



PARLAMENT DE CATALUNYA

DECLARATION OF THE BOARD OF SPOKESPERSONS OF THE PARLIAMENT OF CATALONIA DENOUNCING THE FAILURE OF THE SPANISH GOVERNMENT TO RETURN TO THE GENERALITAT OF CATALONIA THE DOCUMENTS SEIZED AT THE TIME OF THE CIVIL WAR

Adopted by the Board of Spokespersons on 1 July 2014

The Spanish Minister of Education, Culture and Sport, José Ignacio Wert, announced that the Spanish Government will not transfer to the Government of Catalonia (*Generalitat*) the Catalan documents pending return that were validated up to the last meeting of the Joint Commission in March 2013. This decision violates Article 2.1 of Spanish Act 21/2005, on restitution to the Generalitat of Catalonia of the documents confiscated at the time of the Civil War that are kept at the General Archive of the Spanish Civil War, and on the creation of the Historical Memory Documentary Centre.

This is an act of institutional disloyalty and contempt for the institutions of self-government of Catalonia (the Government and Parliament) which were the victims of plunder seventy-five years ago, contravening the laws in force in Catalonia, which Franco repealed illegitimately on 30 January 1939, after the requisition had taken place.

The Ministry also refuses to return the remaining documents of the Generalitat belonging to the Justice Administration and the Office for Public Order, the Masonry and forty-three Catalan town councils.

Article 54 of the Statute of Autonomy of Catalonia establishes that the public institutions must guarantee knowledge and maintenance of the historical memory of Catalonia and must take initiatives for the recognition and rehabilitation of all citizens who have suffered persecution for defending the democracy and self-government of Catalonia.

The Government of Catalonia is today, and was in 1939, the holder of exclusive powers regarding the custody of the documentary heritage of Catalonia, as regulated by laws passed by the Parliament of Catalonia then and now.

Since these documents are Catalan in origin and are of the institutions, entities and citizens of Catalonia, the Government of the Generalitat of Catalonia must keep in its system of archives any documents that cannot be returned to their owners, after taking the necessary steps to locate the families affected, as laid down in Decree 183/2008 on the procedure for the restitution of seized documents.



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The United Nations points out the duty to promote truth, justice and reparation for victims of dictatorship, including the return of assets and archives of seized documents and files, as stated recently by the United Nations rapporteur Pablo de Greiff.

Therefore, the Parliament of Catalonia denounces the failure by the Spanish Ministry of Education, Culture and Sport to comply with Spanish Act 21/2005, which provides for the restitution to the Generalitat of all the documents confiscated by the Franco regime from institutions, entities and individuals in Catalonia.

The Parliament of Catalonia demands the immediate return of all documents and other effects agreed by the Joint Commission of the Spanish State and the Generalitat of Catalonia up to January 2013, which have been properly digitized for this purpose.

The Parliament of Catalonia demands the immediate restitution of the documents plundered from the archives of the forty-three Catalan town councils affected, in addition to those of the Masonry and those of the collections of the Justice Administration and the Office for Public Order of the Government of the Generalitat. The Parliament of Catalonia declares that, in accordance with the Statute of 1932 and the current Statute, the Government of Catalonia today has exclusive powers regarding the custody of the Catalan documentary heritage and must conserve any documents that cannot be returned to the entities or persons that cannot be located.

Palace of Parliament, 1 July 2014

Jordi Turull i Negre, Spokesperson of the Parliamentary Group of Convergència i Unió; J. Lluís Salvadó i Tenesa; deputy spokesperson of the Parliamentary Group of Esquerra Republicana de Catalunya; Maurici Lucena i Betriu, Spokesperson of the Socialist Parliamentary Group; Dolors Camats i Luis, Spokesperson of the Parliamentary Group of Iniciativa per Catalunya Verds - Esquerra Unida i Alternativa; David Fernández i Ramos, Spokesperson of the Mixed Group