



# Strategic thinking and conflict transformation

A reflection on and from the Basque Country

Urko Aiertza Azurtza

**About the series:**

This report is published within the framework of the Berghof Transition Series. Initiated in 2008, it originally included case studies produced for a research project on 'Resistance/Liberation Movements and Transitions to Politics: Building a Network of Experience'. It has provided a unique space for 'insider experts', that is, stakeholders in past and ongoing peace processes around the world, to reflect critically on their own experiences in conflict transformation. Although the views expressed are those of the authors and contributors, and do not necessarily reflect the opinions of the Berghof Foundation, we deliberately seek to give a voice to the perspectives of those actors who are in the driving seat of conflict transformation. Even though every conflict setting is unique, we strongly believe that such experiential knowledge can help other peacebuilding stakeholders worldwide learn from the failures and successes of their 'peers' in the various contexts explored in this publication series. The author previously co-authored another Transition Series report on the Basque peace process, covering the 1958-2007 period and the various attempts at negotiation between ETA and the Spanish Government (Aiertza and Zabalo 2009). This report updates it, while concentrating more specifically on internal strategic decision-making, and highlighting the innovative aspects of the current peace process.

Series editor: Dr. Véronique Dudouet [v.dudouet@berghof-foundation.org](mailto:v.dudouet@berghof-foundation.org)

**About the author:**

Urko Aiertza Azurtza is a Basque Lawyer and consultant. He holds a Master in Law from the University of the Basque Country EHU-UPV, and a Master degree in Conflictology from UOC-UNITAR. As a Basque lawyer he has been very active in progressive lawyer associations like the Basque Speakers Union, or the Basque Democratic Lawyers Association *Eskubideak* and ELDH. He has been involved in relevant cases related to the Basque conflict at the ECHR like *Batasuna v. Spain* related to the banning of the Basque political party or *Del Rio v. Spain* related to ETA inmates. He has also acted in front of different UN instruments in cases related to the Basque conflict. In recent years he has been involved in the various attempts to resolve the violent conflict in Basque Country. In 2011 he was elected Senator in Madrid from the Basque Country on behalf of the Basque pro-independence coalition Amaiur. From 2011 to 2015 he acted as Spokesperson in the Justice, Foreign Affairs and Iberoamerican commissions and travelled abroad representing the pro-independence movement. During the last years he has been involved sharing his experience and expertise in places like Kurdistan, Ukraine, Moldova, Ethiopia or Colombia while keeping on getting involved in Basque politics.

This

This work would not have been possible without the extraordinary help of Pol MacSeain and Itziar Martinez Sustatxa. Editing support was also provided by Tim Jan Roetman, Charlotte Huch and Marie Migeon during their internships at Berghof Foundation.

© Berghof Foundation Operations GmbH 2019. All rights reserved.

**Urko Aiertza Azurtza** (2019). Strategic thinking and conflict transformation. A reflection on and from the Basque Country. Berghof Transitions Series No. 14. Berlin: Berghof Foundation.

Copies can be ordered via internet:

[http://www.berghof-foundation.org/  
order@berghof-foundation.org](http://www.berghof-foundation.org/order@berghof-foundation.org)

# Content

Content.....	3
Glossary .....	4
1. Introduction.....	6
1.1. Contextual framework.....	7
1.2. Objectives and theoretical framework.....	7
1.3. Methodology.....	9
2. The collapse of the 2006-2007 peace process.....	10
3. Internal debate after the end of the 2006-7 process and unilateralism as a lever.....	13
4. The scenario that made possible the Aiete Conference and the end of the armed activity by ETA 24	
5. Deepening and expanding within the new paradigm .....	27
6. The last logical step: ETA's internal debate about its own future .....	36
7. Conclusions and lessons from the process.....	40
Bibliography.....	46
ANNEX 1: Biographies of key individuals.....	49
ANNEX 2: RESULTING ROAD MAP .....	52
ANNEX 3: AIETE DECLARATION .....	55
ANNEX 4: ETA's declaration of a definitive cessation of its armed activity .....	56
ANNEX 5: Recommendations to promote the peace process.....	57
ANNEX 6: ETA's declaration on disarmament.....	59
ANNEX 7: Statement of the International Verification Commission on ETA's disarmament .....	60
ANNEX 8: Final statement from ETA to the Basque Country .....	61
ANNEX 9: ARNAGA DECLARATION.....	62
ANNEX 10: ETA statement to the Basque Country: Declaration on harm caused .....	64

