



SPAIN

Civic space in Spain is rated "narrowed" on the CIVICUS Monitor

In 2011, in the aftermath of the economic crisis and the multiple cuts in public services, social movements took to the streets mobilising thousands of people. The answer was securitisation. The legislative framework has been hardened in its sanctioning and penal instruments based on arguments linked to security and maintenance of public order. The management of the crisis in Catalonia shows the same approach. The civil society reaction, after a first period of de-mobilisation, is now experiencing a new wave of civic participation. The third sector for social action is a mature reality with 60% of organisations having 20 years or more. Despite the funding cuts and the decrease in donations, the data show an expansion towards new areas like housing, integration and inclusion reflecting the social needs and political changes. Volunteering has increased substantially, representing a positive sign of citizens' engagement, but also a relative loss of professionalism for the associations. Parallely, many citizens have also been self-organising in these areas taking part in social movements or creating civic groups that often operate without formal registration.

THE THIRD SECTOR OF SOCIAL ACTION (TSSA) IN NUMBERS

Population:

47.3 million (2012)

Number of entities:

29 739 (TSSA Yearbook published in 2012)

Total of **151 725** associations in Spain (2008),
of which **27 345** are part of TSSA

SOURCE: NATIONAL REPORT ON THIRD SECTOR BARRIERS

Number of employees:

644.979

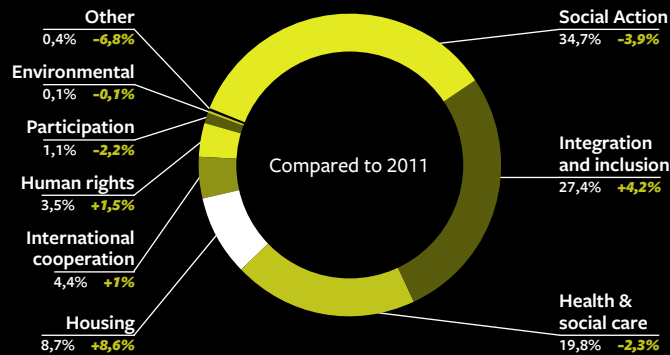
(567.400 without the singular entities' employees), 2013

Number of volunteers:

1.3 million people (2013),

+18.3% compared to 2010

DISTRIBUTION OF TSSA BY FIELDS OF ACTIVITY (2015)

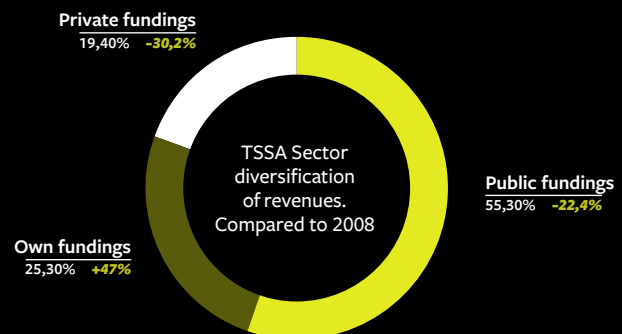


THE ECONOMIC WEIGHT OF THE SECTOR

The income of the sector amounted to:

14.5 million euros in 2013

It represented **1.51%** of national GDP (2013)



SOURCE: THIRD SECTOR OF SOCIAL ACTION IN 2015: IMPACT OF THE CRISIS, EXECUTIVE SUMMARY

FOUR YEARS OF GAG LAWS

Criminalising organised dissent

By Thais Bonilla and Serlinda Vigara, International Institute for Nonviolent Action (Novact)

In 2011, after the economic crisis of 2008 and the multiple cuts in public services, organised society took to the streets. Thousands of people mobilised against the austerity policies, the bank rescue, cuts in Public Health System, public education, retirement pensions, the growing cases of eviction, the increase of child poverty, homelessness, precariousness, gender violence etc. However, this mobilisation was framed as an attack on the State and not as an opportunity for bottom-up political participation. The answer was securitisation. The *status quo* was defended without prioritising the proposals of civil society. On the contrary, the legislative framework has been hardened in its sanctioning and penal instruments with the argument of security and public order in the streets.

