

## News

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### STATEMENT OF THE OMBUDSMAN OF CATALONIA

20/09/2017

#### **The Catalan Ombudsman requests that the actions of the Spanish Government respect the code of international rights and the legal framework established in the democratic and constitutional State**

Taking into account the events occurred in Catalonia during the last hours, and following the letter that I addressed on September 15 to several European institutions, calling for dialogue between all the institutions involved, as the Catalan Ombudsman, I publicly state several recent facts that I believe have transgressed the legality in force, possibly with new aggressions to fundamental rights.

In the first place, regarding the search of departments of the Government of Catalonia and the arrest of people, note that the Court of Instruction number 13 of Barcelona, in the case concerning former senator Santi Vidal, ordered these searches. Therefore, a particular case in this court has ended up in the intervention on several departments and dependencies of the Government of Catalonia. It should be added that the arrests of people that have occurred within the framework of these searches have been particularly rough. In some cases, these are public officials and servants. Both actions are immensely disproportionate.

In the second place, with regards to the blocking of the accounts of the Catalan Government, it should be noted that, from a constitutional point of view, the Spanish Government has ignored, at the time of proceeding, on the one hand, the mechanisms foreseen for the control of the activity of the organs of the autonomous communities established in article 153 of the Spanish Constitution as mechanisms of ordinary control; and, on the other hand, the legal formalities necessary for the use of the extraordinary mechanism provided for in article 155 of the Spanish Constitution.

This action by the Spanish Government represents de facto the suspension of the self-government of Catalonia and transgresses, as well, the Spanish Constitution. In particular, the mechanisms provided for in article 155, which specifically stipulates a requirement for the president of the autonomous community and the approval by an absolute majority of the Senate, procedures that have not been carried out.

Finally, during the last days, the summoning of more than 700 mayors has continued, motivated by the suspension of some laws over which there is still no ruling declaring them illegal.

Also, new violations of fundamental rights have occurred, such as inspecting local political parties and printing companies by the Spanish Paramilitary Guard, since these restrictions on the right of assembly and expression, especially serious when the group affected is the press, they have not been made respecting the possible limitations accepted by the jurisprudence of the European Court of Human Rights, which are of utmost importance in this matter.

The Catalan Ombudsman once again calls for the need of the dialogue for the democratic solution to this situation and not to use the criminal way to resolve matters of law.

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