## Glossary

Abertzale Left	Patriotic left, nationalist left, or pro-independence left
ANC	African National Congress
Aralar	Party formed from a split during the Bateginez debate process within Batasuna. Later joined EHBildu coalition
Alternatiba	Party formed after a split within IU. Later joined EHBildu
Basque Permanent Social Forum	Forum formed by civil society organisations to promote dialogue, consensus and conflict resolution in the Basque Country
Batasuna	Unity. Abertzale Left political party
Bake Bidea	Social and political forum to promote the conflict resolution in North Basque Country
EA	<i>Eusko Alkartasuna</i> (Basque Solidarity), Party formed from a split within EAJ/PNV. Now member of the coalition EHBildu
EAJ/PNV	<i>Eusko Alderdi Jeltzalea/ Partido Nacionalista Vasco</i> (Basque Nationalist Party)
EHBildu	<i>Euskal Herria Bildu</i> (Basque Country Unite). Coalition formed by Aralar, Alternatiba, Eusko Alkartasuna and Sortu as well as independents
Ekin	Action. Patriotic movement that later transformed into ETA
ELA	<i>Euskal Langileen Alkartasuna</i> (Basque Workers' Solidarity)
Euskal Herria	Basque Country
ETA	<i>Euskadi Ta Askatasuna</i> (Basque Country and Freedom)
FARC	<i>Fuerzas Armadas Revolucionarias de Colombia</i> (Armed Revolutionary Forces of Colombia)
HB	<i>Herri Batasuna</i> (People's Unity), later transformed in Batasuna
HDC	Humanitarian Dialogue Centre (formerly Henry Dunant Center)
ICG	International Contact Group
IVC	International Verification Commission
Iparralde	Name given to the North Basque Country, formed by Behe Nafarroa, Lapurdi and Zuberoa provinces
Hegoalde	Name given to the South Basque Country, formed by Araba, Bizkaia, Gipuzkoa and Nafarroa provinces
IRA	Irish Republican Army
IU	<i>Izquierda Unida</i> (United Left)
LAB	<i>Langile Abertzaleen Batzordeak</i> (Patriotic Workers' Committees)
Lehendakari	President of the Basque Autonomous Government
LTTE	Liberation Tigers of Tamil Eelam
Lokarri	Association for Peace, Dialogue and Agreement
PCE	<i>Partido Comunista de España</i> (Spanish Communist Party)

PP	<i>Partido Popular</i> (Popular Party)
PSE	<i>Partido Socialista de Euskadi</i> (Basque Socialist Party). Basque section of the PSOE
PSOE	<i>Partido Socialista Obrero Espanol</i> (Spanish Socialist Workers Party)
SDLP	Social Democratic and Labour Party. Irish nationalist political party in the North of Ireland
<i>Sortu</i>	Abertzale Left political party. Now part of EHBildu coalition
UDF	United Democratic Front – during the anti-apartheid struggle in South Africa.

# 1. Introduction

In 1958, under the fascist regime of Generalissimo Francisco Franco in the Southern Basque Country (within the Spanish state), a group of Basque youths from middle class backgrounds – who during the previous years had formed a study group called *Ekin* aimed at reviving Basque nationalism – decided to transform itself into an organisation called *Euskadi Ta Askatasuna* (ETA), a nationalist, revolutionary organisation whose goal was achieving the independence of the Basque Country through every possible means, including armed struggle or violence. For years, along with the Irish Republican Army (IRA), it became the most prominent armed group in Europe. Sixty years later, the same group declared publicly that it had ceased to exist. How did this happen? How did the last armed conflict<sup>1</sup> in Western Europe come to an end in such a way? How was it possible that after several attempts to solve the conflict through dialogue and negotiations, ETA finally ended its armed campaign and dissolved as a group unilaterally through a public statement?

