

Spanish airport strikers given two-year probationary sentences

Paul Mitchell
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Twenty-three Spanish airport workers who went on strike at Barcelona airport on July 28, 2006 and occupied the runways have been given two-year probationary sentences.

The fact that the Socialist Workers Party (PSOE) government of José Luis Zapatero government was able to hold such a trial and secure a conviction has set a dangerous precedent. It represents a major offensive against democratic rights.

Over 400 workers employed in Iberia's handling services (luggage transfers, food deliveries and aircraft cleaning) staged the occupation for 11 hours and brought the airport to a halt. They were protesting the decision of the airport management company, Spanish Airports and Air Navigation (AENA), to transfer them to other companies with the loss of 900 jobs and the imposition of new contracts on lower wages. AENA management claimed they had the right to transfer the workers under an agreement signed with the unions in May 2005.

Originally, nearly 200 of the workers were charged with sedition under an anti-terror law passed during Franco's fascist dictatorship. The charge of sedition involves actions that a government deems tantamount to insurrection against the state. The workers were also charged with a number of public order offences under the Penal Code.

In the end, 25 of the workers and two trade union officials ended up in court. Barcelona High Court judge Gerardo Thomas dismissed the anti-terror charges and convicted the strikers on the public order offences. His decision flies in the face of that made two years ago by the Barcelona Social Court, which declared "improper" the sanctions Iberia took against 59 workers who were suspended from work for up to two months without

pay.

Thomas dismissed all charges against the two trade union representatives—Omar Minguillón, a leading figure in the Transport, Communications and Sea section of the General Workers Union (UGT) in Catalonia and the top UGT official in Iberia, and José Luis Gallardo, the UGT general secretary of the Baix Llobregat area of Catalonia who is on the company works council.

Thomas accepted the pleas of several witnesses at the trial, including director of Barcelona airport Fernando Echegaray and members of the works council, that Minguillón had spent all day attempting to end the occupation.

In Gallardo's case, the judge said that there was not "a single proof that allows to even minimally attribute to him any leading action." He accepted that Gallardo was jostled by strikers and pushed to the floor when he intervened to stop the strike. Two other workers were acquitted because there was not enough evidence against them.

The 25 convicted workers are Oscar de la Cruz Rodríguez, Manuel Porras Funes, Sergio Ojeda Feliz de Vargas, Juan Albero Llobregat Cortés, César Fernando Gancho Rodríguez, Juan José Nieto Ceriani, Pablo Martín Álvarez Pagani, Javier Gil Cordero, César Ferrera Hoyoero, Luis Eduardo Duque Gálvez, Joel Freixenet Caballero, Sandra Martín López, Pablo Arnedo Arnedo, Antonio Campos Cazorla, Santiago Noe Guaita, Oscar Felipe Montero, Ascensión Martínez Muñoz, Andrés Vazquez Garcia, Francisco Javier Gallardo Montero, Antonio Morales Sallent, Carlos Alberto García Vega, Francisco Javier Guijarro González, Javier Martín López, Julian José Beyret Tomás and Sara Cano Velázquez.

Judge Thomas declared that they were guilty of "an

attack against public peace without precedent in the national airports.” The evidence against them came from testimony given by Civil Guards and airport managers and photos and video footage taken by the media and on security cameras, which Thomas declared, against protests from the defence, were admissible evidence.

Because the case had taken four years and none of the strikers had a criminal record, they will serve their sentence on probation. Thomas also said he would not force the strikers to pay the costs of the employers association, Fomento del Trabajo, whose participation in the trial, he said, was “not especially relevant”.

The prosecution had wanted the workers to be sentenced to three years and the officials to four years under Law 209/1964. This is one of a number of laws that remained virtually unchanged from the Francoist dictatorship when the PSOE government under Felipe González passed a new Penal Code in 1995. Under it, air crew and other employees, passengers or any person who agrees with them “that rise up collectively at airports or in aircraft for any purposes related to air navigation” are guilty of sedition and punishable by imprisonment. Leaders of seditious movements face tougher sentences if found guilty.

The PSOE-aligned UGT and Communist Party dominated Workers Commissions (CCOO) declared the sentences against the 23 “unjust” and said they will appeal to the Supreme Court, but there is absolutely nothing on the union websites. CCOO officials said that they will make more “exhaustive” public statements when they have analysed “more deeply the facts”—as if they have not had four years to do so already.

Wide layers of the working class support the airport strikers. Amongst the more perceptive comments appeared as a letter in *El Mundo*.

“Two years in jail for workers who were asking for better conditions in their jobs, incredible! And then there are those who are let off for this or that reason. We are not too far from the times in which the peasants were treated with blows for asking for better conditions. This is the justice of ‘democracy’, one rule for the powerful and another for the workers.”

“An attack against public peace without precedent? What a joker that judge is! This is like someone who steals two chickens from a yard (and uses a stick to force the door) who gets two years for stealing with

violence. And yet the thieves who steal with the ‘added aggravation’ of holding public office, what do they get? NOTHING...What shit justice is!”

“The majority of those who lecture us ignore the reality for 85 percent of the airport workers: miserable wages of 700 Euro per month... rubbish contracts and no right to strike... Can anybody tell me what they can do to better their working conditions?”

“What a disgrace! How can they exonerate the trade union leaders and do a few innocents? We workers know about the corrupt connivance that exists between UGT and CCOO and the ex-public companies.”

“The truth is that we should support these 25 workers!! Trade unions, what for? When the two union leaders are acquitted they wonder whether it is ‘worth investing’ in 25 workers—fathers and mothers, heads of family, with mortgages, with a rope around their neck at the end of each month. It isn’t worth it, is it? Should those 25 continue killing themselves working long hours and be totally stupid to defend their jobs again with a simple legal strike... And now they continue suffering, day after day, not knowing what will happen... Tell me if this is fair or not because I think the innocent pay for the guilty.”

The Zapatero government and the Spanish ruling elite are making an example of the airport workers in order to intimidate others. They are only too aware of the opposition that is developing in Spain as the economic crisis intensifies and they attempt to unload the burden of it on the backs of the working population.



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