

Basque terrorism and the current peace process in Spain

Association of Basque citizens: Foro Ermua

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1) In October 1977, the fledgling democratic regime in Spain granted **total amnesty** to ETA prisoners who had committed crimes during the dictatorship of General Franco. Just a few weeks thereafter, all of these prison inmates were set free. Since that time, ETA has committed a further eight hundred new murders.

2) Spain has been a fully democratic nation since the Constitution came into force in 1978. Moreover, the Constitution provided the Basque Country with a very large degree of **regional autonomy (political, legislative and administrative)**, greater than that enjoyed by any region in the European Community. The powers granted to Northern Ireland as part of the 1998 Stormont Agreement are only a small fraction of those to which the Basque Country has been entitled for over 25 years.

3) In contrast with Northern Ireland, in the Basque Country there has never been a violent clash between two groups. **Violence there has been perpetrated exclusively and unilaterally** by the nationalist organisation ETA against non-nationalist citizens and institutions: writers, journalists, politicians, town councillors, police and military officers, to name but a few. ETA terrorism has been responsible for over eight hundred murders and several thousand mutilations and injuries, practically all suffered by **non-nationalists**.^[2]

4) Since the commencement of democracy in Spain, the ETA terrorist organisation created **Batasuna**, its political wing, as well as other legal associations to justify its crimes before society, to coerce non-nationalist Basque citizens and to participate in political and social life in favour of ETA's anti-democratic political objectives.

5) Since the 80's ETA and its satellite organisations have, in practice, provoked a **permanent state of emergency** in the Basque Country, denying non-nationalist citizens and political parties the freedom to act and exercise their rights. These parties have had a difficult time finding candidates for elections owing to the fact that scores of their fellow party members were murdered and hundreds of others threatened and persecuted by Batasuna and other legal associations controlled by ETA. Elections in the Basque Country are not held under democratic conditions. Hundreds of non-nationalist politicians and candidates must have round-the-clock bodyguards while nationalists may move about freely without any risk.

6) This **democratic deficit** in the Basque Country has tipped the electoral balance in favour of the nationalist parties, the one linked to ETA (Batasuna) as well as the erroneously denominated *moderate* nationalists (PNV and EA). Thanks to terror and political intimidation, the PNV and EA parties have an electoral edge which has kept them in power in the regional Basque government since 1979 up to the present time without interruption.

7) Non-terrorist nationalists (those referred to by some as moderates), PNV and EA, **have acted in a way so as to always take advantage** of the pressure exerted by ETA

and its satellite organisations, thus consolidating their power in the region and obtaining new advantages and privileges from the Spanish Government. As for combating ETA the regional police, under the uninterrupted control of the *moderate* nationalists, have arrested very few terrorists and have allowed them to take part in all sorts of illegal activities in support of ETA.

8) The permanent dissatisfaction of the Basque nationalists, those who perpetrate violence as well as the inappropriately named moderates, is rooted in the fact that they refuse to renounce the idea of becoming a sovereign nation independent of Spain and France and are **willing to accomplish this ultimate goal by any legal or illegal means.**

9) No Spanish Government has ever suspended the regional autonomy of the Basque Country even though this is envisaged under the Constitution; a fact surely indicating an excess of generosity in light of the constant institutional disloyalty on the part of the nationalists who, for their part, have interpreted this as a sign of weakness. A very different tactic was followed by the **British Governments which suspended Northern Ireland's autonomy** for years when the Irish forces failed to live up to their commitments.

10) Since the year 2000 the Spanish Government, under the leadership of the People's Party and José María Aznar, implemented the most coherent and severe democratic policy ever attempted in Spain setting its sights on the **complete police and political defeat** of the ETA terrorist group and its network of satellite organisations. This uncompromising policy was applied under the most strict legality without giving in to the temptation of State endorsed terrorism and without making any political concessions whatsoever to ETA.

11) In a period of four years 640 terrorists were arrested, police and judicial collaboration with France was enhanced and a wide-ranging State Pact (**The Anti-terrorist and Freedom Pact**) was signed between the government and the two main political parties in Spain (PP and the Socialist Party) establishing all of the measures to be taken against nationalist terrorism. This provided a great degree of political unity and strengthened the nation.

