

Dear ISOC colleagues,

We at ISOC-ES have been watching with increased concern the recent developments regarding the situation derived from actions carried out by the Spanish and Catalan governments and their effect on the Internet in Spain.

ISOC-ES has a long tradition of supporting open access to the Internet, within the realm of the legitimate law, as well as of working together with other chapters and the Internet Society Corporation. It is with great sadness that we read a communiqué [1] from the Internet Society's European Bureau about events taking place in Spain which has been developed exclusively with the ISOC-CAT chapter leaders.

We regret the total absence of communication whatsoever with the ISOC-ES and other Spain-based chapters except ISOC-CAT. We consider this to be beyond simple bad form, exceeding the competences of the European Bureau and leads us to question the judgement of the European Bureau and its director, having produced a non-contrasted document in a departure from ISOC's consensus-based, multistakeholder development of positions.

As you are aware, Spain is an internationally recognized democracy with a Constitution overwhelmingly approved in referendum by the citizens of all regions of Spain including Catalonia [2], and a corresponding body of law.

Contrary to what the European Bureau's note seems to imply, there is no, nor has there ever been, generic blockage of Internet access or communication in any language, with access and discussion of any political views being totally unrestricted. There is specifically no barrier to freedom of speech on social networks or any other Internet communication in Spain and in particular no restriction to the use of the Catalan language.

In recent days we have observed the following:

- The ISP-level blocking order barring normal access to certain websites that are illegal according to Spanish law, as determined by the pertinent courts, specifically those directly related to the logistics of the referendum, which has been found illegal. This is normal and accepted procedure under European Law.
- A court order requesting the blocking of certain domains at the TLD registry level. The contents of this court order are unknown to us at this time due to the ongoing nature of the process and therefore we can only manifest that access to .cat domains and content under those domains continues to be possible.
- At this time, we withhold comment on the court-ordered detention of members of the technical staff of the puntCat foundation as we have not yet gained an understanding of the nature of the accusations and whether they are of a personal or institutional character, given the process is still ongoing and we have no reason to believe it is not following the rule of law. We are gravely concerned that individual actions contrary to the law under which the Foundation is incorporated might put an Internet registry at risk.

Given the above points, we believe the sort of undertaking initiated by the European Bureau is inaccurate, irresponsible and biased. It directly and very negatively affects the Internet Society's neutrality and position as a respected source of information on Internet Governance.

For all of the above reasons we request a rectification and apology from the Director of the Internet Society's European Bureau for issuing premature statements, carried out without consultation with relevant parties, in particular all ISOC chapters in Spain, and which therefore constitutes a biased and incomplete account, outside the Internet Society's line of action.

We request that future communications rely on input from ISOC chapters, as Internet Society's stakeholders, to produce a consensus position with as much contrasted information as possible.

From our point of view the Internet Society, in the development of its mission, namely the development of the Internet, must always facilitate dialogue amongst all people, seek concord and the search for truth. We strongly demand that the Internet Society will continue to be a source of progress and unity, and not a source of unnecessary conflict and divisiveness.

The Board of the ISOC-ES chapter

[1]<https://www.internetsociety.org/news/statements/2017/internet-society-statement-internet-blocking-measures-catalonia-spain/>

[2] <http://www.bcn.cat/estadistica/angles/dades/telec/ref/ref78/r22.htm>