LEGISLATIVE FRAMEWORK

In Spain, since 2015, three different legislative changes have distanced the country from compliance with its international human rights obligations:

- ▶ Organic Law 4/2015, of March 30th, on the protection of citizen security
- ▶ The double reform of the Penal Code, through the Organic Law 1/2015, of March 30
- ▶ The anti-jihadist Pact, which contained important legislative changes regarding the anti-terrorist and national security policies.

This package of measures, popularly called “Gag Laws”, has been harshly criticised by civil society organisations, human rights centers, and international bodies. Despite this, they are currently still valid.

These legislative changes were born to silence organised civil society in Spain¹. This legislative framework has treated social movements and critical voices as a problem of public order and security. The securitarian prism of the political and social reality of the country eliminates adequate safeguards of sanctioning and judicial procedures, granting broad powers to the police. The Organic Law on the Protection of Citizen Security uses such an ambiguous and unspecified language that, in practice, is allowing irregular actions in police interventions. For instance, journalists have been administratively sanctioned for recording police interventions in public spaces and people taking part in demonstrations have been arbitrarily identified.

¹ Defender a quien Defiende, Homenaje a la protesta. Análisis de una ley inspirada en ti, http://defend-eraquiendefiende.org/wp-content/uploads/2015/07/DOSSIER-MORDAZA_web.pdf, 2015.

VIOLENT POLICE PRACTICES

Understanding the political and social problems as security problems favors an increase in the excessive use of force by the police instead of a reduction.

One of the most recent and known example was the police brutality action against peaceful demonstrators during the popular mobilisation for the Catalan referendum on October 1st 2017. The police also made use of batons and rubber bullets.

The network of observers of human rights violations in contexts of protest – Som Defensores, launched by Novact in collaboration with other Catalan human rights organisations, compiled information regarding ill-treatment. Som Defensores published a report that showed 325 people injured by police action in Barcelona on 1st October² (the Catalan health service CatSalut registered more than a thousand people, precisely 1,066). That day, an activist called Roger Espanyol lost his eye because of the use of rubber bullets³. This network also denounced the difficulty to identify the police agents, in violation of the state regulation foreseeing the obligation of the police to wear uniforms and to carry their personal identification number or number of the Professional Identity Card (TIP) in a visible place, as well as irregularities in the use of riot gear with even sustained blows to people who were already on the ground.

Violence and mistreatment by state security forces are being repeated in all territories, not only in Catalonia, especially in contexts of resistance to the evictions of people from their home for failing to pay a mortgage or rent. The case of Argumosa 11 in Madrid on February 2019, is significant: the police did not only seek to remove the families from their homes, but also

² Som Defensores, *Violación De Derechos Civiles Y Políticos Cataluña*. Septiembre y Octubre 2017, https://novact.org/wp-content/uploads/2017/10/Informe-DDHH_1OCT.pdf, 2019.

³ El Confidencial, *El relato de Roger Español, el chico que perdió la visión de un ojo el 1-O en Barcelona*, <https://www.youtube.com/watch?v=DlpJTznBJI>, 14 Nov. 2017.

**UNDERSTANDING
THE POLITICAL AND
SOCIAL PROBLEMS AS
SECURITY PROBLEMS
FAVORS AN INCREASE
IN THE EXCESSIVE
USE OF FORCE BY
THE POLICE INSTEAD
OF A REDUCTION**

to give a warning to groups fighting for housing, and discourage the protests that have gained prominence in recent years against large investment funds. Six people were detained, many identified. The Police also created a security cordon and used batons to keep away the activists resisting the eviction⁴. While similar or even harsher violence has characterised other evictions in different Spanish cities, this became symbolic of the repression against solidarity against evictions.

SMEAR CAMPAIGN AND INTIMIDATION

Repression is not only the result of the use of force by the police, but also of police and/or government public statements that criminalise and delegitimise popular actions, generating an inhibiting effect (chilling effect).

Already in 2000, the mayor of Madrid, José María Álvarez del Manzano, said that his “*ideal*” would be to implement a “*manifestódromo*”⁵ that, according to him, would allow “*quieter*” traffic in the city. Years later, Cristina Cifuentes (2012), president of the Community of Madrid, recovered the idea by saying that the protests

⁴ El Salto, *Las lecciones de los desahucios en Argumosa*, 11 <https://www.elsaltdiario.com/desahucios/lecciones-desahucios-policia-sanchez-carmenta-argumosa-11>, 25 Feb 2019.

