

# PROXY OBSERVER

SEÑALAMOS A LOS CULPABLES DE LA VIOLENCIA

## Spot Report: Carnival Time in Madrid in Defiance of Spain's Repressive Gag Law

Prepared for:

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### INTRODUCTION:

The following report has been prepared to inform the OSCE / ODIHR on the latest protest to be organised in Madrid and elsewhere, by several social movements actively opposed to Spain's new authoritarian gag law (*Ley Mordaza*).

The objective of this brief spot report is to provide the OSCE / ODIHR with details of the protest, relevant background information, a fair assessment of police actions, draw conclusions and make useful recommendations.

### LOCATION & DATE OF PROTEST

Like other recent protests focusing on Spain's new gag law, this event was nationwide, Europe-wide and worldwide. Many Spanish cities participated as did several European cities. Dissenting voices were heard as far away as **Uruguay** (South America).

In Europe too, pro-democracy movements opposed to this draconian law held peaceful protests outside important EU buildings in: **Brussels** and **Strasbourg**, signalling their intention to defy any attempt by Spain to cut back on basic rights.

In total **22 different cities** participated in the *Day of the Gagged* event, with half a dozen more cities taking part a few days after. Among the locations were: **Paris, Pamplona, Dublin, Bristol, Stuttgart** and **Murcia**.

The carnival-style protest known as *El Día de los Amordazados* (The Day of the Gagged) was scheduled for the 14th of February (Saint Valentine's Day). A time traditionally associated with fancy dress carnivals in Spain.

## **PROTEST ORGANISERS:**

A relatively new social group known as [@Nosomosdelito](#) who have been very active against the gag law, as well as other legal changes, were behind this latest protest. This group appears to have excellent connections to other social movements both at home and abroad.

*No Somos Delito* (We Are Not Crime) have been mobilising political activists since last year. Details of other successful events organised by this group can be found in our web [site](#), which contains past reports sent to the OSCE.

Not surprisingly, this event also received wide support from many other political groups, all of which took part in the protest including: *Greenpeace, Equo, Movimiento Red, PAH, Coca Cola workers, Yayoflautas, Alfon Libertad, CGE, Solfónica, 15M Vallecas, Alternativa Republicana, Todos Somos Ayotzinapa* and *Plaza de los Pueblos*.

## **BACKGROUND TO THE PROTEST**

The countdown towards a Franco-style dictatorship started last year, when Spain's sinister Opus Dei *Interior Minister*, Jorge Fernández Díaz, introduced a bill which would put an end to democracy and Human Rights in Spain.

That law cynically referred to by the Spanish government as the "*Citizen's Security Law*", but better known by pro-democracy advocates as "the gag law" (*Ley Mordaza*), could come into force in April 2015.

Few have failed to notice that the gag law is a knee jerk response by a corrupt regime to the increasingly vocal social movements who are opposed to Spain's hard-line government. Indeed, the made-to-measure bill seeks to criminalise not only the protests, but the reporting, recording and promotion of these.

The February 14th protest by "the gagged", is just one of the many planned by social movements in the run up to the introduction of the gag law. After which time, all such non-violent activities could potentially be considered illegal in Spain and both political opponents and activists labelled **enemies of the state**.

## **TWITTER BLOCKED AGAIN?**

In a previous spot report to the OSCE, we exposed the possible blocking by the government of the hashtag [#YoTambienSoyAnarquista](#). This hashtag, which was number one in all of Spain's trending lists, suddenly disappeared without trace. The consensus was that it had been blocked by Spanish police to stop protestors from organising themselves on *Twitter*.

It appears that on this occasion too, there has been an attempt to censor *Tweets* containing information about this protest. Several sources have confirmed deleted or missing *Tweets* from *Twitter* accounts.

The OSCE / ODIHR should note that *Tweeting* details of a protest which could later "turn violent", will soon become a criminal offence under Spain's new gag law. It is therefore reasonable to conclude that these rumours of censorship on social media, are true.

### **MEDIA PRESENCE:**

Freedom of the press has been under threat for years in Spain, but it is only evident when one realises just *who* the government considers to be "the press". It is easy to conclude that Spain is committed to the right to report freely, but nothing could be further from the truth.

