, Valladolid, Zaragoza, Madrid, Girona and many others, were not organised by any particular group, but were the result of online activity.

LOCATION & DATE OF PROTEST:

The protest took place on the 16th of December and was originally organised as a “gathering” (as opposed to a march) in a plaza (called *Tirso de Molina*) in the centre of Madrid. The event had no planned route but sheer numbers forced the protestors to start walking towards the centre; as the plaza was too small to accommodate such large numbers of people.

THE EVENT:

Before the police arrived, the event had been completely peaceful throughout, so much so that at this stage police presence was not only “low-key” but completely absent. The head of the protest marched through the streets of Madrid in a brisk, orderly fashion for more than an hour until they reached the main shopping area of the city.

It is worth pointing out that Spanish authorities did nothing to control the protest, the traffic or even try to mediate with protestors. At no point during the early stages of the protest, before the police decided on using violence, did the authorities in Madrid provide any security for the protestors or put limits on the direction or route of the protest.

POLICE PRESENCE:

The first sign that police had opted for using violence against a peaceful protest, came at approximately 22:00 when a convoy of six police vans came racing down the high street (Gran Vía) with sirens blaring causing mass panic and confusion.

Without a single word of mediation, Spanish riot police (known as *antidisturbios*) burst out of their vans in full riot gear and ran towards the head of the protest, sending people scattering in all directions but mainly towards a side street called *Calle Fuencarral*.

It is here that police used a tactic known as “*kettling*” trapping protestors by blocking one end of the street, and placing two police vans at the top of the other end to force protestors towards the police line.

At this point, and without any provocation or warning, riot police charged up *Fuencarral* Street with batons and shields, scattering protestors in all directions, knocking down rubbish bins as they went along.

INJURIES and ARRESTS

As a result of this unprovoked police attack, several people were injured, and at least two protestors and a journalist were arrested. Riot police were at no point in any danger, but resorted to using heavy hand tactics putting tourists and protestors alike in a very dangerous situation.

SECRET POLICE & INFILTRATORS:

The presence of secret police was noticeably high near an area where several people were detained, mainly around *Montera* street. There are no reports of secret police provoking trouble or acting as Agent provocateurs.

THE AUTHORITIES

What is clear to those of us observing the events of the 16th of December, is the incompetence of the Police Chief in charge of controlling this protest. What had begun as a small gathering in a nearby plaza, quickly became a 2,000 strong protest march, and the authorities were completely unprepared and incapable of reacting to the situation.

The violent response from “*Puma*” police units to a completely peaceful protest, is a proof that Spanish senior Police Chiefs in Madrid, and the person responsible for giving the orders (Cristina Cifuentes) are out of their depth and completely inept when it comes to guaranteeing public safety.

ARREST OF A JOURNALIST

Perhaps the most sinister moment of the protest came during the arrest of two suspects and a photojournalist. It was at this point that the journalist, who was taking photographs of the two detentions, was arrested and threatened by police.

The recording of this encounter is available on our web page. In it, the police officer is heard arresting the journalist for having photographed the police who then threaten him if the video is uploaded onto the internet.

The reason given by the Spanish policeman for arresting the journalist, is that the images may be circulated on *Facebook* or *Twitter*. The journalist is threatened that he will be held legally responsible for the actions of other internet users.

These threats against journalists are illegal under Spanish law. Recently Spain’s hard-line conservative government approved a new “Gag Law” (*Ley Mordaza*) making it an offence to take photographs of police “at work”. However, this law has not been ratified by Spain’s Congress.

POLICE RAID ON A BAR

The panic caused by the decision to disperse a perfectly legal protest with violent methods, reached its height when riot squad police officers burst menacingly into a bar full of tourists and locals.

A video of this event is also available on our web. It shows Spanish police entering a bar, shouting at customers and creating unnecessary public alarm. For many foreigners the sight of aggressive Spanish police officers with guns hanging from their belts creates a great sense of fear.