⁵ Delimited areas where to carry out protests.

bothered, that the law was very permissive. She called for the right to demonstration to be restricted inside a space where people could manifest without disturbing. Along the same lines, back in 2012, the commissioner of the *Mossos d'Esquadra*⁶ David Piqué threatened the protesters and student unions active in different general strikes in these years with the following words: “*You can hide wherever you want because we are going to find you, either in a cave or in a sewer, which is where rats hide, or in an assembly, which represents no one, or behind a university chair*”.

This security discourse would later justify the Gag Laws.

A 2015 report⁷ described how, during the years of economic and institutional crisis, the Spanish State had showcased authoritarian behaviours, at all levels, towards citizens’ protests. The attitude of the authorities towards social movements has been that of confrontation, delegitimation and, ultimately, criminalisation.

Many cases of harassment and smear campaigns induced by the authority often take place in public spaces, and impunity prevails. During October 1st referendum in Catalonia, the cameras of the National Police and Mossos d’Esquadra recorded the insults and words of humiliation to the protesters⁸. “*When a misfortune happens, do not say that the police has done it,*” said an agent to one of the voters after lamenting that a young woman was not moving from the doors of the school, exerting nonviolent resistance. “*Due to Sanfermines she will say that this is rape,*” said another agent in reference to the case of “La Manada”, a gang rape that took place during the celebration of Sanfermines in 2016.

⁶ Autonomous police force of Catalonia.

⁷ *Defender a quien Defiende, Leyes mordaza y criminalización de la protesta en el Estado Español*, http://defenderaquiendefiende.org/wp-content/uploads/2019/08/defender-a-quien-defiende_Libro.pdf, Sept. 2015.

⁸ Eldiario.es, *El 1-O desde las cámaras de los antidisturbios de la Policía*, https://www.eldiario.es/catalunya/politica/camaras-antidisturbios-Policia_o_317868387.html, 2018.

In Madrid, after the extreme right entered the local government with the coalition of the Partido Popular, Ciudadanos, and Vox, the current mayor Jose Luis Martínez-Almeida has expressly threatened the members of the *Ingobernable* Social Center. Almeida said that police intervention during the eviction of the building would be “*within the law but with all the force that the law gives*”. The same week Sofía Miranda, Madrid Sports Council, called them “parasites” on twitter.

After denouncing the police who tried to stop the entry of 187 migrants with kicks and blows at the Ceuta border, Helena Maleno, a human rights activist, received threats like this: “*I suggest you [stay] silent or you will die. You are bothering the authorities*”, accompanied by a photograph of a gun and a bullet. Even the Unified Police Union (SUP) contributed to the threatening messages that the defender was receiving on Twitter.

Environmental activists are also victims of criminalisation and defamation. Juan Clavero, from the organisation

Ecologistas en Accion, was a clear example of this persecution. He was arrested in August 2017 for alleged drug trafficking while he was returning from a protest. One of the officers from the *Guardia civil*, falsified a report to accuse the activist of a crime against public health by giving a false version of the facts and omitting relevant information from the judicial authority. Juan Clavero was declared innocent a few weeks after he was arrested, after extensive campaigning against criminalisation of climate activists by civil society organisations.

BUREAREPRESSION: ADMINISTRATIVE HARASSMENT OF PROTESTERS

The Organic Law 4/2015 on the protection of citizen security (LOSC) allows violations of the right of peaceful assembly and association. This law considers the complaints, attestations or acts formulated by the agents of the authority “*sufficient basis*” to impose sanctions unless there is evidence of the contrary. In practice this provision functions as “*presumption of truthfulness*” because it is very difficult to provide evidence to rebut the police version. As a result, people tend to prefer to pay the administrative fee without challenging the allegations – benefitting from a 50% reduction available if the penalty is paid within a short deadline. This discount further contributes to a high number of sanctions, which in turn discourages people from appealing the charges, thus serving the burearepression.

Article 36.6 of the LOSC introduces a serious penalty between 601 and 30,000 euros for “*disobedience or resistance to the authority or its agents in the exercise of their functions.*” According to the data published by the Ministry of the Interior, this infraction has been the fourth reason why the population has been sanctioned with a total of 12,094 sanctions in 2016 and 13,033 sanctions in 2017.

