

# Spain: High-ranking police officers imprisoned for “illegal arrest” of right-wing Popular Party activists

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On May 8, three magistrates from the Provincial Court of Madrid imposed jail sentences on Chief Superintendent Rodolfo Ruiz Martinez, 55, Chief Inspector Javier Fernandez Gomez, 52, and Inspector Jose Luis Gonzalez Salgueiro, 56.

These are not just ordinary policemen. Gonzalez Salgueiro was the leader of the Anti-GRAPO Group. GRAPO is the acronym for the shady military wing of the Communist Party of Spain (Reconstituted), which has carried out several terrorist atrocities.

The first officer, Ruiz Martinez, was sentenced to five and a half years in jail and suspension from his post for eight years. Fernandez Gomez was jailed for five years and disqualified for eight years. Gonzalez Salgueiro was sentenced to three years in jail. They were charged with “illegal detention”, “falsification of documents” and “coercion”. In addition, the first two officers were fined 12,000 euros for compensation to be paid to the Association for the Victims of Terror (AVT). The officers said they would appeal their sentences at the High Court.

The unprecedented and disproportionate sentences passed on the three refer to charges that they had illegally arrested two leading members of the right-wing opposition Popular Party (PP) in Madrid last year. The two PP militants, Isidoro Barrios and Antonia de la Cruz, had been identified and named in press photographs as having attacked the then Minister of Defence for the ruling Socialist Party (PSOE), Jose Bono, at a demonstration.

The Popular Party immediately filed charges against the policemen who carried out the arrest and demanded government resignations.

The incident took place on January 22, 2005, at a

mass demonstration in Madrid organised by the AVT. Former PP Prime Minister Jose Maria Aznar is an honorary associate of the AVT and the demonstration was effectively a PP event. The demonstrators stridently denounced the PSOE government for being soft on terrorism as well as for its policies on gay rights, abortion and stem cell research.

PSOE Minister Jose Bono, together with PSOE Euro-MP Rosa Diez, turned up unannounced and uninvited to join the protest and offer a hand of friendship to the PP. In return Bono’s entourage was subjected to a sustained attack. Once the news spread that the PSOE government minister was present at the demonstration, the anger against the government was turned against him and he was surrounded by a group of men and women who shouted insults, and jostled and shook him. Bono was punched and someone attempted to strike him with a flagpole before he was rescued and taken out by police and bodyguards.

Ever since the PSOE was elected following the terror bombings in Madrid in 2004, the PP has carried out a campaign of provocations to destabilize the government. The PSOE was elected as a result of mass opposition to Spain’s participation in the Iraq war, which fed into the anger generated by the PP’s attempts to conceal the fact that the Madrid bombings were the work of Islamic militants by blaming the Basque separatist group, ETA.

The PP has portrayed the PSOE’s election as a virtual putsch, blaming the party for orchestrating illegal street protests in the days leading up to the ballot.

As defence minister, Bono was in fact the leading figure in the attempts made by the PSOE to appease the right wing and restore the political consensus. In 2004

he went so far as to invite veterans of General Franco's fascist Blue Division, which fought during the Second World War alongside the Waffen SS in the Soviet Union, to participate in the Columbus Day military parade with republican veterans.

The PSOE did not immediately respond to the attack on its own minister by PP demonstrators. It was only three days later, after the press had named those responsible, that an official car was sent to collect the two PP militants. They were interrogated about the incident for a few hours and then allowed to go free. The judges later constructed the argument that this had meant a deprivation of freedom and civil rights of the two activists. This was the basis for the arrest and prosecution of the three police officers.

The verdict has outraged some of those who were present at the demonstration. *Europa Press* reported on May 5 that a woman from Navarre—identified only as MU—declared recently before a court in Pamplona that she witnessed how the two aforementioned PP militants tried to assault Bono. “The two PP militants, Antonia de la Cruz and Isidoro Barrios, tried to bash Jose Bono and if they failed to do so it was because I and other people came in between them,” she explained. Their “attitude was one of extreme violence,” she continued, and she was also attacked and insulted.

Asked why it had taken so long for her to report the events she replied, “Because I would have never believed that what I saw at first hand and what everybody could see afterwards on television was going to result in an unjust and outrageous sentence against the functionaries who were doing their job. The sentenced policemen are the victims of an abuse. I decided to act because the two who were arrested plus another person were the ones who attempted to assault Bono, and I was a direct witness to it.”

Other people have also claimed that they had reported the attack at the time, but nobody had contacted them.

Following the verdict one of the officers, Rodolfo Ruiz, stated that it was “an absolutely unjust, arbitrary and radically political sentence”.

In other circumstances, the police operate without the slightest fear of prosecution by the courts. Hundreds of people, native Spanish and immigrants alike, have been arrested, beaten up, held incommunicado and without charge for long periods and even killed without any police officer being charged.

Back in July 24, 2005 in Almeria, for example, 39-year-old farm labourer Juan Martinez Galeano went to the local headquarters of the Civil Guards to seek protection from people who were chasing him following a traffic incident. He was allegedly beaten to death by nine Civil Guards in their barracks using batons and electro-shock stun weapons, prompting Amnesty International (AI) to ask the Spanish government for “a full, thorough and independent investigation” into the events that led to his death. In a damage-control exercise, Bono merely suspended eight of the nine officers involved in the beating for six months.

The Popular Party, the only accuser in the case of the attack on Bono, was not satisfied with the jailing and suspensions of the three policemen. It is now demanding the resignation of the new Minister of Defence, Jose Antonio Alonso, who was Interior Minister at the time the attack took place. They state that Alonso declined to admit in parliament that the arrests of the PP militants had been illegal. Alonso has declared that the government “is not in agreement” with the judicial decision, which he said will obviously be contested by the affected parties.

Following the jail sentences PP parliamentary delegates turned the session into an unruly charade, holding up hands tied with hand-cuffs and shouting “arrest me” every time a member of the government spoke. The leader of the PP, Mariano Rajoy, is demanding the establishment of a Commission of Investigation to find out “who gave the order and why” to arrest the two PP members. He also declared that the PP is going to ask for an extraordinary plenary session of parliament to discuss the issue and that he will denounce the arrests before the European Union.

In response to the PP's parliamentary antics Prime Minister José Luis Rodríguez Zapatero meekly stated, “They are not going to meet a response from us to their attitudes because of our respect for this democratic institution that was so hard to achieve.”



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