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**THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN
OCCUPATION**

**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF:
FREEDOM OF EXPRESSION**

**Written statement* submitted by the International League for the rights and liberation of
people (LIDLIP), a non-governmental organization in special consultative**

The Secretary-General has received the following written statement which is circulated in
accordance with Economic and Social Council resolution 1996/31.

[8 February 2006]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Media and democracy in the Basque Country

Historical record

On 20 November 1975, Francisco Franco Bahamonde died after a long agony. This death finished off the collapse of a dictatorial system in force in Spain since the end of the civil war in 1939. A week later, Juan Carlos de Borbon y Borbon was proclaimed King of Spain and sponsored the change to democracy of a society exhausted by an omnipresent state control. Thus, in a short time the Spaniards got to know new liberties, political parties are again authorized and independent media bloom in the whole of the country. The introduction of democratic rules allow the establishment of a real Spanish public space which did not exist during the Franco era.

Political background

Thirty years later, although democracy developed in Spain, it is apparent that the Spanish democratic “miracle” has not succeeded in solving the identity question. In fact, decentralization of the Spanish State through autonomy statutes granting large domains of competence to the regions did not succeed in reconciling all national interests present in Spain. In this way, regions like the Basque Country, Catalonia or Galicia today call for a broader autonomy. The Basque Country characterizes perhaps in the most obvious way this identity disease since for almost 50 years the separatist organization Euskadi Ta Askatasuna (ETA) continues to exercise a violent political and media pressure on the conflict in order to claim self-determination for the Basque people.

The Basque conflict is an extremely intense conflict; however for two years now the ETA movement has no longer caused victims, limiting itself to nourishing the power balance by bomb attacks and other sabotage. Thus, the repeated actions of ETA oblige the socialist government - like all governments since the democratic transition - to put the solution of the terrorist problem of the Basque question in the first place on the political agenda.

The situation in the Basque country has very little improved since the return of the Socialist Party into the Government; it seems that the Government of José-Luis Rodríguez Zapatero wishes to implement a conciliatory policy. The proof is in the motion adopted by the Spanish Parliament in May 2005 authorizing the Government to dialogue with the ETA organization. In order that these good intentions become reality it is imperative that the Spanish Government employ s methods based on the dialogue rather than on the police and judicial repression enabling it to understand the causes of political violence on its territory.

Basque conflict and media

At a time of mediatized societies, Spanish media are naturally keen of information stemming from the Basque conflict such as attacks, detention or political debate in general. Yet, in Europe, knowledge of the Basque nationalism is too often limited to actions of the separatist ETA organization. It is undeniable that this partial vision of the Basque conflict is due, inter alia, to the limited information disseminated by the different Spanish media.

This partiality is explained by the fact that the Spanish media have for a long time been linked to the conflict. Three events explain this involvement. First of all, the socialist

government of Felipe Gonzalez (1982-1996) eager to finish with the terrorist violence, put in place counter-terrorist strategies such as Plan ZEN (special Northern zone) focusing on the “psychological war”, the manipulation of the information and the control of communication with a view to criminalize the movement and isolate ETA from its social basis. Then, ETA perpetrated several actions against journalists which culminated with the death of the journalist José-Luis Lopez de Lacalle (7 May 2000). Finally, dailies in Basque language *Egin* (1998) and *Euskaldunon Egunkaria* (2003) were closed down by the Spanish judiciary in virtue of presumed links with ETA.¹

Media and democracy

The conflict situation in the Basque country obliges the media to pass from the role of mediator to the one of representative of the social groups engaged in the conflict. “They are not only the medium of the opinion, but also actors of the conflict. The media make integrally or partially their own the discourse of the political forces engaged in the conflict. The conflict goes therefore beyond into a new arena, the media arena in which the media influence public opinion by fixing the frame and the definitions allotted of actuality”.²

As a fully-fledged actor in the conflict, the media are politicised and reveal to that effect a true mean of manipulation of public opinion. Caught in the conflict, the Spanish media firms are not capable in fact of occupying a role in democracy, i.e. the distribution of ideas in the public space. The media scene of a society is therefore the reflection of the functioning of the society and its democratic achievement.

While in the first hours of Spanish democracy, the media have entirely played their role of distribution of opinions in the public space, it is obvious that the situation of the political conflict in the Basque Country compel the whole of the national media to a partial media treatment of the information, favouring the struggle against terrorism to the detriment of any other information. This strategic position which sets violence at the epicentre of the information discourse must be qualified as antiterrorism media word³.