The Basque Country represents as such a unique example of a peace process which breaks some of the assumed standards in the design of peace processes. Many have questioned if one can really talk of a Basque peace process, as there has been complete rejection from the Conservative Popular Party (*Partido Popular*, PP), which led the Spanish Government until July 2018, to participate in this process.

The French Government, which collaborated closely with the Spanish Government in the war against ETA, maintained a policy of almost mirroring Spanish policy until near the end of the process, when it took a slightly divergent approach. At the same time, the French Government was always very opposed to any recognition of the Basque people in its territory that would go further than a contextual regional cultural approach. The non-recognition of any status to the Basque language and the rejection during many years of any demand of autonomy are clear examples of this policy. It is also true that Basque nationalist sentiment has been in a minority in the Basque provinces under French rule. This has been a consequence of very different processes of state-building in Spain or France.

According to the South African lawyer Brian Currin,<sup>2</sup> this has been “*a process under exceptional circumstances... In normal circumstances the Government would be an important actor. ... But we were confronted with a situation where the Government said no. For me this negation was a very interesting challenge. How do you keep a process marching on when one has to dance alone? Until recently, in those processes, you used to dance at least as a couple*” (Zubimendi 2018).

Understanding a peace process in a very narrow sense as a process of dialogue and negotiation between the main conflicting parties, we could consider that there has not been a peace process in the Basque Country. However, if we analyse it as a broader process which includes a diversity of actions and initiatives, could one define the Basque scenario as a peace process with its own characteristics? Moreover, if we were to consider the aim of conflict resolution mainly as the overcoming of violence, could the Basque conflict be described as having been resolved, or at least transformed? These are some of the questions addressed in this report. If the answers are yes, then we should focus on the lessons that we can learn from the Basque Country for future conflict resolution processes.

---

<sup>1</sup> There is not commonly-agreed definition of what the Basque conflict is, or what name to use to describe the violent conflict that has occurred for the last 50 years in the Basque region. Some actors consider it exclusively a matter of terrorism, others as a political conflict with a violent expression, others as a national liberation struggle.

<sup>2</sup> For all key individuals named in this report, a short biography is available in Annex 1.

## 1.1. Contextual framework

After the collapse of the last negotiation process between the Spanish Government and ETA in 2006-2007<sup>3</sup>, the so-called Abertzale Left<sup>4</sup> promoted an internal debate process which led to a new strategy towards a peace process; a new strategy which has been based, not only but primarily, on the idea of unilateralism as a lever or driving force to change the scenario of violence and try to promote a peace process in the country. This new strategy focused more on trying to build alliances within the Basque Country and externally than expecting direct bilateral negotiations with the State, but without renouncing it. The key would be to try to strengthen the Basque Independence movement politically so that this could change the balance of power.

The adoption of the new strategy promoted a new scenario, making possible the International Conference for the Resolution of the Conflict in Basque Country of October 2011 which immediately led to ETA's declaration ending what the group called its 'armed struggle'. With the armed campaign formally ended, the newly elected conservative Spanish Government still refused to even enter into debate, dialogue or discussion around issues related to the armed conflict, such as the disarmament of ETA, the releasing of prisoners, the return of exiles, or the question of dealing with the past. Despite this rejection and denial, with all the difficulties this caused, the Abertzale Left kept moving the process forward, creating new momentums and giving original and unprecedented responses to issues like the disarmament of ETA.

On the 3<sup>rd</sup> of May 2018, ETA declared its dissolution as an organisation.<sup>5</sup> This was possible, amongst other reasons, because of an intense internal debate within the Abertzale Left which worked as a catalyst, as well as the involvement of civil society through instruments like the Permanent Peace Social Forum or Bake Bidea and the involvement, albeit on a small scale, of international actors.

