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POLITICS

CoE rapporteur calls for release of jailed independence leaders during coronavirus

Prison authorities rule out allowing the pro-independence figures home following warning from Supreme Court

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By ACN | Barcelona



Council of Europe headquarters in Strasbourg (by Blanca Blay)

A rapporteur for the Parliamentary Assembly of the Council of Europe has called for the **release** of the jailed pro-independence leaders due to the ongoing threat of the coronavirus pandemic.

In Boriss Cilevičs' report titled "Should politicians be prosecuted for statements made in the exercise of their mandates?", he concludes that the threat posed by crowded prisons would put jailed politicians in Spain and Turkey at a serious **health risk**.

"I welcome the measures taken in many countries to release from prison **non-violent prisoners** who do not pose a threat to society or to apply non-custodial sanctions to them. This is the right thing to do in the face of the threat posed by the spread of the Coronavirus in prisons," the rapporteur said. "Prisoners with political backgrounds, such as the Catalan politicians convicted for their role in the unconstitutional **referendum** in October 2017, or the Turkish parliamentarians, mayors and other politicians imprisoned for speeches made in the exercise of their mandate, should certainly benefit from such measures," added Mr Cilevičs.

The Latvian Socialist politician **visited Catalonia in February** on a fact-finding mission and **met with the imprisoned pro-independence politicians**, as well as Ombudsman Rafael Ribó, parliament speaker Roger Torrent, and different members of the Catalan parliament.

"Having personally met the Catalan colleagues during my fact-finding visit to Spain last February, I am fully convinced that these women and men **pose no threat to anyone**. The very fact of their detention causes concern, but the COVID-19 crisis should definitely prompt their release. The same is true for the imprisoned Turkish opposition politicians, journalists and civil society actors." Cilevičs is heading the **Council of Europe's** report on political prisoners in Europe, after a score of council deputies proposed the initiative in January. When complete, the report will go before the council's Parliamentary Assembly for debate and approval.

He is due to submit the final report later this year.

Prison authorities rule out release

Despite these calls, on Thursday afternoon prison authorities ruled out giving the jailed independence leaders permission to spend the confinement period at home.

On Tuesday afternoon [the Spanish Supreme Court had warned](#) that allowing the prisoners home could constitute the crime of 'breach of official duty'. prompting Catalan justice minister to denounced the court's "threats and coercions".

MEP for the pro-independence Esquerra party, Diana Riba, also criticized the Supreme Court's saying their "threats to public servants to influence their technical decisions have no place in a democratic regime."

"We will take the case to the European Commission and the UN." added Riba, whose husband Raül Romeva is one of those in jail.

The ruling comes despite UN High Commissioner for Human Rights Michelle Bachelet calling for the release of "political prisoners" and "low-risk criminals" last week.

Because of the coronavirus health emergency, Bachelet said, "governments should release anyone detained without sufficient legal basis, including political prisoners and those detained simply for expressing critical or dissenting opinions."

Junqueras letter

Following the prison board decision, [jailed independence leader Oriol Junqueras](#) penned a letter from Lledoners prison addressed to the Council of Europe informing them of what he described as "serious human rights violations".

The former Catalan vice president said that the decision not to release them "crystallizes the threats set it motion by the Supreme Court, generating discriminatory treatment".

He asked the Council of Europe to take "urgent action" on behalf of the nine pro-independence leaders in prison.