Before the entry of the LOSC, the majority of sanctions imposed in the exercise of the right of peaceful assembly was based on the alteration of public order or disobedience to authority. Now, the problem lies in the fact that some fines do not specify which of the infractions falling under the scope of the law (disobedience, resistance or refusal to identify oneself) is imputed, hindering the right of defence within the framework of the administrative-sanctioning procedure. For this reason, in recent years the Ombudsman has received many complaints, especially in the autonomous communities of Madrid and Andalusia⁹.

Police forces are also granted with certain discretion to assess which behaviours may be considered as disobedience, lack of respect or resistance to authority, without being accompanied by adequate mechanisms of control and accountability.

The broadening of concepts and the abundance of imprecise terms (“*indeterminate legal concepts*”) generate legal uncertainty. In accordance with article 30.3 of the LOSC, the concept of “*organisers or promoters of assemblies*” in the public space is extended, to guarantee possible responsibilities that may arise, and now includes not only natural or legal persons who have notified the assembly, but also “*those who actually preside, direct or perform similar acts, or who can reasonably be determined as directors of those by publications or declarations of convocation of the same ones, for the oral or written declarations that in them are spread, for the slogans, flags or other signs that they bear or for any other facts*”.

Moreover, the reform of the Penal Code modified the crimes against public order, of attempt and resistance. The parameters to consider behaviours as “*criminal*” were considerably expanded and, in some

⁹ Defensor del pueblo, Expedientes Sancionadores Según La Aplicación De La Ley Orgánica De Seguridad Ciudadana, <https://www.defensordelpueblo.es/resoluciones/aplicacion-de-la-ley-organica-de-seguridad-ciudadana-expedientes-sancionadores-75/>, 22 March 2018.

POLICE FORCES ARE ALSO GRANTED WITH CERTAIN DISCRETION TO ASSESS WHICH BEHAVIOURS MAY BE CONSIDERED AS DISOBEDIENCE, LACK OF RESPECT OR RESISTANCE TO AUTHORITY, WITHOUT BEING ACCOMPANIED BY ADEQUATE MECHANISMS OF CONTROL AND ACCOUNTABILITY



AUTHOR

Serlinda Vigara is a journalist specialized in International Politics at the Complutense University of Madrid. Her work in the struggle for civil rights began in Saharawi refugee camps (Tindouf, Algeria) and she really learned all she knows working with the grassroots social movements in Madrid. She is considered a very active activist on issues related to the environment, feminism and the right to the city. She works in Novact's area of non-violent civil resistance in Europe, and in Defender a quien Defiende (Defending who defends) based in Madrid.

cases, the scope of actions penally persecuted has been widened to also include the suspicion of criminal intent. These broader parameters may negatively affect freedom of expression and the right to assembly because, according to international standards, what constitutes a criminal offence is the "action" and not previous acts, except in very specific cases. With this reform of the Criminal Code, the incitement or reinforcement of the actions classified as public disorders, as well as the "*distribution or public dissemination, through any means, of messages or slogans that incite the commission*" of such actions are punished.

FREEDOM OF EXPRESSION

The Organic Law 4/2015 on the protection of citizen security and the Penal Code hinder freedom of expression.

Article 36.23 of the Citizen Security Law typifies as "severe infraction" the unauthorised use of images or personal and professional data of authorities or members of the Security Forces that may endanger the security of the agents or their families. This article has been used against journalists and activists, especially while covering protests.

For example, journalist Rubén Molina was denounced in May 2018 for exercising his profession for the local media La Burxa. He had photographed an eviction in Barcelona and published the images on social networks. Rubén said that two

agents approached him from behind, held him and forced him to identify himself. Meanwhile, a third agent, without warning, took his cellphone from his pocket. Then, one of the agents informed him that they were going to report him for the images they saw him taking and sharing on social media¹⁰.

Article 36.23 has been harshly criticized because it creates obstacles to documenting abuses or excesses by the police. The wording explicitly punishes the "*improper*

¹⁰ Aménsty International Spain, SAL A LA CALLE... SI TE ATREVES. Tres años de la aplicación de la Ley Orgánica de Seguridad Ciudadana, <https://media-edg.barcelona.cat/wp-content/uploads/2018/07/18141649/AI-Mordaza.pdf>, 2018.