## 1.2. Objectives and theoretical framework

The Basque peace process can provide innovative lessons for peace practitioners, peace mediators and facilitators, as it demonstrated the need for creative, constructive thinking. It is relevant for cases of conflicts which are considered intractable, where the capacity for developing a bilateral process is closed for a myriad of diverse reasons. In the Basque case, we were dealing with a meta-conflict where the balance of forces (military, political and economic) was so weighted to one side, that it was not even remotely interested in moving to a bilateral process. For this party, permanent conflict was the preferred scenario rather than any other option.

This study focuses on the need for creative solutions to so-called intractable conflicts through strategic thinking. In his book 'The nature of intractable conflicts', Christopher Mitchell stresses that in these kinds of conflicts "*one way, possibly the only way, in which a resolution of this kind of an ostensibly irresolvable conflict appears to be possible is through some form of creativity*" (2014, 244). So the paper highlights this innovation needed to approach intractable conflicts and examines if there can be some useful lessons to be learnt from the Basque conflict.

---

<sup>3</sup> For this period see Aiertza and Zabalo (2009).

<sup>4</sup> This political movement has had different political expressions which have been banned, we will use the English term used by themselves 'Abertzale Left' (*Ezker Abertzalea* in Basque). Abertzale Left could be translated as patriotic left, sociologically including all political and social movements that broadly support a left nationalist view in Basque Country and that were close to the political thinking of ETA, including ETA itself. After the banning of Batasuna it was the name used by members of this formation to describe themselves publicly but also meant to encompass all organisations that are part of the movement, including ETA.

<sup>5</sup> See Annex 8.

Intractable conflicts are those where, according to Oliver Ramsbotham (2016, 3), “*attempts at peaceful containment, settlement and transformation have so far gained no purchase*”. The Basque conflict could be considered as one of them. The Spanish side does not even recognise the existence of the conflict; to do so would be admitting to a serious flaw in the concept of Spanish unitary nationhood. Therefore, for the Spanish Government, it is more convenient to classify the Basque conflict as merely being a matter of a criminal terrorist gang which must be defeated. This complete denial of the reality made it impossible to move the process forward bilaterally.

As Ramsbotham states, radical disagreement “*turns out to be perhaps the least familiar aspect of intense political conflicts. And conflict resolution fails when the conditions that it presupposes do not yet exist, the assumptions on which it rests do not yet apply and conflict parties are not yet ready to behave in the way it wants*” (ibid, 4). Ramsbotham considers that in this case “*the alternative is to turn in the opposite direction, conflict engagement, try to understand what obstruct the way and then adapt practice accordingly*”. It means “*starting where the parties are not where third parties want them to be. It means beginning not between parties but within them*” (ibid, 5).

If one analyses the Basque peace process, we can see the development of what Ramsbotham calls “*collective strategic thinking by the main identity groups*”, in this case the Basque Abertzale Left, “*firstly about, where are they? where do they want to be? how do they get there?*” (ibid.). But why would conflict parties engage in this when the others are not prepared for conflict resolution? According to Ramsbotham, this engagement is conducted “*in order not to understand the other but because they want to win*” (ibid). Moreover, “*emphasising strategic discourse within parties to a conflict is often the real key progress when the other avenues are blocked, including the regularly overlooked strategic question of how to influence the internal dynamics of the other side*” (ibid). The Basque process can be analysed in those terms of strategic thinking inside the Basque liberation movement as well as sections of Basque society with which the movement interacts.

This study also focuses on the creative role and intervention of external actors supporting or helping these internal transformations. The paper demonstrates that beyond the involvement of mediators and facilitators trying to facilitate dialogue and negotiation between conflicting sides, third-party actors can also support and encourage strategic thinking within conflict parties. In the Basque conflict, as a consequence of the previous 2005-06 bilateral peace process, international facilitators initially supported this internal transformation with the objective of opening a bilateral process, before helping to promote this new strategy in its full capacity. This demonstrates to peace practitioners, facilitators and peace organisations as well as donors that there are more options to promoting peace processes than exclusively focusing on Track one and Track two dialogue processes. It also stresses the need for peace organisations and mediation actors to support strategic transformation inside movements, to remain involved even when a peace process collapses, and to stay in touch with armed groups, especially during difficult periods. Therefore, it is important to analyse what lessons can be learnt from this process for mediation practitioners.