12) Within the framework of that Anti-terrorist Pact, the agreement was taken to present Parliament with a **new law on political parties** allowing for the outlawing of parties taking part in terrorist activities. This law was applied to Batasuna which was declared illegal by a unanimous decision taken by the **Supreme Court** in 2003 for forming part of ETA. This Judgement was unanimously ratified by the **Constitutional Court**. ETA and Batasuna were also added to both the **European Union** and the **United States** list of terrorist organisations.

13) By the beginning of 2004, this determined anti-terrorist policy, unwaveringly enforced from 2000 to 2004, put ETA and Batasuna in the **weakest position** it had been in over the previous thirty years. We at the Foro Ermua are convinced that if this same anti-terrorist policy had been continued for a further three or four years, ETA would have been completely defeated along with its police intimidation, without having had to resort to any political concessions to ETA or to any form of Basque nationalism. This was a real possibility within Spain's reach.

14) Such a **defeat free of all concessions** to nationalist terrorism in the Basque Country would have set an extremely important precedent for the whole of **Europe**. It would have been the coherent application, on European soil, of the principle that there is nothing to negotiate with terrorists except for the conditions of their surrender.

15) Following Rodríguez Zapatero's arrival to the Presidency of the Government in the general elections held three days after the 11 March 2004 attack on Madrid, the **previous administration's anti-terrorist policy was totally abandoned**.

16) The **Anti-terrorist Pact** was ignored for two and a half years leading to its demise. Concerning the numerous political initiatives taken in respect of terrorism, it is public knowledge that the new Government did not inform or hold any talks whatsoever with the **main opposition party**, PP, in contrast with the *modus operandi* when the Anti-terrorist Pact was alive. The proclaimed objective of the new Government is no longer ETA's unconditional defeat but rather a "**negotiated solution**" with the participation of the terrorist themselves: i.e. the so-called *peace process*. The Vice-president of the Government proclaimed that on the issue of terrorism "there should be no winners or losers", effectively putting the terrorists on the same plain as their victims and all other democratic citizens.

17) Since the summer of 2005, the number of terrorists arrested by Spanish police has declined drastically, almost to the point of disappearing. Worse still, in May of 2006 a high-ranking Spanish police official warned ETA's extortion ring that an arrest was imminent on the border with France resulting in the failure of the operation. The *Audiencia Nacional* (National Court) opened an investigation on this case of a **Spanish police official's collaboration with ETA**.

18) The **victims of terrorism** (including the president and several members of the Foro Ermua) and their main associations (AVT and Covite) have been marginalized by the Zapatero Government, i.e. efforts have been made to discredit and divide them and to turn public opinion against them. The overwhelming majority of the victims, several thousand members of those associations, have repeatedly and massively expressed their opinion against Rodríguez Zapatero's policy concerning ETA. In contrast, no more than twenty or thirty victims have openly expressed their support for the President's proposals.

19) For the past seven months, since 22 March 2006 when ETA announced what it called a "permanent cease fire", **violence has diminished but has not vanished**. During these months ETA has not committed any deadly attacks but as of the month of May, following an initial period of relative calm, the terrorist organisation has supported an escalation of **street violence** in the Basque Country and Navarre with a total of 160 incidents: bus burnings, attacks with Molotov cocktails targeting party headquarters, the media and judicial and municipal buildings, intimidation of non-nationalist politicians, etc. Nine individuals have been injured: seven police officers, one baby suffering from smoke inhalation and a woman with a broken hip. Moreover, to date ETA has unflinching continued with its **extortion** of entrepreneurs and professionals.

20) The Government under Rodríguez Zapatero **has underestimated the seriousness of this terrorist violence**, at times concealing its very existence (the case of extortion)

and at other times exonerating ETA of any responsibility as if the perpetrators of those acts were “uncontrolled elements”, a phenomenon totally foreign to the Basque Country where ETA maintains strict control over this social sector. Fundamental unity of action within ETA remains intact with the exception of nuances in the analysis.

21) During the course of these last seven months ETA has not expressed (not even indirectly) its intention to **permanently lay down its arms and disband**. Quite to the contrary it has repeatedly stated that this cease fire is “**reversible**” if it is unable to achieve its objectives. In other words, it is willing to commit new crimes. Never in its history has it expressed its **respect for constitutional institutions and rules**. Its has always sought to bring down the democratic regime and impose a totalitarian system.