ARTICLE 36.23 OF THE CITIZEN SECURITY LAW TYPIFIES AS "SEVERE INFRACTION" THE UNAUTHORISED USE OF IMAGES OR PERSONAL AND PROFESSIONAL DATA OF AUTHORITIES OR MEMBERS OF THE SECURITY FORCES THAT MAY ENDANGER THE SECURITY OF THE AGENTS OR THEIR FAMILIES. THIS ARTICLE HAS BEEN USED AGAINST JOURNALISTS AND ACTIVISTS, ESPECIALLY WHILE COVERING PROTESTS



AUTHOR

Thais Bonilla is a communicator for social transformation specialized in human rights. She studied at the University of Valencia, the Autonomous University of Barcelona and the University of Bergen (Norway). Since 2011, she works at Novact and, since 2013, she focuses on the analysis of the collective defence of rights and the development of projects for the integral protection of activists. She coordinates the Novact's area of non-violent civil resistance in Europe and has very active participation in the platform Defender a quien Defiende (Defending who defends) since its beginnings.

DUE TO THE REFORM OF THE PENAL CODE, THERE WAS A MODIFICATION OF THE "CRIME OF GLORIFYING TERRORISM AND HUMILIATION OF THE VICTIMS" (ARTICLE 578). ITS APPLICATION IN PROSECUTIONS AND CONVICTIONS MULTIPLIED BY 13 TIMES FROM 2011 TO 2017

use of images" and not "the capture of images." However, media and police agents have repeatedly communicated that it is prohibited to take pictures, generating social alarm. The Socialist Party (PSOE) – before joining the government in summer 2018 – proposed to eliminate this article. The party later toned down its criticism and the promise remained unfulfilled.

In October 2018, the Secretary of State for Security prepared a police instruction on the interpretation of the Organic Law 4/2015, of March 30 (13/2018 of October 17), where this discretion and misinformation were addressed. However, the Law remained unreformed. Instructions alone are not enough.

It is important to remark that it has become a common practice for security agents in a first place to threaten those recording images under article 36.23. But later, activists and journalists do not receive a sanction for this article but for "resistance or disobedience to authority" under the above-mentioned Article 36.6 of the LOSC.

For example, journalist Juan Carlos Mohr was punished under Article 36.6 in

September 2017. The police accused him of skipping "the line of police security," "disrespect the agents" and "disobey their orders to identify himself". In this specific case, the resolution of the Government Delegation in Madrid establishes a sanction of 2,000 euros. The journalist Cristina Fallarás was also fined in 2017 for "disobedience to authority". She was accused of stepping on the road during a concentration against the murders of journalists in Mexico, against the instructions from a policeman. The Spanish Platform in Defense of Freedom of Information (PDLI) has been denouncing these actions for some time as part of a "camouflaged censorship" for, as they explain, "the perverse operation of the Law, [makes possible for] the police to act as judge and part, while sanctions against freedom of information tend to "camouflage" under generic violations". In addition, they point out that there is an aggravating factor in all of this: "The Police [forces] are ignoring the circumstance for which the person whom they are going to sanction may be exercising a fundamental right, such as informing, or participating in a protest, which makes a great part of these fines unconstitutional".

Due to the reform of the Penal Code, there was a modification of the "crime of glorifying terrorism and humiliation of the victims" (Article 578). Its application in prosecutions and convictions multiplied by 13 times from 2011 to 2017, and only in the last two years, nearly 70 people were found guilty. Users of social networks, journalists, legal professionals and musical artists have been prosecuted under Article 578.

In 2015, Ismael Moreno, the judge of the Audiencia Nacional, ruled in favour of the imprisonment of two members of the company *Tteres de Abajo* for a theatrical performance at the carnival celebration in Madrid. They were charged with the crime of glorifying terrorism and another crime committed on the occasion of the exercise of fundamental rights and public liberties guaranteed by the Constitution.

After being released, the artists recalled that freedom of expression "allows you to say things that the next door does not like, or does not want to hear, or [is] even horrified to hear."

