



*El Embajador Representante Permanente
de España en el Consejo de Europa*

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Jean Director Gruden,

Following the creation of an alert concerning the attacks on two Spanish journalists, Mar Segura and Sergi Pau, during a protest over the arrest of Pablo Hásel in Valencia, I have the honour to transmit hereby the reply, based on the information provided by the Ministry of Home Affairs of Spain:

1. The events referred to were not known to the Valencian Community Superior Police Headquarters until they were published in various local media. Likewise, up to date they are not informed whether a complaint has been filed, and in this case before which judicial body or Police office.

2.- The demonstration to protest against the imprisonment of Pablo Hásel began peacefully. However, after a while a part of the people concentrated began to not follow the indications of the Police officers present in the place, in what became a clear case of public disorder, with damages and burning of urban furniture.

3.- Hence, police action was unavoidable, following the action protocols for that purpose, using the minimum necessary force. Proof of that would be the alleged blows to the leg (non-vital area) and to the backpack of the journalists. During the police action there were various arrests of people, which were brought to justice, after the investigation of the corresponding proceedings.

4.- The journalists who denounced the alleged facts through their professional associations did not carry the external identification elements corresponding to their professional work ("Press"), as indicated by the regulations for this purpose. Therefore, it would be difficult to differentiate who are journalists and who are not in a public disorder situation.

5.- The norms that regulate the distinctive features of media professionals, dated 01/15/2021, were published in a Resolution of the General Technical Secretary of the Ministry of the Interior, including the Agreement between the Secretary of State of Security, the Federation of Associations of Journalists of Spain and the National Association of Graphic Informers of the Press and Television, for the identification of information professionals during events that require police actions.



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In the said Resolution, in its first clause in fine, it is stated that the Agreement has as its main purpose "that [information professionals] carry out their activity in places and events in which situations of risk or conflict occur".

Professionals may wear, in the exercise of said activity, and in the situations described, a vest-type badge that, regardless of the personal credentials issued by their associations, in order to allow Police agents to visually and quickly know their membership to this professional group.

6.- The current Agreement came to replace the previous one dated 03/17/2011 which, in the same way, regulated the identification of information professionals of the facts that require police actions. It should be noted that the use of vests has already been contemplated for ten years.

7.- Furthermore, in the UNESCO report "Safety of journalists covering protests, in point VI", published in 2020, paragraph 6.4 "Good practices by the press" states that "good Practices for journalists include several steps: journalists should wear clothing and credentials that allow them to clearly distinguish themselves from both protesters and the police".

8.- Regarding the use of the mobile phone by Mar Segura for the realization of a live connection, it should be noted that, nowadays, in any event of all kinds, the use of the mobile phone is widely extended by the general population. Therefore, the simple fact of using it does not accredit or indicate the belonging to the media, as the usually more bulky equipment used by professional, with which they can capture and transmit both sounds and images with higher quality, would do.

9.- Regarding the prohibition of entering the subway by Sergi Pau, it shall be noted that the aforementioned Agreement dated 01/15/2021 establishes in its paragraph 2.7 that "Although they are exercising their work, the display of the vest and / or the credential under this agreement do not imply any authorization of FAPE and ANIGP-TV [that is, journalists] to be able to access those areas that whoever is responsible for the police intervention has declared of restricted access". Among these places is access to metro facilities, for the prevention of possible avalanches.

Yours sincerely,

Manuel Montobbio