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## Spain: Human rights defender receives fourth defamation complaint

On 11 December 2019, human rights defender **Iñaki Rivera Beiras** received a fourth official complaint from representatives of prison workers in response to comments that he made on national television in Spain on 29 November 2018. The human rights defender has faced constant judicial harassment and denunciations for his work highlighting systemic ill-treatment in Spanish prisons.

<u>Dr. Iñaki Rivera Beiras</u> is a human rights defender and director of the Observatory of the Penal System and Human Rights (OSPDH) and the System of Registration and Communication of Institutional Violence (SIRECOVI). OSPDH seeks to uphold and defend the human rights of prisoners and victims of institutional violence through research, education and observation of the culture of the criminal justice system. Through SIRECOVI, the human rights defender has enabled victims of ill-treatment and torture to register and make public the abuse to which they have been subjected.

The complaints against Iñaki Rivera Beiras were brought by four Penitentiary Trade Unions: by Sindicato CCOO, Comisiones Obreras, in March 2019 by Sindicato CSIF, Central Sindical Independiente y de Funcionarios in September 2019, by Sindicato ACAIP, Agrupación de los Cuerpos de la Administración de Instituciones Penitenciarias in October 2019, and finally by a collective of penitentiary civil servants named Marea Blava in November 2019. His trial will begin on 24 December 2019. The complainants seek to charge the human rights defender for "defamation" under the Articles 205 and 206 of the Penal Code of Spain, which is punishable for up to 2 years' imprisonment. All complaints relate to a single incident, the participation of Iñaki Rivera Beiras in the Tot es Mou program broadcast on the TV3 channel on 29 November 2018, in which he denounced ill-treatment of inmates in Spanish prisons. Iñaki Rivera Beiras appeared alongside the sister of a woman who had committed suicide in solitary confinement in a Catalan prison, where he denounced the extreme conditions of solitary confinement and spoke about cases brought against Spain by the Council of Europe and the United Nations' Committee Against Torture.

In November 2019, after a public event, Iñaki Rivera Beiras received a denunciation from the Director of the Quatre Camins Prison. He has received numerous such denunciations from prison officials, which has effectively prevented him from entering any prisons in Catalonia.

These events represent the culmination of a 15-year long process of insults and harassment against OSPDH. In 2004 the Observatory reported on the torture of 26 inmates in Quatre Camins prison. This report was instrumental in the 2015 trying and sentencing of prison officials involved in those crimes by the Supreme Court. Among those sentenced were were representatives of the Prison Trade Unions. Following the report, Iñaki Rivera Beiras received a number of serious threats.

Following the complaints submitted and as a result of the international campaign in his defence, Rivera has been offered preventive protection by the Mossos d'Esquadra, the autonomous police force of Catalonia. The preliminary provision was launched by the Catalan police in order to take Iñaki Rivera Beiras under state protection in case the situation was to escalate.

Front Line Defenders Board of Directors Denis O'Brien, Mary Lawlor, Jim Conway, Maria Mulcahy, Kieran Mulvey, Mary Jane Real (Philippines), David Sykes, Arnold Tsunga (Zimbabwe), Verónica Vidal (Uruguay) Front Line, The International Foundation for the Protection of Human Rights

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Front Line Defenders believes that accusations and charges brought against lñaki Rivera Beiras are directly linked to the exercising his right to freedom of expression in order to peacefully and legitimately defend of the rights of prisoners.

## Front Line Defenders urges the Spanish authorities to:

- 1. Immediately cease the judicial harrassment of Iñaki Rivera Beiras;
- 2. Carry out an immediate, thorough and impartial investigation into the allegations of torture and ill-treatment of inmates, reported by Iñaki Rivera Beiras, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
- 3. Publicly affirm the legitimate role of human rights defenders with regard to the human rights of prisoners and ensure that this is communicated to all prison staff;
- 4. Guarantee in all circumstances that all human rights defenders in Spain are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