PROTEST AFTERMATH AND WITCH HUNTS

One peculiar aspect of this protest, which surprised onlookers and observers alike, was the speed at which protestors dispersed after riot police violently broke up the march: baring in mind that moments earlier there had been up to 2,000 people protesting peacefully.

Reports soon started coming in that “*Puma*” police units were combing nearby streets searching for “suspects” to arrest. Among the comments circulating was that people wearing a particular type of clothing, including Palestinian scarfs, were being stopped, harassed and identified.

HASHTAG & CENSORSHIP:

The hashtag *#YoTambienSoyAnarquista* which was used on *Twitter* to organise the 16D protest, appears to have censored in Spain. This was apparent from consulting the trending site <http://www.treendi.com>

Censorship of this type is more akin to authoritarian dictatorships, where governments block websites to stop dissidents from organising themselves or accessing information.

It is almost certain that the hashtag *#YoTambienSoyAnarquista* was blocked by the ominous *Brigada de Información*, a secretive branch of the security services which specialises in repression on the internet.

REPORT CONCLUSIONS:

Our conclusion is that the mishandling of this protest, demonstrates that Spanish police authorities in Madrid are incapable guaranteeing public safety. There appears to have been a complete breakdown in police discipline which could easily have led to members of the public being harmed.

The lack of any planning or proper police co-ordination at the start of the protest, later forced Madrid authorities to act in an almost blind panic, resulting in the violent break-up a protest which police had underestimated in size.

The actions of riot police in Madrid on the 16th Dec, also demonstrate clearly the lack of respect Spanish authorities have for citizens' rights, including the right to peaceful protest.

In their eagerness to implement Spain's new draconian Gag Law, Spanish authorities have violated both the Spanish Constitution and international treaties which guarantee the right to free speech and to report or transmit information.

Moreover, the sinister round-up of "suspects" after the break up of protest, is more indicative of authoritarian regimes with poor Human Rights records. It is hardly surprising therefore, that Spain is currently on an OSCE black list of nations "without freedoms".

REPORT RECOMMENDATIONS

We recommend strict monitoring of the political situation in Spain. The violations of basic Human Rights as outlined in this report, are symptomatic of a hardening of authoritarian laws and heavy-handed rule.

We recommend the OSCE continue to regard Spain as a nation "without freedoms" until such time as Spanish authorities allow OSCE observers to inspect those institutions which are there to ensure democratic rights.

We further recommend the OSCE requests a written explanation from Spanish authorities to clarify the serious incidents described in this report, and a plan of action to ensure they are not repeated.

We recommend the OSCE ask Madrid what disciplinary action Spanish police plan to take against those officers who were involved in the violation of citizens' legal rights on the 16th/Dec.

We suggest the OSCE outlines the responsibilities the Spanish government has in ensuring public safety, and in the prevention of police abuse during peaceful protests.

We further suggest the OSCE clarifies with the delegation in Madrid whether they plan to replace the current Police Chief for his mishandling of the situation.

We appeal to the OSCE to launch an immediate investigation to establish the circumstances surrounding the blocking of the hashtag *#YoTambienSoyAnarquista*.

Finally, we ask the OSCE to clarify with Madrid if Spain is still committed to the international treaties it signed guaranteeing basic Human Rights and democratic rule.

RELEVANT VIDEOS

Recording of a journalist being detained and threatened by Spanish police for making a video of an arrest.

<https://vid.me/y23h>

Video showing riot police entering a bar illegally alarming customers.

<https://vid.me/UIPg>

Video showing the 16D protest which was peaceful and perfectly legal, being broken up by police in riot gear. Moment of violent police intervention 1:50

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

BBC video report on news of the trending hashtag *#YoTambienSoyAnarquista* which was later blocked in Spain.

For more photographs and videos please visit our *Proxy Observer* website:
<http://proxyobserver.weebly.com>