As far as the government in Spain is concerned, only accredited journalists working for media outlets owned by banks, can be considered "press". All other independent / alternative journalists, bloggers and ordinary citizens are not considered "press".

This crude attempt to censor non-official sources of information with the use of the gag law, became evident when the delegation in Madrid issued "accredited" (controlled) journalists with white **PRESS waistcoats**, to distinguish them from alternative reporters.

Since then, **alternative reporters** and **streamers** have become the target of police violence during protests. Bloggers and streamers too will soon fall foul of the new gag law which prohibits the recording or **distribution** of images of Spanish police; even when the photographs are proof of police wrongdoing.

At this protest both the controlled press and alternative journalists were present. Among those recording the event were *Europa Press*, *Press TV* (English language), *NR News*, and at least one streamer. *Proxy Observer* took part in a report for *Press TV*. This video was quickly taken down from *Youtube*, but we have re-uploaded it [here](#).

### **LION SCULPTURE:**

The entrance to Spain's parliament, *El Congreso de los Diputados*, is flanked by two solid metal lions affectionately known as *Daoiz* and *Velarde*. These sculptures have become the very symbol of resistance to government attempts to gag the Spanish nation in difficult times.

The sudden arrival of a large sculpture of a *Congreso lion* at the start of the protest, caused a huge stir among the crowd. The lion, with a yellow gag over its mouth, was the creation of *Greenpeace*; another of the organisations being penalised by the gag law, which now prohibits the scaling of buildings.

## **THE EVENT:**

As previously mentioned in this report, the meeting point for this protest was a large open area in the centre of Madrid known as the *Plaza de España*. As expected, it was heavily guarded by Spanish police from several different units, including local police; though there were fewer police vehicles than usual (cutbacks perhaps).

The route of the "gagged carnival" through the centre of the capital, would culminate in the now famous *Puerta del Sol*. The event would last just under four hours, starting at 12pm and ending at 3:30pm.

The organisers, *No Somos Delito*, had previously informed the delegation in Madrid of this protest, though the protest would have been perfectly legal and constitutional without this unnecessary bureaucratic process.

Likewise, protest stewards were present throughout the route, to guarantee the safety of the public against possible infiltrators and trouble-makers, who might have disrupted the event for political reasons, as has been seen in the past.

We marched up Madrid's main high street (called the *Gran Via*) to the rhythm of African drums, as onlookers and tourists gazed at the massive sculpture of a gagged lion in a cage. Many protestors too, wore blue gags over their mouths to signify the end of free speech in Spain.

Local police opened up the way, diverting traffic as necessary until we arrived in *Callao* for a quick pause and a song from the chorus group *Solfónica*. Then, on to the *Puerta del Sol* where various organisations read out their manifesto condemning Spain's *Ley Mordaza*.

Among those to read out a manifesto were: *SOS Racismo*, a group representing immigrants who are likely to suffer the most repression under the new gag law and updated criminal code. Other manifestos were read out by the organisers *No Somos Delito* and *Greenpeace*.

The event ended with confetti, coloured streamers, more drums, dancing, a collective hug and a carnival atmosphere that has come to epitomise the dignity with which Spain's social movements have defended their right to protest peacefully.

## **POLICE PRESENCE:**

Our impression is that the different Spanish police forces (National Police, Local Police, etc) rarely mix, preferring instead to stay in separate groups close to their vehicles. This was very much the case at this protest.

This total lack of communication and coordination between the different police forces, goes some way to explaining the chaotic scenes often seen at these protests. The government delegation in Madrid and the police themselves, always blame non-existent "violent elements". Of course.

### **ARRESTS AND INJURIES:**

Once again, thanks to the excellent security measures and co-ordination skills of the organisers of this carnival-style protest, no arrests or injuries were reported. Very good news indeed, as with the hardening of the criminal code, the gag law and the introduction of abusive legal fees, being arrested in Spain could cost protestors dear.

### **SECRET POLICE AND INFILTRATORS:**

Spanish "secretas" (secret police) stand out a mile at these events. Many have unfairly detained or identified activists at previous protests and their faces are well known. Word usually travels quickly when "secretas" are around, though not on this occasion.