22) Never have the terrorists (ETA and Batasuna) made even the slightest public **gesture of regret** nor have they ever expressed any sort of **apology** to the victims for their crimes. The fact is that the murderers who have been tried over these last several months have said that given the chance they would do it all over again and **have made death threats** against the judges hearing their cases at the *Audiencia Nacional*.

23) Since its “cease fire” declaration, ETA has stated on a number of occasions that it **stands firm in respect of its political demands**, especially the Basque Country’s independence from Spain and France and the annexation of Navarre to the Basque Country. This is not a simple negotiation tactic. Since the cease fire ETA has not budged at all in terms of its traditional stance and its has been Zapatero’s Government which has been moulding itself to its demands making concession after concession to keep ETA from breaking the cease fire and to keep the so-called peace process alive.

24) No Spanish administration during the almost 30 years of democracy –in the political centre (UCD), left (PSOE) or the right (PP)- has made the **political concessions to ETA** Rodríguez Zapatero’s administration is making.

25) The way in which the Zapatero Government is handling things has made the so-called *peace process* more of a **concession process**, i.e. giving in to terrorists, and the Foro Ermua and the victims fully reject this policy.

26) In short, after seven months of cease fire, **conditions are not ripe** for the Government to commence negotiations with ETA to get it to lay down its arms and permanently disband. The resolution passed by simple majority in the Spanish Parliament in May 2005 gave the Government the go-ahead to commence negotiations with “those who have decided to abandon violence”. The fact is, however, that ETA has still not promised to abandon violence in any of its communiqués but rather to only stop its attacks.

27) Taking the discussion of this *peace process* to Strasbourg is another serious concession on the part of the Zapatero Government. For thirty years all of the Spanish administrations have flatly refused to **internationalise** the Basque problem in this way (which only affects Spanish sovereignty) despite efforts made in this connection by ETA and the rest of the nationalist Basques (PNV and EA).

28) Not only in the Basque Country but also **in Spain as a whole, political parties and the society are deeply divided and at loggerheads** regarding this concession process

led by Rodríguez Zapatero. The People's Party, representing approximately 40% of all Spanish voters, is firmly opposed to this process. Furthermore, not only the vast majority of the victims of terrorism but also millions of other Spaniards have demonstrated in the streets on six occasions –in less than two-years time- demanding a return to the previous anti-terrorism policy for the full defeat of ETA. The situation has been quite different in the **United Kingdom**. The different administrations have frequently sought consensus with the opposition party in terms of the major part of their Northern Ireland policies, with the support of the conservative party at most times. The **British society** has thus been able to avoid the radical political and social division which exists today in Spain.

29) As for **those incarcerated for crimes of terrorism**, in Spain there are only ETA members –aside from Islamic fundamentalists. Therefore, in the event of a second amnesty, ETA members would be the sole winners because, in contrast to Northern Ireland, in our country there are no inmates from the “other side” (unionists) who would be given their freedom.

30) For all of the foregoing, the Foro Ermua calls on the Members of the European Parliament to not support and to **not provide the backing of the European Parliament for the irresponsible and dangerous political operation** undertaken by the Government of Rodríguez Zapatero which will be the topic of discussion at the 25 October Plenum. We make this request not only because this would be tantamount to supporting one group of Spaniards in opposition to another but also because in the event that the process fails in the end, as it most likely will, this Community institution would bear a portion of the responsibility. If this scheme were “successful”, imposed against the will of a large proportion of Spaniards, the consequences for the European Community would be much more serious because the only way that the *peace process* could possibly bring an end to terrorism would be if Rodríguez Zapatero accepted the bulk of ETA’s political demands. In this hypothetical case ETA and Batasuna, strengthened and legitimised by Zapatero and by the European Parliament, would turn against the Government of **France** to demand the independence of the French Basque districts. Spain, for its part, would be subject to a **balkanisation process** due to the action of a Basque Country on the verge of independence once having annexed another part of Spain, Navarre, and which would be dominated by the political wing of ETA, Batasuna. Zapatero’s concession process would be a lesson to the whole of Europe that **violence can indeed change the internal borders of the European Union**.

¹ Since 1983 the organisation which went by the name of GAL, driven by senior government officials of the Socialist Government’s Ministry of the Interior (according to Supreme Court rulings), was responsible for the murder of 23 ETA members and associates. This organisation disappeared in 1987.