Antiterrorism media are based on three pillars:

- (1) propagating information and formulations of the Government and its Ministry of Interior;
- (2) denying the existence of political problems caused by the situation of violence, although creating the liaison between the nationalist movements and the acts of violence;
- (3) Not informing, but relativising and especially not criticising the events or the discourse which could weaken the position of the Government.

¹ These two judicial procedures are included in the 18/98 dossier. It aims to prove that the armed Basque organization Euskadi Ta Askatasuna (ETA) benefits from the logistic support and infrastructures in the Basque society. Thus, according to the thesis of the accusation instructed by the famous judge Baltazar Garzón since 1998, ETA is not limited to armed comandos and is a political financial structure utilizing fraudulently the law to install itself in Spanish society and institutions.

² Crettenand, Mathieu (2005), *Le fractionnement de l'espace public. Regard sur le conflit basque*, thesis for a diploma of advanced studies in science of communication and media, Geneva University, p. 67.

³ Idoiaga P. and Ramírez de la Piscina, T. (2001): “Política informativa de El País y ABC ante la nueva situación política del País Vasco (1998-2000) in ZER, *Revista de estudios de comunicación*, Bilbao, n° 10.

From this assessment, the International League for the Rights and Liberation of Peoples (LIDLIP) deems that the Spanish national media in general have a responsibility in the shrivelling of the identity representations on the Basque conflict. We note that a more favourable informative centring of the public dialogue in the Basque Country would sensitize public opinion towards the idea of the resolution of the conflict. Moreover, a more balanced and moderate debate would mean an enhancement of the Spanish democracy.

Resolution of the conflict

However, in spite of the responsibility conferred to the media, we must not forget that the Basque conflict, before being a media confrontation, is a political and identity conflict. In this sense, a number of analysts agree that we are at present in a favourable period for the establishment of a political dialogue between the different actors of the Basque conflict. However, two years after the accession of the Socialists to power, the withdrawal from the armed struggle of the terrorist organization is one of the major challenges of the Government. The refusal to prohibit the new party of the independent left - the Communist Party of the Basque Territories (PCTV) - and the Parliamentary motion of May 2005 testify to a change of policy in the antiterrorist struggle. Nevertheless, the political violence which rages in Spain will not disappear completely without making political concessions for the Basque Country. The politicians of the Spanish-minded parties - the Socialist Party (PSOE) and Popular Party (PP) strive - to recall that the dialogue cannot be established without previous handing down of weapons. But the Good Friday Accord of Northern Ireland shows that the abandoning of the armed struggle can only take place after a long process of dialogue involving all parties to the conflict.

It thus seems vital that Spain must have the courage to undertake a general reform of its political decentralization in order for identity claims of the regions to be more justly integrated in the Spanish State. The fact that the Basque conflict is increased by the existence of a military confrontation between the ETA organization and the law and order of the Spanish State, oblige the actors of the conflict and the civil society to recover their negotiation capacities.

The creation of a self-determination process of the Basque people and the question of prisoners are surely the two central elements of possible talks. In a written communication to the Sub-Commission on Human Rights in 2005, LIDLIP already supported the civil initiative which constitutes the Basic Democratic Agreement of the Commission for the promotion of the conflict resolution (E/CN.4/Sub.2/2005/NGO/19). In fact, we reiterate our support to this accord which could serve as a basis for a start of a process for peace in the Basque Country. Despite the decision of the *Spanish* President of the European Parliament to prohibit the access to the European Parliament of Permando Barrena, member of the Board of Batasuna, the presence of delegates to this accord in a European institution since November 2005 is an encouraging sign of international consideration for the Basque conflict. In fact, like the example of Northern Ireland, we deem that international pressure on Spain would facilitate the implementation of a solution for the Basque Country.

Following the concerns of the Security Council in resolution 1645 (2005) on the Commission of peace consolidation,⁴ the International League for the Rights and Liberation of Peoples (LIDLIP) urges the Commission on Human Rights to support the implementation of measures to accompany a direct dialogue among all the parties involved in the Basque conflict.

⁴ In its resolution 1645, the Security Council declared inter alia «*Recognizing also* the vital role of the United Nations in preventing conflicts, assisting parties to conflicts to end hostilities and emerge towards recovery, reconstruction and development and in mobilizing sustained international attention and assistance.”