

OPEN LETTER TO PRESIDENT SASSOLI ON THE VIOLATION OF THE EUROPEAN ACQUIS ON HISTORICAL MEMORY IN THE EUROPEAN PARLIAMENT

Dear Mr. President:

We, the undersigned MEPs and former MEPs of the European Parliament Historical Remembrance Group, show our absolute rejection against the pro-Franco message published last week by MEP Hermann Tertsch, from the far right and neo-Francoist VOX party. We consider that the email does not comply with the community acquis on democratic memory and the protection of victims and that it comes from a party that does not condemn Francoism, that participates in acts of glorification and trivialization of this dictatorship.

The declaration is contrary to numerous pronouncements of this Parliament on memory and fundamental rights, to the acquis on which the Community programme Europe for Citizens is based and to repeated pronouncements against the impunity of crimes committed in Europe by totalitarian regimes and the trivialisation of their crimes signed by international organisations, notably the United Nations or the Council of Europe. In particular, it is a flagrant violation of, among other provisions, Council Decision 2007/126/JHA; Framework Decision 2008/913/JHA; Directive 2012/29/EU on victims' rights; Article 2(3) of the International Covenant on Civil and Political Rights. It even opposes Article 47 of the European Charter of Fundamental Rights.

The message sent last week would be punished as a crime in Germany or Italy if it referred to Hitler or Mussolini. In Spain, because of inadequate application of the Community acquis on memory, neo-Francoism operates with total impunity, this is one of the aspects that the new draft of the Memory Law, criticized by MEP Hermann Tertsch, aims at correcting. Franco's regime was a regime of terror which brought about the end of all freedom. The systematic elimination of dissidents was completed with the purging of teachers in schools. The education system became an indoctrination machine. The army and police were placed under the control of the dictator and became the enforcement arm of the regime. And the Catholic hierarchy provided cover for that process.

The desire for freedom of the vast majority of people in the Spanish state led to a process of transition that prevented the many Francoists who held key positions in the administration of the state and justice from being judged for their crimes. During the process, an amnesty law was passed which, over time, has become a full stop law. Numerous international organisations from the United Nations to the Council of Europe have denounced this anomaly and advised that it has to be corrected. This Parliament has overwhelmingly called for an investigation into all crimes against humanity, such as those committed by Franco, which occurred on European soil.

Further to this, the email criticises the new law on memory being prepared by the Spanish government that has been pending for years. This law simply aims to offer the victims of Francoism the truth, justice and reparation that they have not had. That is

why the message received last week is a flagrant violation of those norms, and a real scandal that deserves to be rejected.

We therefore ask you to make a formal declaration rejecting the contents of VOX email.

Signatures

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