

Proposal for Spain to reckon with its past during Franco era, welcomed by UN rights experts

A group of UN human rights experts has welcomed the announcement earlier this month by the Spanish Minister of Justice that the Government is paving the way for a Truth Commission to investigate violations that occurred during the civil war and the era of dictatorship under General Francisco Franco that followed.

On 10 July, the Minister announced a series of initiatives in Congress to revise the Historical Memory Law, which would make it possible to create a new commission to examine abuse allegations buried for decades.

“We welcome the government’s initiative and celebrate the opening of the dialogue on what happened during the decades of civil war and military dictatorship in Spain,” the experts said on Wednesday.

“This decision represents a fundamental step towards the realization of the right to truth for all victims of serious human rights violations,” they added.

In the [report on his visit to the country in 2014](#), Fabián Salvioli, Special Rapporteur on the [promotion of truth, justice, reparation and guarantees of non-recurrence](#), called on authorities to address the demands of victims, for Spain to reckon with the era that began with the start of brutal civil war in 1936, and establish a formal mechanism for this purpose.

“We are pleased to see that the Spanish authorities decided to direct their efforts towards achieving this important goal, placing the right to truth at the top of the political agenda,” the experts continued.

The projected legislative revision will also include a proposal to remove symbols glorifying the dictatorship and re-signifying the Valley of the Fallen, a monumental memorial erected by Franco, as well as his burial site, near Madrid.

The experts stressed the importance of the processes to reflect historical and [memorial narratives](#) of past violations, emphasizing that “such processes must take place within a framework of transparency and participation of civil society, focus on the victims, provide the necessary space to present their various stories, and promote critical thinking about past events”.

The experts also welcomed the creation of a Directorate General for Historical Memory to, among other things, plan the search for missing people, publicize exhumation details and maintain an official list of victims.

In its report on its [visit to Spain in 2013](#), the Working Group on Enforced or

Involuntary Disappearances criticized the lack of a national plan to search for missing persons, the lack of coordination of exhumation and identification efforts, and the outdated mapping of graves.

“We welcome the government’s intention to assume a responsibility to actively search for missing victims and urge it to immediately adopt the necessary legislative, administrative and financial measures to effectively exercise this function,” they stressed.

In its 2017 [follow up report to the visit](#), the Working Group expressed concern over the Spanish courts’ inactivity in prosecuting the cases of forced disappearance that occurred during the civil war and dictatorship.

“We expect that the recently announced initiatives will be accompanied by progress in the judicial sphere, including regarding any criminal procedure carried out in any country for the enforced disappearances committed in Spain,” the experts added.

The independent experts encouraged the Government to involve victims’ families and their representative associations in the implementation of the proposals.

They underlined their support of the Spanish Government in implementing the initiatives, and stressed that promoting truth, memory and guarantees of non-repetition are essential to realize the victims’ human rights, and strengthen citizens’ confidence in each other and their institutions.

Joining Mr. Salvioli in welcoming the proposed new commission were Bernard Duhaime, Chairperson-Rapporteur, [Working Group on Enforced or Involuntary Disappearances](#); and Karima Bennouna, Special Rapporteur in the field of [cultural rights](#).