CONCLUSION

Spain is immersed in a political cycle in which the legal architecture, thanks to reforms of the penal code and repressive laws, has allowed the criminalisation of any organised form of political dissent alleging a national security problem. During the first years of this cycle, there was a considerable decline in the exercise of the right to protest, as a result of bureaucracy, persecution and fear of government reprisals. Protests in the Spanish state went through one of its most critical moments.

In recent years, the situation has changed markedly, and we are in a new political and social cycle: while repression has only increased, there has also been a revival in protest. Housing movements have put their struggles back at the centre of the debate. Feminist assemblies have taken millions of people out in the

IN RECENT YEARS, THE SITUATION HAS CHANGED MARKEDLY, AND WE ARE IN A NEW POLITICAL AND SOCIAL CYCLE: WHILE REPRESSION HAS ONLY INCREASED, THERE HAS ALSO BEEN A REVIVAL IN PROTEST. HOUSING MOVEMENTS HAVE PUT THEIR STRUGGLES BACK AT THE CENTRE OF THE DEBATE

last two years. Ecological groups such as Extinction Rebellion, Fridays For Future or Youth for the Climate are carrying out actions of civil disobedience challenging the imposed *status quo*.

At the same time, right-wing coalition governments have settled in dozens of municipalities and autonomous communities of the country and numerous fundamentalist groups have targeted the feminist movement and groups of sexual dissidence with criminal trials and harassment on social networks. For the time being, despite this alarming political context, calls to reform or repeal the laws that criminalise and persecute protests continue without finding much space in the political agendas of any party. ■

Four years after the approval of the package of the so-called gag laws in Spain (Citizen Security Law, Reform of the Criminal Code & Anti-Terrorist Law), the situation we are living is, more than ever, a serious regression of civil and political rights. Often the clearest image of the violation of rights in protest contexts are the agents of the State Security Forces aggressively attacking demonstrators, limiting the course of a demonstration or irregularly arresting people after a protest. However, the repression is also exercised through political and police public statements that feed a context of fear. This demobilises citizens when it comes to defending their rights. **Defender a quien defiende** contributes to breaking the fear by supporting social movements offering them tools of protection, organisation and working for political accountability on rights violation.

Albert Caramés Boada, Researcher and Professor on International Relations Peace, Conflict and Security Master Coordinator at Universitat Ramon Llull

SUPPORTING RESISTANCE AGAINST STATE REPRESSION

The feminist movement in Spain as counterpower disrupting the status quo

Interview with Defender a quien defiende

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Can you tell us about Defender a quien defiende and who is involved?

Defender a quien defiende is a platform formed by human rights defenders, journalists, psychologists, legal experts and social movements that fight against the criminalisation of organised civil society. Our main goals are to fight against laws and governmental actions that criminalise human rights defenders in Spain and violate their rights in the context of protests; to improve capacities, action, resources and coordination of civil society organisations to influence the protection of rights politically, socially and legally; to support the development of public policies and social practices that work for a “Human security” concept.

When did your fight start? And what motivates you to keep fighting despite the political

unwillingness to reform the Gag Laws?

We started to work in 2014, one year before the approval of the so-called Gag Laws in Spain in the face of the regression of rights we could face. Members of

the platform are movements and organisations that work on a multitude of issues related to human rights (environment, feminism, housing, migrations, institutional violence...) so this is not a new field of work.

However, it is the right to protest that brought us together!

What keeps us working and united is the feeling of fighting for what is fair, for social justice. All members and member organisations have the defence of human rights in their DNA and know the importance and necessity of having an organised society to maintain them. So, we know that, although the Government does not seem to move a finger to repeal the gag laws, our work is improving the day-to-day life of social movements and is generating useful tools for the defence of rights!

We are motivated, as well, by the feeling of unity and family even though it is very difficult to maintain it when we are not “physically” in the same territory. For

ALL MEMBERS AND MEMBER ORGANISATIONS HAVE THE DEFENCE OF HUMAN RIGHTS IN THEIR DNA AND KNOW THE IMPORTANCE AND NECESSITY OF HAVING AN ORGANISED SOCIETY TO MAINTAIN THEM

RED MALLA IS A DIGITAL PLATFORM, WORKING WITH A DIGITAL SECURITY CODE, THAT MAPS WHERE AND HOW REPRESSION IS HAPPENING. BUT, THE MOST IMPORTANT THING IS THAT IT CREATES THE POSSIBILITY AND THE CONTEXT FOR ALLIANCES AND SOLIDARITY THROUGH ITS NODES

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that reason, we work hard on the cohesion of the group even in separate territories. Thanks to Defensor de quien Defiende, we feel that Cádiz, Sevilla, Madrid or Barcelona are at the same time and in the same place, as a common front against the violations of human rights.

