

Spain briefing

July/August 2023

National context

Current counter-terror legislation:

- In 2015 the “Antiterrorist Pact” became the “Anti-jihadist pact” and was [approved by the two major political forces](#) (PP-PSOE) shortly after the production of the [National Strategic Plan to Combat Violent Radicalization](#) (hereinafter, PEN-LCRV).

This entailed the reform of the Penal Code, providing those responsible for the fight against terrorism - and civil society - with the pre-crime tools to allow them to pre-emptively intervene in advance against possible threats of a ‘jihadist’ nature, such as through the criminalisation of indoctrination and self-indoctrination through the Internet and displacement to a foreign territory to join or collaborate with a terrorist group.

- 2019 saw the publication of the [National Strategy against Terrorism](#), approved by the National Security Council. Its main pillars are “Prevent, Protect, Pursue and Prepare the response” - echoing international strategies such as Britain's CONTEST Counter Terror Strategy.
- In 2021, the Council of Ministers gave the green light to the Royal Decree approving the National Security Strategy - the strategic framework of reference for the National Security Policy. This new Strategy also includes the participation of civil society.

National developments

Future of next Spanish government remains uncertain after recent snap election

- National and autonomous region elections were held on July 23rd, following the decision by Prime Minister Pedro Sanchez to dissolve Parliament early.

- The results of the election - with no party being able to claim outright victory - created uncertainty around the future of the next government, raising the spectre of political deadlock.

The leader of Spain's right-wing Populist Party, Alberto Núñez Feijóo, claimed victory in the snap vote, but cannot form a majority, [even with the support of the far right](#) Vox party, to oust the current Socialist Workers' Party-led government.

- Despite their [Islamophobic electoral campaigns](#), the far-right Vox party, performed worse than in the 2019 elections losing 19 seats, winning only 33 out of 350 seats.
- Negotiations are underway to try and form a new government and avoid another election.

Counterterrorism

On anniversary of 2017 terror attacks, questions are again raised about the role of Spanish intelligence agencies in the attack

- On the anniversary of the August 17th 2017 Barcelona and Cambrils attacks. and since the 2019 leaks [alleging a connection between the national intelligence agency \(CNI\) and the attacks](#), the political party [Junts issued a statement](#) stating that there are many questions to be resolved about the attack and that it is necessary to “clarify the CNI's link with the [ringleader Abdelbaki Es Satty], if the State apparatuses had information about the attack” and why it wasn't avoided.
- The Lower House of Parliament has so far rejected by a majority all the proposals to create this commission, which is why Spain is the only country in Europe that has suffered a 'jihadist' attack and has not investigated it in its Congress.

Furthermore, the victims of the attack [themselves have asked Congress](#) to investigate whether there were failures.

Islamophobia

Barcelona council invites outspoken anti-Islam writer to deliver inaugural speak at festival

- Barcelona City Council has chosen the well-known [femonationalist](#) writer Najat El Hachmi to make the inaugural speech at the Barcelona “La Mercè” festivities in September.
- El Hachmi is well known for her anti-Muslim and sexist discourse but is very popular among White feminists, leftists and the far right. Among the countless articles she has written, we find: “[Minors who rape](#)”, referring to the unaccompanied minor migrants from the Maghreb, and “[The importance of a piece of cloth](#)”, referring to the hijab and why it should be banned.

Conditions for Muslims in Spain

- The lack of cemeteries for the Muslim population in Madrid (almost 300,000 people) reaches the Ombudsman. Relatives of the deceased buried in the Griñón cemetery and members of the “For a worthy burial” platform [deliver half a thousand signatures](#) to the Ombudsman to request a burial place.
- Muslims in Spain [struggle to find space to worship](#) and existing establishments detect surveillance and scrutiny from authorities.
- Every year, about 15,000 women come from Morocco to work from January to June in the Huelva strawberry greenhouses under extreme conditions. These women, often unable to speak the local language, are often dependent on their employer, breeding conditions for abuse and exploitation.

On May 1st some of these workers were [victims of a bus accident](#) in the Huelva town of Almonte, where a 40-year-old woman died and dozens were injured. This comes [after numerous reports](#) in the past years of exploitation, human trafficking and sexual violence by the managers and their impunity.

- 951 [deaths in small boats](#) in the first half of the year and almost all died on the Canary Islands route trying to reach the Spanish coasts.
- Since 2019, foundations of Victims of Terrorism have participated in the [development of teaching units about “Terrorism in Spain”](#) that have been gradually introduced as mandatory exercises in secondary and high school classrooms in all the autonomous communities, and teachers are also involved in receiving courses on how to teach the minors.

These teaching units and their racist content and exercises have been reported by academics, [Muslim activists](#) and [NGOs](#).

- Furthermore, at the First Global Congress of Victims of Terrorism organised by the United Nations in September 2022, Mr. Voronkov, Deputy Secretary General of the United Nations Office to Combat Terrorism (UNOCT), [agreed to hold](#) the Second Congress in Spain in 2024, on the twentieth anniversary of the attacks of March 11, 2004.

No mention of the creation of a commission for the investigation of the numerous [irregularities that occurred during the trial](#) of the incident.

Incidents

- 31 years after his wrongful conviction for rapes, the [High Court annulled the conviction](#) of Moroccan Ahmed Tommouhi for which he was imprisoned for 15 years.
- A young Moroccan has registered an appeal before the Constitutional Court after the different judicial instances have closed his case.

The man, Omar, was going to his workplace in Granada when several agents subdued him, pinned him to the ground and kicked him, [according to his complaint and a video](#).

- The leader of Vox in the Barcelona Provincial Council will go to trial in December for the xenophobic assault on a centre for minors (most of its habitants are unaccompanied minor migrants from the Maghreb).

The Prosecutor's Office accuses Jordi de la Fuente of leading the group that mobilised against the reception of young migrants. Section 5 of the Barcelona High Court has established that the trial of De la Fuente and the other six defendants for the racially motivated attack [will take place between December 18 and 22](#).

- Three men were arrested in Vila-real (Castellón) [for assaulting a mosque](#).

On July 23rd, they entered the mosque shouting, threatening to “blow up” the mosque if their demands were not met and preventing the start of the prayer, remaining inside despite the attendees repeatedly asking them to leave the premises.

- At the end of July, 19 year-old Marouan Banhijib was on the train when two security guards took him out, [grabbing him tightly by the neck and lying on top of him](#) immobilising the youngster at the Maçanet Massanes station in Girona.

Despite the cries for help from Maroun who could not breath, the attack did not

stop until the many pleas of the recording bystanders were heard.

[The guards were recorded saying](#): “you are all the same”.

- A woman [reports that she was prevented](#) from entering a swimming pool in Valencia for wearing Hijab.

National Police agents arrested two men between 32 and 50 years old after allegedly preventing access to the municipal pool of Benicalap in Valencia and verbally humiliating a Saharawi woman, in front of her three underage children.

- Report by The Guardian is published on the official figures from the [June 29th incident in Melilla](#) that indicate that of the roughly 1,700 migrants who attempted to cross the border, 133 were able to claim asylum; 470 individuals entered Spanish territory, but were forcibly returned to Morocco.

At least 37 people died, and 77 people remain unaccounted for. The event quickly came to be known as “*the Melilla massacre*”.