

RESOLUTION ON HUMAN RIGHTS ABUSES IN THE BASQUE TERRITORY

WHEREAS the Basque territory is a geographic area, historically defined by its unique language, Euskera, to include four provinces in northern Spain and three in southern France with approximately 3.5 million people in a landmass the size of New Jersey; and

WHEREAS the adoption of the Spanish Constitution of 1978 was rejected by the overwhelming majority of the Basque people because of its failure to allow for their self-determination, and there are now more than 700 Basque political prisoners held in Spanish prisons, many expressing belief in an independent Euskal Herria (the Basque Country); and

WHEREAS there exists credible evidence of the use of torture by Spanish authorities as evidenced by the Report to the Spanish government from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and The UN Special Rapporteur on Human Rights on the Question of Torture Report E/CN.4/2002/76/add.1 or; and

WHEREAS the organization, Torturaren Aurkako Taldea, has documented that 90% of Basque political prisoners are convicted based on information obtained under torture; and

WHEREAS the Spanish governments practice of five-day period of incommunicado detention has been condemned by such groups as Amnesty International and United Nations Committee Against Torture for creating conditions that permit the use of torture while depriving detainees the right to access to a solicitor and doctor of their choice; and

WHEREAS the Spanish governments policy of detention of prisoners for as long as four years without trial, often in isolation, is contrary to the right of the accused to trial within a reasonable period of time; and

WHEREAS the Spanish government has forcibly closed the newspapers Egin, Egunkaria, and Berria, and the radio station, Egin Irratia, as well as arrested their editorial and reporting staff without a trial on the criminal charges in over five years in one case; and

WHEREAS Spain has banned the political party Batasuna and barred its leadership from participation in other political groups again without a trial on the criminal charges in a reasonable time; and

WHEREAS the Spanish government justifies these restrictive measures as necessary to combat terrorism.

THEREFORE BE IT RESOLVED:

That the National Lawyers Guild calls on the United States to demand that the Spanish government respect the rights of the Basque people as guaranteed by the United Nations Universal Declaration of Human Rights, which includes the right not to be subject to

torture or cruel, inhuman or degrading treatment or punishment, or to arbitrary arrests and detention; and to respect the presumption of innocence and the right to a public trial within a reasonable period of time; and

Further, the National Lawyers Guild calls on the United States to demand that the Spanish government respect the rights of the Basque people to freedom of opinion and expression, including the right to impart information and ideas through the media, the right to peacefully assemble and the right to take part in government through their chosen representatives; and

Further, the National Lawyers Guild recognizes that while the Spanish judicial authorities justify the severe security measures to eliminate terrorism; they fail to realize that those who would profess to sacrifice fundamental rights in the name of security may ensure neither security nor justice; and

Finally, the National Lawyers Guild calls on the U.S. State Department, in its next annual country report on Spain, to call on the Spanish government to cease its abuses of the Basque people.

Adopted this the 25th day of October 2003 by the National Lawyers Guild.

* footnote, on October 16, 2003, officials of the Spanish Civil Guard raided the offices of Berria and arrested 8 members of their staff. Berria has resumed publication.

The undersigned individuals / organizations join the National Lawyers Guild in endorsing the "Resolution on Human Rights Abuses in the Basque Territory."

Alliance for Philippine Concerns & International Solidarity (Los Angeles, California); Lydia Bartholow, Break the Chains Collective (Eugene, Oregon); BAYAN International-USA (Bay Area, California); BAYAN Int'l-USA (Los Angeles, California); Yolanda Birdwell, member of the National Council of LaRaza and Latinos Por La Paz (Houston, Texas); Break the Chains Collective (Eugene, Oregon); Diana Buttu, legal advisor for the Palestinian Liberation Organization (Ramallah, Palestine); Robert Buzzanco, Professor of History, University of Houston (Houston, Texas); Noam Chomsky, Professor of Linguistics at MIT (Boston, Massachusetts); Ward Churchill, Professor of Ethnic Studies, University of Colorado and member of American Indian Movement (Boulder Colorado); Freedom Socialist Party (Seattle, Washington); Brenton Gicker, Break the Chains Collective (Eugene, Oregon); Global Exchange, international human rights organization (San Francisco, California); Maria C. Gonzalez, Professor of English, University of Houston (Houston, Texas); Jennifer Harbury, human rights attorney and activist for indigenous people of Guatemala; Houston Act Now to Stop War and End Racism (ANSWER); Houston Global Awareness Collective (Houston, Texas); Nozomi Ikuta, member of Interfaith Prisoners of Conscience Project (Cleveland, Ohio); International Action Center (New York City, New York); International Basque Organization For Human Rights (California); International League of Peoples' Struggle

US (Los Angeles, California); International League of Peoples' Struggle -USA (Bay Area, California); Irish American Unity Conference (Washington, DC); Irish Republican Socialist Committees of North America (San Francisco, California); Irish Republican Socialist Party (Ireland); Irish Unity Committee (Houston, Texas); Nancy Jacob-Bell, member of the New York Three Freedom Campaign(San Francisco, California); Jericho Movement of New York City (New York); Kabataang maka-Bayan - KmB, Progressive Youth (Los Angeles, California); Tom Kleven, Professor of Law at Thurgood Marshall School of Law (Houston, Texas); Lee Loe, grandmother for peace (Houston, Texas); Melissa Mona, Break the Chains Collective (Eugene, Oregon); Network in Solidarity with the People of the Philippines (New York City, New York); Michael Novick, member of People Against Racist Terror and Center for Democratic Renewal (Burbank, California) ; Prairie Fire Organizing Committee (Chicago, Illinois); ProLIBERTAD Campaign - Puerto Rican human rights organization (New York City, New York); Progressive Workers Organizing Committee (Galveston County, Texas); Mazin Qumsiyeh, Professor of Genetics, Yale University School of Medicine and member of Al-Awda, Palestinian Right to Return Coalition. (New Haven, Connecticut); George Reiter, Professor of Physics, University of Houston (Houston, Texas); Texas Death Penalty Abolition Movement (Houston, Texas); Michael Tigar, human rights attorney and Professor of Law at Washington College of Law (Washington, DC); Diana Urbauer, human rights activist (Houston, Texas); Jennifer Van Bergen, chair of Broward Bill of Rights Defense Coalition (Florida)