

**Doc. 10078**  
11 February 2004

## Need for International Condemnation of the Franco Regime

Motion for a resolution  
presented by Mr Yáñez-Barnuevo and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

The Parliamentary Assembly,

1. Taking into account the motion for a resolution tabled by Mr van der Linden and others (Doc. 9875 rev.) on the “need for international condemnation of communist totalitarianism”, and in the same spirit, we believe it is necessary to condemn the Franco regime’s totalitarian dictatorship in Spain, under which serious violations of human rights were committed;
2. Noting that nazi and fascist totalitarianisms have previously been condemned internationally and that totalitarian communist regimes shall also be condemned if this Assembly approves the aforementioned Van der Linden document, we believe the time has come to take the same stance with regards to the cruelest and longest lasting dictatorship Spain has suffered in the entire 20<sup>th</sup> Century;
3. Taking into account that the young generations of Spaniards and Europeans must be aware of their history and that the loss of historical memory is not the best way to cultivate the love of freedom and democracy; that these are not protected for ever from the threat of freedom-slayers and regressive and authoritarian temptations, we believe that an awareness of the disasters of past dictatorships can contribute to strengthening the institutions based on the Rule of Law that all European countries enjoy today;
4. Taking into account that the victims of the Franco regime (families of the killed and missing, political prisoners and their relatives, former exiles, victims of forced labour in concentration camps, people who suffered reprisals and purges in the workplace, etc.) deserve reparation, at least in moral and symbolic terms;
5. Taking into account that we have left behind the years when the priority was a political transition to democracy and the consolidation of the democratic institutions threatened by Franco nostalgics and, then as now, by ETA’s terrorism; the time has come to afford justice to those who fought for freedom and against the Franco regime;
6. Taking into account that a movement of associations and groups defending the need to recover our historical memory has developed independently and with considerable force over the past few years, and that a number of historical works have been published on the subject of repression under Franco between 1936 and 1975;
7. Also taking into account that a number of libelous works have been published by Franco-era nostalgic pseudo-historians, aiming to revive the regime’s favourite propaganda fabrications from the 1940’s and 50’s;

8. Taking into account that under the Franco regime grave human rights violations were committed (caused by the totalitarian fascist doctrine of dictatorship and total control), including:

- executions without a trial or lacking in any legal guarantees (tens of thousands in the months and years following the end of the Civil War);

- persecution of political opponents to the dictatorship, which included not only a loss of freedom and permanent surveillance, but also discrimination in the workplace, in academic circles, with regards to housing, estrangement, etc.;

- systematic and widespread inhuman treatment and torture inflicted during the first ten years, particularly on political detainees in prisons, concentration camps and detention centres. These practices did not disappear in 40 years of dictatorship;

- constant obstacles and limitations set down the Government to the exercise of non-Catholic religions, especially the Protestant, Jewish and Muslim creeds, even when the Spanish Catholic Church (under the pontificate of Pope John XXIII) had initiated large-scale reforms and supported religious freedom;

- suppression of the freedom of association to political parties and trade unions, freedom of assembly and the right to peaceful protest;

- serious violations of the freedom of conscience, thought and expression;

- grave restrictions to the freedom of information and a total lack of freedom of the press;

- seizure-confiscation of political parties and trade unions' assets, as well as the private assets of political leaders of the Second Republic (1931-1936) that to date have not been restored to their legitimate owners or their heirs;

- censorship imposed on the publication and distribution of books, including those that referred to Europeanism, the European Movement and the principles that inspired the creation of the Council of Europe (the European Movement Congress held in Munich in 1962 was described by the Franco regime press as the "Munich Conspiracy");

- repression of the languages and institutions of Spanish territories, such as Catalonia, the Basque Country or Galicia, which had enjoyed full freedom and self-government during the democratic period under the Second Republic;

9. Taking into account the need to strengthen democratic citizenship and to reject all ideas of dictatorship and non-democratic stances in order to avoid their reappearance;

