

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# SPAIN: THE AUTHORITIES MUST FULFIL THEIR COMMITMENTS AND TAKE MEASURES TO GUARANTEE THE RIGHT TO FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY

## HUMAN RIGHTS COUNCIL ADOPTS UNIVERSAL PERIODIC REVIEW OUTCOME ON SPAIN

Amnesty International welcomes Spain's collaboration with the UPR mechanism and its acceptance of almost all the recommendations. However, the organization believes it relevant to make the following considerations.

The excessive use of force by the security forces, even during the recent state of emergency adopted to deal with the health emergency, remains a concern. Therefore, we welcome that Spain has accepted the recommendations concerning the need to ensure the effective investigation of all allegations of abuses committed by the police, including by incorporating independent mechanisms for investigating policing. We also urge Spain to suspend the use of rubber bullets, due to their inaccuracy and the high risk of serious injury associated with their use.

The rights to freedom of expression and peaceful assembly continue to be unduly restricted in Spanish law. We welcome the acceptance of most of the recommendations urging Spain to reform the Criminal Code and the Public Security Act. We also urge the government to promptly move forward with the repeal of the crimes of glorification of terrorism, in addition to that of insults to the Crown, and the crime of outraging religious feelings. Furthermore, we urge the authorities to review the legal definition of the crime of sedition, the application and interpretation of which by the Supreme Court has unduly restricted the freedom of expression of Jordi Sanchez and Jordi Cuixart, who remain unjustly in prison. Likewise, the reform of the Public Security Act, which has been arbitrarily enforced during the state of emergency, should most notably eliminate the articles relating to disrespect for law enforcement officials and unauthorized dissemination of images thereof, as they are against international standards.

The current crisis produced by COVID-19 has highlighted the urgent need to strengthen the Spanish public health system, undermined by the last decade of austerity policies. Cuts in health care have resulted in a deterioration in the accessibility, affordability and quality of health care. In this regard, we welcome the acceptance of the recommendations urging the government to ensure non-discriminatory access to health care for all people living in Spain. Likewise, we urge Spain to increase its health budget, particularly in primary care and to ensure that, in the face of a possible new COVID-19 crisis, health workers have fair and safe working conditions, including sufficient access to personal protective equipment.

The right to truth, justice and reparation for the victims of the Civil War and Francoism is still not guaranteed. We welcome the acceptance of the recommendations urging the Spanish authorities to fulfil the right to an effective remedy for victims of serious human rights violations of the past.

## BACKGROUND INFORMATION

The UN Human Rights Council approved the outcome of the Universal Periodic Review of Spain on 16 July 2020, at its 44th session. The text above is the statement submitted by Amnesty International in relation to the outcome prior to the adoption of the review report. The organization also contributed to the data on which the review was based by presenting this information on Spain.