



Press release 13.05.2019

Assessments of Trial 1-0 (Week 13)

Tomorrow, Tuesday 14th, the Platform is organizing a conference call at 14h15 at the entrance of the Supreme Court, Plaza Villa de Paris.

We will give an update of the most relevant observations ever since the trial started and up to date, as well as the latest news in the past few weeks. Two of the Platform spoke people will be there as well as the following observers:

- Jorge del Cura, Documentation Centre against Torture. Madrid
- Ana Sebastián Gascón, Asociación Libre de Abogadas y Abogados Zaragoza (ALAZ)- Free Association of Lawyers. Zaragoza.
- Ramón Campos García. Asociación Libre de Abogados y Abogadas Zaragoza (ALAZ)- Free Association of Lawyers. Zaragoza.
- José Alonso Picó. Lawyer and Collaborator in Alerta Solidaria (Solidary Alert). Palma de Mallorca.
- Úrsula Erhardt. Lawyer specialist in Criminal Law and Human Rights. Germany
- David Soto, member of Esculca- Observatory for the Defence of Rights and Freedoms. La Coruña.
- Cristina Serván, member of the Pro Human Rights Association of Andalucía (APDHA)
- Marta Herrero, lawyer, member of Red Jurídica (Legal Network) Madrid

1) ITW makes a call on citizenship for donations in order to ensure the platform ultimate goal, i.e. to provide international and national experts from the academia and social organizations to fulfil their observation mandate at the trial sessions held at the Supreme Court.

2) Three observers were sent in by the Platform, to observe the Supreme Court sessions this week, as follows:

- David Soto, member of Esculca- Observatory for the Defence of Rights and Freedoms. La Coruña.
- Cristina Serván, member of the Pro Human Rights Association of Andalucía (APDHA)
- Marta Herrero, lawyer, member of Red Jurídica (Legal Network) Madrid

FOCAL POINTS

1. Chief Justice continues to show an inconsiderate and obstructionist attitude towards defence counsels. When Mr. Cuixart's counsel was examining the Secretary General of Comisiones Obreras trade union in Catalonia about the trade union's position with regard to the National Pact for Referendum and the demonstration on September 20th (two incriminating fact included in the prosecution's writ), Chief Justice interrupted her on several occasions, and he went as far as saying: "Your defence strategy is wrong, this bears no relevance".
2. Something similar occurred to Mr. Sanchez counsel. A witness was explaining that on October 1st, in Calella, some neighbours gathered in the evening in front of a hotel where a Guardia Civil detachment was staying and one of the officers came out of the hotel wielding an extendible baton and started to beat people in the gathering. When defence counsel asked whether there was any attempt on the part of the neighbours to attack the hotel building, Chief Justice interrupted defence counsel alleging that this matter was of no relevance for the trial. And yet, at the end of the examinations round, Chief Justice quite surprisingly, informed counsel that if she so wished she could go ahead and ask the question he himself had declared as irrelevant a while before.
3. Some witnesses did state, as many others have done in previous week, that they would respond to VOX questions, because "it was mandatory by law". Chief Justice reconfirmed and reconvened that "everything happening at the trial is mandatory by law"; so indicating even in his response to Public Prosecutor. This being such an obvious statement, Chief Justice intervention was totally unnecessary.
4. One of the witnesses expressed his wish to depose in Catalan, and Chief Justice responded that it was the witness' duty to respond in Spanish. This attitude is clearly in contrast with the fact that some other witnesses have been allowed to depose in their native languages, assisted by interpreters. Languages used during the trial, other than Spanish, have been German, Portuguese, Slovenian and English.
5. Particular attention is to be paid to see whether the fundamentals rights of prosecuted members of Parliament and Senate (article 23, Spanish Constitution). elected as such in April 28th, are respected.

Contact people

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