

PROXY OBSERVER

SEÑALAMOS A LOS CULPABLES DE LA VIOLENCIA

Spot Report: “Alfon” The Right to Strike, Police set ups and Trial by Media

Prepared for:

Organization for Security and Co-operation in Europe OSCE
Permanent Mission of Spain to the OSCE
Argentinierstrasse 34A
1040 Vienna
Austria

Prepared by: Emilio Esteban (Proxy Observer co-ordinator)

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INTRODUCTION:

The following is a brief “Spot Report” for the purpose of informing the OSCE / ODIHR on the latest social protest to take place in Madrid, under the shadow of increased police surveillance and trials by media.

BACKGROUND TO THE PROTEST

Alfonso Fernández, more commonly known as “*Alfon*”, is an ordinary 23-year-old who has just been sentenced to four years in prison by a Spanish court. To many, he is the victim of a police set-up and trial by media.

Alfon was accused by Spanish police of attempting to cause an explosion during a workers strike in 2012. But the evidence presented by the police during his trial was contradictory and flawed.

No solid proof was ever presented at the trial which linked *Alfon* to any of the items (backpack, gasoline, shrapnel, plastic bottles). Police claimed these belonged to *Alfon* but none of the items had his fingerprints, and all were in the possession of the police throughout the investigation.

Not surprisingly, the talk in Spain is of a police “set-up”, a trial by media and an attempt at character assassination. *Alfon*'s commitment to social justice, along with his left-wing political beliefs, appear to have been a decisive factor in his harsh sentencing.

The OSCE / ODIHR is probably aware of the news that at least one Spanish political party (*Izquierda Unida*) has taken *Alfon's case to the European Union*, where his case will be presented to the European Parliament. A letter has already been sent to the European Commissioner for Justice, Vera Jourová.

LOCATION & DATE OF PROTEST:

The protest in support of *Alfon* and against the unexpected four-year sentence imposed by the Spanish judge, took place in Madrid on the 11th of January while Europe was still reeling from the *Charlie Hebdo* attack in Paris.

Security had been stepped up a few days' earlier in Madrid, with a higher than usual police presence. Media hysteria was at its height, with dramatic headlines of possible *Al Qaeda* terrorist attacks in Spain.

Alfon's unjust sentencing received little support from government and media alike, and it looked likely that police would prevent the protest from going ahead, especially as the protest route would lead it straight to the *Ministry of Justice*.

THE ORGANISERS:

The protest was organised by [@Alfon_libertad](#) a group made up largely of social activists and mothers of young people who are often targeted by the authorities for their personal political beliefs.

Those holding the banner at the head of the protest were predominantly women, mostly mothers and older people who are involved in the campaign to support *Alfon* and raise awareness of his situation in the mass media.

Other social groups taking part in the protest included pensioners belonging to the group [@yayoflautas](#) members of the [@CCOO](#) trade union, protesting *Coca Cola* workers and Spanish Republican groups.

THE EVENT:

The event organisers informed Madrid authorities on Friday evening that the protest would be taking place on Sunday, complying with all the necessary formalities associated with protests of this type.

The meeting point was the *Puerta del Sol*, a plaza in the centre of Madrid where the 15M social movement first appeared and made headlines across the world. The route would take the protest to the nearby *Ministry of Justice*.

Approximately 2,000 people took part on the protest, a surprisingly high number considering the tight security and high risk of police repression. Organisers provided their own security and led the way at the head of the protest.

POLICE PRESENCE:

Upon arrival at the meeting point, all the signs were that the UIP had no intention of letting this march go ahead peacefully. The route towards the main road was blocked by a total of three police vans and two patrol cars.

Antidisturbios (riot police) were lined up and ready to push back protestors by force, as has often been seen in the recent past. Half the UIP officers had their ID numbers missing, and all the signs were less than positive.

MOMENT OF TENSION

As protestors set off from the *Puerta del Sol* towards the main road, Spanish police did the unexpected, they moved slowly back allowing protestors to continue walking forward unhindered.

Police vehicles were backed out, and the line of *antidisturbios* walked slowly backwards inch by inch, reducing the tension considerably and avoiding a head-on clash between protestors and police.

However, as the banner being held by the head of the protest reached *Callao*, police units began to move towards protestors, the result being that there was some physical contact between protestors and the police.

The trouble started when a UIP officer accused a protest organiser of stepping on his foot. Three more *antidisturbios* quickly arrived and surrounded the man who was dragged away from the rest of the protestors and identified.

Fortunately, those taking part in the protest remained calm and did not react. From experience it is known that Spanish police use these incidents to suddenly break up peaceful protests violently.

As observers we cannot be sure if the foot-stepping incident was an accident or deliberate, but the over-reaction of Spanish police could have led to a more serious situation in an area where there were crowds of shoppers and tourists present.

Finally, the protest was allowed to continue forward reaching the heavily protected *Ministry of Justice* shortly afterwards. Once there, the organisers read out a statement in support of *Alfon* and dispersed in an orderly fashion, demonstrating the peaceful nature of the protest.

INJURIES and ARRESTS

No injuries or arrests were reported. No searches or mass ID checks were carried out, apart from the one incident mentioned earlier. However, secret police continuously took photographs of those present at this event.

We cannot be sure if there were any arrests or unnecessary ID checks in the streets around the *Ministry of Justice* once the protest had dispersed, but we are sure that police officers on motorbikes were present in the area immediately after the protest.

SECRET POLICE & INFILTRATORS:

The presence of at least two plain-clothed “*secretas*” (secret police) was evident at this protest. They limited themselves to photographing activists and monitoring events. One protest organiser expressed concerns about the prospect of *agent provocateurs* causing trouble, but thankfully that did not happen.

THE AUTHORITIES

It has to be said that it was touch and go whether this protest would turn out to be peaceful or not. As observers we were left with the impression that some elements within the UIP were hoping to receive the order to forcibly break up the protest, but that order never came.

Quite why the authorities took a softer line on this occasion is hard to know, but perhaps the government in Madrid felt that this was not the time to be seen crushing peaceful protests, especially with Spanish PM Mariano Rajoy in Paris rambling on about “freedom of speech”.

REPORT CONCLUSIONS:

Our conclusion is that peaceful protests in Spain are possible, but it rather depends on the political circumstances at the time. Had the TV cameras not been present to act as a dissuasive factor, our report would have been less positive.

RECOMMENDATIONS

We suggest that the OSCE / ODIHR monitors closely the case of Alfonso Fernández Ortega (*Alfon*) at European level,.

We recommend the OSCE / ODIHR contact *Izquierda Unida* to discuss Alfon’s case and whether his trial meets international criteria for court cases of this type.

We suggest the OSCE / ODIHR bring up the issue of *Alfon* with Spanish representatives / authorities.

We urge the OSCE / ODIHR to work closely with international Human Rights organisations who deal with the issue of political prisoners.

Report dated: 15/January/2015

RELEVANT VIDEOS & PHOTOGRAPHS:

VIDEO summary of protest in support of Alfon.

<https://www.youtube.com/watch?v=SfSazw-uix0>

Ditto

<https://www.youtube.com/watch?v=HTeMny65d6k>

Photograph showing large numbers of supporters at the protest.

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/5139100_orig.jpg

Photographs showing huge police presence in Madrid

http://proxyobserver.weebly.com/uploads/1/2/6/1/12613438/2260436_orig.jpg