The process which unfolded in the Basque Country can be better described as conflict transformation than as conflict resolution. While the human effects of the conflict have been diminished, the political conflict is not over and future challenges still need to be addressed in the pursuit of conflict resolution and political settlement. The Basque case hence might inspire peace practitioners and conflict parties elsewhere to reflect on what is achievable in terms of conflict mediation and what is not.

The study also stresses the relevance of what Vincenc Fisas (2010, 19) defines as “*mirror games*”, whereby groups debate and discuss alternative strategies based on lessons and approaches of other groups that they consider relevant or with whom they identify. In the case of the Basque Country, lessons from Ireland and South Africa and interaction with members of groups involved in those processes have been very useful, as well as learning from other processes like the Tamil Sri Lankan process.

This case also stresses the value of strong leaderships for armed groups’ or liberation movements’ transformation. The new strategy adopted by the Abertzale Left could have not been

developed without the strong capacity of a committed core of people within the movement. Nevertheless, in the case of the Basque conflict, the attempts by the Spanish Government to diminish this leadership committed to peace must be highlighted. The Spanish Government has been acting belligerently and dangerously with the imprisonment and condemnation of members of the Abertzale Left leadership who are fully committed to peace. Hence one should analyse not only how the Spanish Government has played in this process but, more importantly, what lessons are to be learnt from its attitude and behaviour, which could perhaps even be described as an 'anti-model'.

### **1.3. Methodology**

This study focuses primarily on the internal strategy shift of ETA and the Abertzale Left, and for this purpose relevant documents of ETA and the movement have been examined. The analysis also rests on personal interviews with the main members of the movement, and interviews which have appeared in the media, as well as relevant books and articles. Those parts of the text which do not cite external sources are largely derived from the author's personal experience and recollection of the process. The author previously co-authored another report covering various attempts at negotiation between ETA and the Spanish Government during the 1958-2007 period (Aiertza and Zabalo 2009). This report updates it, while concentrating more specifically on internal strategic decision-making, highlighting the innovative aspects of the current peace process.

Section 2 briefly references the collapse of the 2006/07 negotiation process between ETA and the Spanish Government, as this period is analysed more deeply in the aforementioned work. Section 3 focuses on the internal debate and the paradigm shift promoted by the Abertzale Left and its consequences. It describes the idea of unilaterality and its potential capacity to transform inter-party dynamics. Section 4 focuses on the consequences of the previous strategic shift, mainly the end of the armed campaign and the opening of a possible scenario for talks. Section 5 analyses the stalemate that the transformation entered after the arrival in Government of the conservative Popular Party. It also analyses the ability of the Abertzale Left to try to overcome this stalemate through the opportunities opened by the new paradigm. Finally, it covers the role of civil society in this new scenario. Section 6 focuses on ETA's decision to end the armed campaign and the latest developments, as logical final steps of the paradigm shift. Finally, in Section 7 we try to define some relevant lessons that can be learnt from this unique process.

## 2. The collapse of the 2006-2007 peace process

For many years ETA and the broad political movement around it, the Abertzale Left, theorised and tried to develop a process of dialogue and negotiation as an instrument to overcome the violent confrontation in the Basque Country. Since the proposal of the KAS Alternative<sup>6</sup> was launched by the Abertzale Left at the end of the 1970s, the main objective was to try to achieve a negotiated solution to the conflict. Once the third attempt failed in 2006/2007, a nascent paradigm shift started in the political movement which in the end crystallised into a new strategy to pursue the same goal of self-determination, something that Arnaldo Otegi, a key member of the Abertzale Left in those years and one of the main promoters of the new strategy, defined as “*changing the course of our ship*” (Otegi and Munarriz 2012, 106).