### **THE AUTHORITIES:**

Spanish authorities have recently become somewhat camera shy; the result perhaps of being observed and criticised by the international community for their **brutal handling** of peaceful protests.

However, while the dramatic scenes of wanton violence in Madrid have slowly receded, there appears to be an increase in the number of cases of activists and press being **detained** either in their homes or public places.

According to some sources, one such activist belonging to the social group which organised this protest, was detained and identified by uniformed police in a public bar as he was heading home, after a peaceful protest last year.

These tactics could soon become the norm with the introduction of the *Ley Mordaza*, a form of silent repression which seeks to dissuade activists from participating in political acts, through a combination of economic sanctions, isolation, threats and intimidation. All of which are far less visible forms of repression.

### **REPORT CONCLUSIONS:**

Our conclusion from having observed this protest, is that Spain's government still feels uncomfortable with the idea of people exercising their democratic rights. The appearance of heavily armed *Puma* police units at these protests, is a manifestation of the unease Spanish authorities experience whenever ordinary citizens are free to voice their opinions.

There can be little doubt, that Spain's repressive gag law is in no way a citizen "Security Law". It is a carefully crafted political tool to bring large scale protests to an end through administrative sanctions, dished out by the police themselves.

Add to this the fact that the government plans to introduce discriminatory legal fees, which must be pre-paid before making an appeal, and the only possible conclusion one can draw from this, is that Spain's gag law has a clear political motive.

By fining activists arbitrarily, then blocking access to the justice system for the less well off through a system of pre-paid legal fees which are never returned, the government hopes to deter street protests in time for the general election in November 2015.

The OSCE / ODIHR should not be fooled by the apparent drop in large-scale violence at these protests. This is in no way indicative of a change in attitude by the government. It is simply a change of tactics, from more brutal methods, to a less uncivilized way of silencing the population.

Under the new **restrictions** of the gag law, Spaniards will be unable to protest freely. The *Ley Mordaza* puts severe limits on freedoms and gives police officers limitless powers, including the power to spontaneously declare a protest illegal without consulting the government delegation or a judge.

#### **REPORT RECOMMENDATIONS:**

We suggest the OSCE / ODIHR continues to monitor the activities of the Spanish government with regard to basic freedoms and rights.

We recommend the OSCE / ODIHR takes up the issue of harassment of activists with the government in Madrid.

We ask the OSCE / ODIHR to confirm with Madrid whether Spanish police are blocking messages on *Twitter*, or hashtags used to promote events and protests.

We urge the OSCE / ODIHR to confirm with Madrid why it intends to criminalise the reporting, recording and promotion of peaceful protests in Spain.

We ask the OSCE / ODIHR to investigate whether the UIP (riot police) still intend to target non-official journalists, streamers and bloggers during protests.

We recommend the OSCE / ODIHR inform Spanish authorities of the importance of good communication and coordination between the different police forces in Spain.

We ask the OSCE / ODIHR to clarify with Madrid what impact the new gag law (*Ley Mordaza*) and Civil Code changes are likely to have on immigrants living in Spain.

We suggest the OSCE / ODIHR ask the delegation in Madrid whether it intends to publicly congratulate *No Somos Delito* for their efficient security measures during the Feb 14th carnival event.

We urge the OSCE / ODIHR to confirm with Cristina Cifuentes, the government delegate in Madrid, whether her decision to abandon the use of violence at protests is now permanent.

Finally, we recommend the OSCE / ODIHR remind Jorge Fernández Díaz (Spanish Interior Minister) that his gag law is outside the legal framework of the European Union, and is incompatible with democracy.

**Report date: 21/February/2015**

## **RELEVANT VIDEOS & PHOTOGRAPHS:**

VIDEO Report in English (from Press TV)

[https://www.youtube.com/watch?v=fNTA\\_v8Kzws](https://www.youtube.com/watch?v=fNTA_v8Kzws)

VIDEO Report in Spanish

<https://www.youtube.com/watch?v=-3qROdYHdPM>

VIDEO: Reading of the manifestos

<https://www.youtube.com/watch?v=RiFXWTe06yU>

Photographs and background information on this protest

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

**For more reports on past and future protests**

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