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Spain : Free expression and peaceful protest must be protected during EU Summit

On the eve of the EU Summit in Barcelona this weekend, Amnesty International is calling on the Spanish authorities to ensure that policing of demonstrations respects the right to peaceful protest.

" People must be allowed to express their opinions, no matter what those opinions are," Amnesty International said.

"The Spanish authorities have the responsibility to ensure the safety and security of participants in the Summit. However, it is the duty of the authorities to ensure the rights of protestors to peacefully exercise the rights of freedom of expression and assembly."

Amnesty International has for some while been concerned about the alleged use of excessive and indiscriminate force by law enforcement officers during demonstrations, including a peaceful demonstration by undocumented immigrants in Almeira in January 2002 , and alleged police brutality during an anti-globalization demonstrations in Barcelona in June 2001, held to protest against the policies of the World Bank.

"Amnesty International does not condone violence aimed at police or property, nor does it oppose the lawful use of reasonable force by law enforcement officials. However, policing must be carried out in such a way as to protect the rights of people engaged in peaceful protest," the human rights organization said.

Background

In its Amnesty International Report 2001 the organization expressed concern about use of excessive force by the Catalan autonomous police, the Mossos d'Esquadra, during a demonstration of immigrants, and noted that, in November 2000, a demonstration outside Congress by pacifists demanding the abolition of the external debt reportedly resulted in 24 injuries and seven arrests. On that occasion the Interior Minister told Congress that, while police intervention had been justified, the action of some officers had been "inappropriate and excessive".

Again, in Amnesty International Report 2000, the organization noted that, in January 1999, a baton charge by National Police officers against students demonstrating at the Autonomous University of Barcelona had resulted in up to 19 injuries. In September 1999 the High Court of Justice of Cataluña ruled that the police action was "disproportionate", obstructing the students' right to freedom of expression and assembly. More recently, in November 2001, a number of students alleged that they had been the victims of excessive force by police officers during a demonstration in Las Palmas de Gran Canaria and a judicial inquiry was opened into the allegations. Amnesty International was also concerned by allegations of police use of excessive force during a demonstration by undocumented immigrants peacefully demonstrating at Almería in January 2002.

The organization is additionally concerned that the Spanish authorities have decided to suspend Article 2 of the Schengen Convention between 9-17 March. On 12 December 2001 the European Parliament specifically recommended that member states "avoid blocking borders or denying individuals or groups of people who seek to participate peacefully in legitimate demonstrations the right to cross borders". The European Parliament also requested member states to "avoid a disproportionate use of force and instruct national police forces to control violence and preserve individual rights even in confused crowd scenarios where violent lawbreakers are mixed with peaceful law-abiding citizens".

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