Mr. Rodriguez Zapatero, candidate of the Spanish Socialist Party (PSOE) was victorious in the Spanish general elections in March 2004. On March 11<sup>th</sup>, a few days before the election, bombings by Islamist extremists happened in Madrid. The Spanish Conservative Popular Party (PP) – through government officials – tried immediately and, without any substantial evidence, to blame the Basque armed group ETA. This accusation quickly backfired as it was correctly seen as a cynical attempt to manipulate public opinion. Rodriguez Zapatero’s victory opened new possibilities for a negotiated solution to the Basque conflict. Since 2001, the leadership of the banned Basque pro-independence party Batasuna had kept a secret channel of contact with representatives of the Basque branch of the Spanish Socialist party (PSOE), more specifically, with its President, Jesus Eguiguren. Arnaldo Otegi and Jesus Eguiguren were able to create a space for confidentiality and trust between them, which was kept even in the hardest moments of the conflict, such as the banning of the pro-independence political party Batasuna, arrests, killings etc. During those years they were able to agree on the political nature of the conflict and the need to set up a conflict resolution process (Eguiguren 2011, 23). This process was very much based on the Hume/Adams<sup>7</sup> confidential dialogue process in the North of Ireland as Arnaldo Otegi himself has recognised (Otegi and Munarriz 2012, 15). Both Otegi and Eguiguren had a deep knowledge of the Irish process. Arnaldo Otegi had met several times with Gerry Adams and other Sinn Fein leaders like Martin McGuinness, and Alex Maskey (ibid., 25). In 1998, Herri Batasuna organised the so-called Irish Forum where all parties as well as unions within the Basque Country were invited to analyse the Irish process (Martinez 1998). At the same time, Hume’s Social Democratic and Labour Party (SDLP) had long term contacts with the PSOE, and Eguiguren was well aware of the role Hume played in Ireland. Father Alec Reid, the ‘Sagart’ (‘Priest’ in Irish language), who also played a key role in the Hume/Adams process, got involved in the Basque process and engaged many times with Jesus Eguiguren, Arnaldo Otegi or Rafa Diez amongst others since the end of the 1990s.<sup>8</sup>

This bilateral contact, and the intermediation of an international peace centre based in Switzerland, which worked with the backing of the Swiss and Norwegian Governments, called the Henry Dunant Centre at that stage and later known as Humanitarian Dialogue Centre (HDC), made possible the rapid opening of a secret channel. This led to a secret dialogue process between ETA representatives and the Spanish Government, represented by Jesus Eguiguren, who was appointed by Zapatero as his Government interlocutor with ETA (Whitfield 2014, 147). It was the director of the

---

<sup>6</sup> For more information on KAS alternative, see [https://es.wikipedia.org/wiki/Alternativa\\_KAS](https://es.wikipedia.org/wiki/Alternativa_KAS).

<sup>7</sup> Gerry Adams was President of Sinn Fein and John Hume leader of the SDLP.

<sup>8</sup> Author interview with Rufi Etxeberria.

Basque American diaspora centre at the University of Reno, Nevada, William Douglass, who helped HDC contact ETA (Elustondo 2012, 307). The Abertzale Left movement had been in contact with Swiss representatives in previous years and always showed its interest in Swiss involvement (ibid.).

This process of secret talks led to a permanent ceasefire declaration by ETA on March 22, 2006, which was based on a secret agreement between ETA and the Spanish Government in the talks that took place in Geneva and Oslo facilitated by HD (Egaña 2018, 19). The ceasefire statement was unilateral as the character of the talks was completely secret. The main reason for the secrecy of the talks and the unilateral character of the statement was due to the open opposition of the PP, Spanish right-wing media as well as terrorist victim groups within Spain to any kind of dialogue, a constant element during the whole process that has repeatedly had a very negative impact on peace strategy development. Since the end of the 1990s Spanish terrorist victim associations have become more and more powerful in driving and influencing media and political discourse, and have represented quite strong political views and agendas linked to those of the extreme faction of the Conservative PP.