10. Noting that internationally renowned personalities were killed by Franco's supporters, such as Federico García Lorca, whose body was never found; or the poet Antonio Machado, who died in exile, and Miguel Hernández, who died in jail; or the world-famous painter Pablo Picasso, who was never able to return to his homeland and was systematically underrated. Very few, like Rafael Alberti, survived long enough to return once democracy was re-established;

11. Taking into account the fact that the ideological and political persecution affected a broad spectrum, from Monarchists (the King of Spain himself, Juan Carlos I, was born in exile in Rome), to Liberals; Christian Democrats; Social Democrats; Republicans; Communists; Galician, Catalan and Basque Nationalists;

12. Calls upon:

i. the Secretary General of the Council of Europe to create a politically independent commission for the collection and assessment of information about violations of human rights under the Franco dictatorship;

ii. the Spanish Government and Parliament:

a. to set up a national commission to inquire into violations of human rights committed under the Franco dictatorship and submit a report with its findings to the Council of Europe;

b. to make available to the said committee and to all historians any public or private, civilian or military archives (such as those of the Francisco Franco Foundation, funded by the State) as may contain documents that can contribute to establishing the truth regarding repression under Franco;

iii. citizens who were victims of Franco's regime or their heirs and families to give evidence before both commissions;

iv. the Spanish institutions (municipalities, governments of the Autonomous Regions and central Government), to proceed to remove any monuments, street names, plaques and any other external signs that still recall and celebrate the Franco dictatorship and its most prominent repressors and coup supporters;

13. Decides on the basis of the Report of the Council of Europe's Commission to ask the Committee of Ministers of the Council of Europe to adopt an official declaration for the international condemnation of the Franco regime and to promote the erection of one or more memorials as a tribute to the victims of the Franco regime in the capital of Spain and in other major cities.

*Signed*<sup>1</sup>:

Yáñez-Barnuevo, Spain, SOC  
 Agudo, Spain, SOC  
 Ahlqvist, Sweden, SOC  
 Arnau, Spain, SOC  
 Bartumeu Cassany, Andorra, SOC  
 Baška, Slovakia, SOC  
 Braga, Portugal, SOC  
 Čilevičs, Latvia, SOC  
 Čurdová, Czech Republic, SOC  
 Danieli, Italy, LDR  
 de Puig, Spain, SOC  
 Delvaux-Stehres, Luxembourg, SOC  
 Durrieu, France, SOC  
 Feric-Vač, Croatia, SOC  
 Gentil, Switzerland, SOC  
 Gross, Switzerland, SOC  
 Guardans, Spain, LDR  
 Hägg, Sweden, SOC  
 Jonas, Germany, SOC  
 Kirilov, Bulgaria, SOC  
 Kucheida, France, SOC  
 Lachnit, Czech Republic, SOC  
 Lambert, Belgium, SOC  
 López González, Spain, SOC  
 Lord Judd, United Kingdom, SOC  
 Magnusson, Sweden, SOC  
 Meale, United Kingdom, SOC  
 Melčák, Czech Republic, SOC  
 Morganti, San Marino, SOC  
 Öhman, Sweden, SOC  
 Pangalos, Greece, SOC  
 Rattini, San Marino, SOC  
 Solé Tura, Spain, SOC  
 Steenblock, Germany, SOC  
 Txueka Isasti, Spain, EPP/CD  
 van Thijn, Netherlands, SOC  
 Varela i Serra, Spain, LDR  
 Vermot-Mangold, Switzerland, SOC  
 Westerlund Panke, Sweden, SOC

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<sup>1</sup> SOC: Socialist Group  
 EPP/CD: Group of the European People's Party  
 EDG: European Democratic Group  
 LDR : Liberal, Democratic and Reformers' Group  
 UEL: Group of the Unified European Left  
 NR: not registered in a group