How has participation and repression in Spain changed since you started? And how did you adapt your strategy to this changing landscape?

Spain is inside a political cycle in which the legal architecture has allowed the criminalisation of any organised form of political dissent. The persecution of activists and human rights defenders had happened before. However, now the law has been modified in a way to legitimate the irregular practices affecting fundamental rights directly.

In 2015, a reform of the Penal Code and a new Public Security Law were approved alleging a national security problem. During the first years, there was a

considerable decline in the exercise of protests as a result of the *burrorepresión*, persecution, criminalisation and fear of prosecutions or/and police violence. It is the chilling effect some laws have on the population.

This week, one of our members, published a report where they pointed out that 69,6% of cases denouncing institutional violence they received as lawyers in 2018 happened in the context of protests. Our way of adapting work to the changing situation is based on the creation of working groups regarding specific incidents as well as on the confidence in the work that each member organisation does. For example, during this year we have created an advocacy group that produced reports that will be taken to the United Nations and a communication group that has been generating official statements on sensitive issues. [We also created] another one for the development of our new reporting and monitoring tool, Red Malla. We created these groups to adapt our strategy and capacity of work to reality.

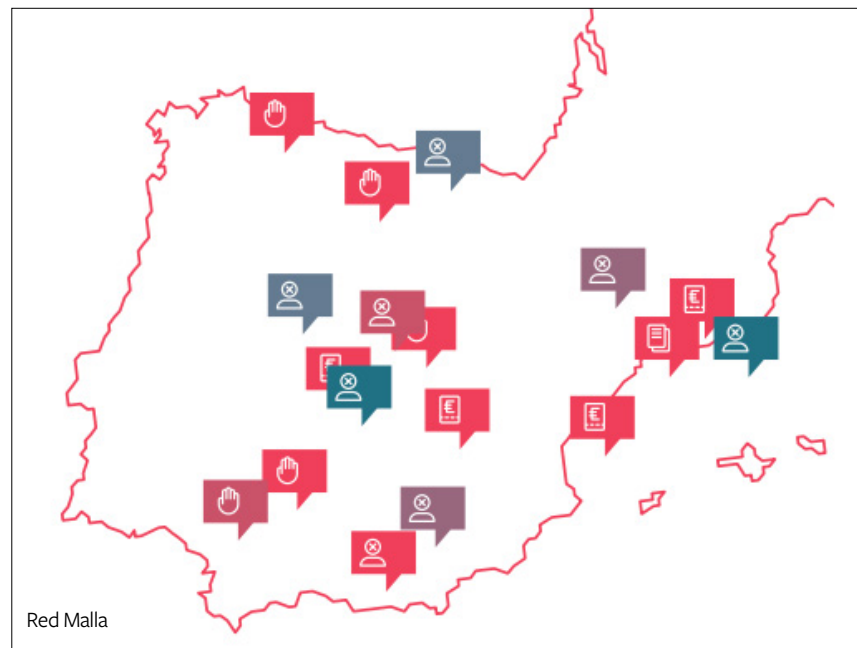
What is the role of the territorial nodes, and how do

you use the monitoring of the Red Malla for your activities?

Red Malla collects and analyses violations of the right to protest committed by police forces and private security companies in Spain. Red Malla is a support network and works with the data collected by the “nodes” and the information we receive through the specific form on the webpage. Now, we have nodes active in Madrid, Granada, Seville, Zaragoza and Barcelona.

Last year, we published our first report, which helped us to have comparable data on how the laws are applied and the specific vulnerabilities that occur in the context of protest.

Red Malla is a digital platform, working with a digital security code, that maps where and how repression is happening. But, the most important thing is that it creates the possibility and the context for alliances and solidarity through its nodes: If you have a problem, we connect you with a node to create community and integral protection. At the same time, nodes are connected between them thanks to the meetings of the General Assembly.