This talks model was essentially based on the proposal made public by Batasuna on November 14<sup>th</sup>, 2004, called 'Now the People Now the Peace', where a clear two-track process was proposed: a political track where political parties would discuss the political future of the Basque Country, and a technical track where issues related to the so-called 'consequences of the conflict', meaning arms, prisoners and victims' recognition, would be discussed among ETA and Spanish Government representatives (Aiertza and Zabalo 2010). This secret agreement included some points related to measures that would be taken by the Spanish Government in the aftermath of the ceasefire like tangibly reducing police pressure and presence, the de facto unbanning of the Abertzale Left, the ending of Spanish police and military detentions and publicly stating in Congress that the Spanish Government would respect the decision that Basque citizens could freely make about their future (Aiertza and Zabalo 2010).

This last statement by the Spanish Government also shows the influence of the Irish process, and it was seen as something similar to the Downing Street Declaration. In this Declaration, the British government pledged no selfish or strategic interest in the North of Ireland and stated that it would respect the willingness of the people of 'Northern Ireland' to decide their own future.<sup>9</sup>

As soon as the permanent ceasefire was made public, difficulties started and soon a sense of crisis was clear on both sides. Both parties – ETA and the Spanish government – blamed each other for not fulfilling their commitments. The commission to study and analyse the ceasefire, which was part of the agreement, never worked. The character of secrecy made it difficult to address those issues (Aiertza and Zabalo 2010). The still banned Batasuna leadership tried to push the process forward by opening a secret dialogue about the future of the Basque Country with the PNV and the PSOE (Murua 2010, 174). Talks were held at the Jesuits' Loyola Sanctuary and the objective was to achieve a political agreement which would encourage some progress on the other track between ETA and the Spanish Government. This was not enough, and at the last moment the Abertzale Left was not able to agree with the other parties on a common position, mainly due to internally diverse positions on the document, especially between the banned Batasuna leadership and ETA. On December 30<sup>th</sup> 2006, the process collapsed with ETA bombing Barajas airport in Madrid (Murua 2010, 211).

The process was derailed. However, in May the following year there was a last attempt to rebuild it through two simultaneous negotiation tables. At the one table sat ETA and Government representatives and at the other one banned Batasuna and Spanish socialist party representatives. It did not work out as Spanish and ETA representatives were unable to reach an agreement. A possible roadmap drafted by one of the Spanish delegation members, Jesus Egiguren, was accepted by members of the proscribed Batasuna party with some small changes, something which the ETA

---

<sup>9</sup> For more information on the Downing street Declaration, see [https://en.wikipedia.org/wiki/Downing\\_Street\\_Declaration](https://en.wikipedia.org/wiki/Downing_Street_Declaration)

delegation also agreed to, but this was rejected by the Spanish Government. The ceasefire was over and the process, therefore, was completely dead. Violence returned to the streets. Just a few days after the talks' collapse, Arnaldo Otegi was sent to prison, dozens of Abertzale Left members were arrested and ETA renewed attacks on Spanish police and military targets and on Basque Autonomous police barracks, law courts etc. Street rioting promoted by Basque youth known as *kale borroka* using Molotov Cocktails or pipe bombs also intensified (Murua 2010, 212).

Arnaldo Otegi, in the book 'The Time of Lights', a written account of those years, remembers a moment during the trip back from Geneva with two other Abertzale Left members, as they were passing through Paris. One of them, Rofi Etxeberria, clearly stated that this model of bilateral negotiations between ETA and the Spanish Government, tried many times before, was dead.<sup>10</sup> This conversation, however, became the seed for future transformations (Otegi and Munarriz 2012, 73). It was the starting point of an internal strategic thinking process. ETA itself recognises that even they made tactical mistakes during the process; the problem was in the model itself. According to ETA, the State was simply not prepared to enter into a conflict resolution process with such characteristics (Soto 2008, 30).

