

# **Protesting. Demonstrating. Mobilizing:**

## **FUNDAMENTAL RIGHTS**

In Spain, the past years have seen a stark criminalization of protest driven by political entities and the Spanish justice system, leading to serious repercussions for those exercising their fundamental rights to assembly and demonstration. This pattern has not only repeatedly infringed upon the freedom of expression for singers, actors, and actresses, but has also obstructed the right to information for media professionals, censored theater plays, persecuted Catalan pro-independence movements, the feminist movement, the movement for housing rights, anti-racism, environmental activism, and undermined the right to strike and union freedom.

Today, we witness a new escalation against the Right to Protest, as 11 Catalan activists face persecution and investigations for terrorism in the Tsunami Democràtic case. In response the civil society states that:

The investigation conducted by the Spanish National High Court/ Supreme Court against Tsunami Democràtic constitutes a direct assault on the exercise of fundamental rights, notably the right to assembly and freedom of expression, and the freedom of information. It stands as a new example of the extensive application of the criminal code in the criminalization of protest.

Legitimately and democratically, thousands of people took to the streets to voice their disapproval of a sentence that unjustly condemned political and social leaders to imprisonment. A sentence that had also been criticized by both the United Nations Working Group on Arbitrary Detention and the Council of Europe, alongside numerous international human rights organizations.

Under the motto “sit and talk” by Tsunami Democràtic, the citizen mobilizations aimed at fostering dialogue. They were conducted in adherence to nonviolent principles, constituting a legitimate exercise of the right to protest protected by international human rights law and domestic legal statutes.

The National Court's decision to investigate political representatives, journalists, and members of civil society for terrorism in the current context reveals a clear effort to weaken the Spanish government and the parliamentary majority in the processing of the Amnesty Law. This intrusion by the judiciary into the legislative sphere weakens democracy and the will of citizens, as expressed through their votes on July 23.

The investigation of a peaceful movement for terrorism with the exclusive purpose of criminalizing protest, constraining fundamental rights, and silencing political dissent is an authoritarian act that constricts the space for civil society and poses a threat to democratic principles and the rule of law.

This act of criminalization exerts a deterrent effect on society at large, as it targets the primary mechanism through which various groups and organizations, spanning unions, feminists, environmentalists, independence supporters, anti-racists, and any other social movement, defend their rights and freedoms.

As individuals and organizations dedicated to building a more just society and considering the right to protest an essential mechanism to drive social changes, we call for the necessary measures to be taken to stop the misuse of the justice system in a renewed political persecution directed at social mobilizations and the exercise of fundamental rights. We demand the withdrawal of terrorism charges.

## **Protesting is not Terrorism**