



TIBET JUSTICE CENTER

Advocating human rights and self-determination for the Tibetan people.

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The Honorable Mariano Rajoy
Prime Minister of Spain
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16 January 2014

Dear Mr. Prime Minister:

I am writing to you as Executive Director of Tibet Justice Center (TJC), an international legal organization that advocates universal human rights and self-determination for the Tibetan people. TJC is deeply concerned about reports that the Spanish government is intending to limit the independence of Spain's judiciary, in what is said to be a political move to close down a ground-breaking Tibet lawsuit that has provoked China's displeasure.

As you know, the Audiencia Nacional is currently investigating a lawsuit charging genocide and other grave crimes in Tibet, brought under Spain's universal jurisdiction statute, which recently resulted in the indictment of one former Chinese president and the issuance of an arrest warrant for another and four other Chinese officials. On 16 December 2013 El País, quoting Spanish Justice Ministry sources, reported that changes to Spain's Organic Act of the Judicial Power may be presented as early as January. These changes will reportedly severely restrict or even eviscerate Spain's universal jurisdiction statute, possibly even with purportedly retroactive effect.

If this El País report is correct, we believe this change would cause grave harm to international law and justice, as well as to the independence of the Spanish government and judiciary.

The Chinese government regularly deflects international concern for the imprisoned and persecuted Nobel laureate Liu Xiaobo, claiming that the matter is one of China's "judicial sovereignty." The Tibet case is a matter of Spain's judicial sovereignty. The case involves at least one Spanish-national victim, and is brought under a valid Spanish law. While the alleged perpetrators happen to be Chinese citizens, the crimes of genocide, torture, state terrorism, and crimes against humanity are, by their very nature, a concern for all of humanity.

TJC believes that Spain should consider it unacceptable for China to attempt to exert strong-arm political pressure against an impartial criminal investigation that is a matter of Spain's judicial sovereignty. TJC urges the Spanish government to stand firm in the face of outside political interference in its domestic judicial system. TJC therefore hopes that the Spanish government will not weaken its own democratically-established judicial system to please an authoritarian foreign government.

Yours sincerely,

Iona Liddell
Executive Director

CC: *The Hon. Alberto Ruiz Gallardón, Minister of Justice*

The Hon. Ramón Gil-Casares Satrustegui, Ambassador of Spain to the United States

The Hon. Federico Trillo-Figueroa Martínez-Conde, Ambassador of Spain to the United Kingdom