In the occasion of the 8 March, you ran a campaign called “Feminismos activos y seguros”. How is state repression against women, women’s movements and groups that are not heteronormal different from other forms of repression?

With the collaboration of Calala Fondo de Mujeres, we promote the campaign “Feminismos activos y seguros”, in order to contribute to the safe activism of feminist activists and movements in Spain. The campaign is focused on activists, movements and organisations that are being subjected to criminalisation, harassment, or any other form of violence because of their feminist activism and/or their work in defence of the rights of women, lesbians and trans in the Spanish State. The goal is to cover the legal costs of prosecution, the administrative fines. Last year, some women were fined or even prosecuted for organising and/or participating in mobilisations or other feminist popular actions and even because of hanging posters on street walls. The state itself is not the only actor against feminism in Spain. The political right-wing and fundamentalist groups are working very hard against the feminist movement. They have an open battle against what they call “the gender ideology”. In this sense, they are using courts as a way to limit the freedom of expression and assembly of the feminist movement. Many feminist activists are

THE POLITICAL RIGHT-WING AND FUNDAMENTALIST GROUPS ARE WORKING VERY HARD AGAINST THE FEMINIST MOVEMENT

DEFENDER
A QUIEN DEFIENDE

PROPOSES THE CREATION OF AN **EARLY WARNING AND RESPONSE SYSTEM** AGAINST HUMAN RIGHTS VIOLATIONS IN CONTEXTS OF SOCIAL PROTEST

1
COORDINATION AND TRAINING
IMPROVEMENT OF REPORTING TOOLS

ACTIVISTS
JOURNALISTS
JUDGES

2
DETECTION AND SYSTEMATISATION
NATIONAL COLLABORATIVE OBSERVATORY

3
REPORTING AND ADVOCACY
SOCIAL, JUDICIAL AND POLITICAL STRATEGY

COMMUNICATION ALERTS STRATEGIC LAWSUITS COUNTRY REPORTS

BUILDING A NEW CONCEPT AND LEGAL FRAMEWORK TO GUARANTEE CITIZEN SECURITY FROM A HUMAN RIGHTS PERSPECTIVE

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on trials accused of hate crimes or crime of offence against religious sentiment (Article 510 and 525 of the Criminal Code). Fundamentalist groups, such as Hazte Oír or the Catholic Lawyers Association, are also proactive with campaigns of harassment to the people and clinics where women can get abortion.

How do you reach feminist activists and what kind of support do you provide?

We started a communication campaign that we launched on March 7th, one day before the general feminist strike. During the previous months, we mapped feminist organisations throughout Spain, women journalists, lawyers, and decentralised strike coordinators to communicate the project to them. Many of the people who participate in Defender a quien defiende are feminists. Moreover, Calala – an active member of the platform – has been developing very much in this line for some time, especially since the feminist movement has re-emerged stronger on the streets.

What is the potential impact of these movements in the long-term on Spain?

The feminist movement – along with the referendum on 1st October in Catalonia



Barcelona, 21 December 2018.

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– has meant a break in the cycle of protests in which Spain was immersed. An era in which, because of the approval of the gag laws, there was a decline in popular action. Since two or three years, feminism broke this dynamic and reclaimed the public space throughout Spain, reactivating struggles, connecting grassroots. The re-activation of the feminist movement in the streets started when Alberto Ruíz-Gallardón was Minister of Justice, from 2011 to 2014. He tried to approve a new Abortion Law with a bill on the Protection of the Conceived and the Rights of the Pregnant, eliminating the right for women to decide freely. Finally, thanks to social organisations, the approval did not happen, and Gallardon resigned.

Currently, there are assemblies and groups of women, lesbians and trans in many Spanish cities. All propose a change of the system: roles, privileges, power and reclaim to put life at the centre of everything. There are more and more young people who call themselves “feminists”. Therefore, the potential of this movement is very high since they are an important and real counterpower that can disrupt the status quo. In fact, it is already

raising important legislative changes, for example, in parental conciliation laws and domestic work, but also very interesting practices of feminist economy and intersectional struggle (gender and race) with protests that linked migrant women and migration law. ■

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