



The Hague, August 23, 2016

**To the Secretary General of the Council of Europe, Mr Thorbjørn Jagland
To the Council of Europe's Commissioner for Human Rights, Mr Nils Muižnieks**

Regarding upcoming elections in the Basque Country

Dear Mr Secretary General,
Dear Mr Commissioner,

I am writing you with regard to the upcoming regional elections in the Basque Country which are scheduled for September 25, 2016.

One of the participating parties will be EH BILDU, headed by Mr Arnaldo Otegi. In last regional elections EH BILDU received 24.7% of the vote, and according to recent opinion polls it could receive a more or less similar percentage in the September 25 elections. EH BILDU and its leader Mr Otegi have played an important role in overcoming political violence in this part of Spain and finding peaceful ways to solve problems. Mr Otegi was released from prison on March 1, 2016, after the Supreme Court of Spain reduced his sentence from 2009 (for his attempts to rebuild the banned Batasuna Party). Many well-known persons, amongst who South African Bishop Desmond Tutu, former President of Uruguay Jose Mujica and Nobel Peace Prize winner Adolfo Esquirel from Argentine, participated in a broad international campaign for an early release of Mr Otegi, in order to stimulate the peace process in the Basque Country.

Today however the Territorial Electoral Board of Gipuzkoa Province ruled that Mr Otegi will not be allowed to run as a EH BILDU candidate in the September 25 elections. The Board considers that the earlier sentence against Mr Otegi includes a ban to participate in elections until 2021. Mr Otegi and his lawyers believe that this decision is an error as the 2009 sentence does not specify in which elections Mr Otegi would not be allowed to participate although this specification is obliged according to Spanish law and court decisions.

Of course Mr Otegi will appeal today's decision but as the elections are very near, today's banning of Mr Otegi from these elections might factually make it impossible to participate on September 25. If this would happen, serious damage will be done to the continuation of the so very important peace process in the Basque Country.

Therefore, I would like to ask to get a.s.a.p. into contact with the relevant authorities to investigate Mr Otegi's case and see whether there are possibilities to allow Mr Otegi to participate in the September 25 elections as the frontrunner of EH BILDU.

I am looking forward to hear from you.

Kind regards,

Tiny Kox
Chair UEL PACE