---

<sup>10</sup> In 1987 a process of dialogue between ETA and Spanish Government was held in Algeria, and in 1998 exploratory talks took place in Geneva (see Aiertza and Zabalo 2009).

### 3. Internal debate after the end of the 2006-7 process and unilateralism as a lever

After the collapse of the peace process, there were difficult times for the Abertzale Left. The Spanish Government made good on the threats it had made during the last talks in Geneva: If ETA went back to violence, hundreds of Abertzale Left sympathisers and members would be arrested (Eguiguren 2011). ETA also threatened that armed actions and killings would resume, something that unfortunately became a reality.<sup>11</sup> Consequently, Arnaldo Otegi found himself in jail days after the end of the talks, as well as other important members of the banned Batasuna leadership. In different security operations, the Spanish Government arrested the political leaders of Batasuna, and kept the ban of political organisations in place. At the same time ETA continued with its violent activity and Spain conducted police operations both in Spain and France, arresting several ETA members.

The broad Abertzale Left movement suffered a lot of disorientation from the end of the peace process as there were different interpretations as to the exact reasons for its ending. As Arnaldo Otegi recognises, they “*got out of the peace process without an alternative strategy, without a political scheme and with absolutely contradictory views about what had happened and how to act in the future*” (Otegi and Munarriz 2012, 93). The Abertzale Left was making a huge effort to confront repression but with weakened structures. On the other hand, it was widening the gap with its social base as well as its militants, by projecting a lack of ideological and strategic clarity and a sense of uncertainty.

It was clear that there were different views about how the previous peace process was handled, and that the movement had entered into that process without enough internal debate, clarification and feedback. As somebody pointed, “*while some wanted coffee some others wanted milk and the solution was white coffee, which at the end of the day wasn’t what either of the sides wanted*”.<sup>12</sup> We can say, with a degree of certainty, that there were three main schools of thought, with a lot of crossover between them. Some people understood that the time for ‘armed struggle’ was over and so the only way forward was to go through a peace process until the end, while gaining strength politically during and thanks to the process itself. Others considered ‘armed struggle’ as continuing to play a useful role, but the problem was that ETA went into the process in a weakened position, and thus needed to strengthen itself and prepare for a long confrontation. With a militarily stronger ETA, a fairer peace process could be initiated; therefore, they perceived its participation in the process as a mistake. Yet others believed in armed activity as a tool to push the peace process forward, and thought that it was still possible to use it as an instrument for adding pressure in the process. Hence they believed that after the collapse it would be possible, through the use of armed activity, to go back to the negotiation table in a stronger position in the short term.<sup>13</sup>

In ETA’s internal assembly after the collapse of the process the majority view was that there were not currently the conditions for a process of such characteristics and therefore a period of long armed confrontation lay ahead. The dominant logic was for the classic negotiation scheme.

---

<sup>11</sup> Apart from mortal attacks on Spanish officers, in March 2008 ETA assassinated in Arrasate village the former PSOE city councillor Mr. Isaiac Carrasco, just two days before the General Elections.

<sup>12</sup> Private conversation with the author.

<sup>13</sup> *ibid*

However, we cannot consider that this view was shared broadly by the Abertzale Left. Nevertheless, it was clear that after the end of the ceasefire, and as these new scenarios appeared, the broad Abertzale Left movement was in need of a process of clarification. A clear course for further progress had to be charted, as those different and incompatible views could no longer coexist. ‘White coffee’ was no longer an option,<sup>14</sup> and a clear decision on the way forward needed to be taken.

In this regard, Arnaldo Otegi is clear when he recognises that apart from the responsibilities of the Spanish Government in the collapse of the 2006/2007 peace process, there was also responsibility on the part of the Abertzale Left (Otegi and Munarriz 2012, 97). He considers that the responsibility of the Abertzale Left lies in conjunctural factors, while in the case of the Spanish Government the reasons were structural. There were two opposing views on the process within the broad Abertzale Left. According to one of these views, the process of dialogue should be understood as a transition from the politico-military strategy, which was over, to an agreement of minimum requirements, which could help reach their tactical and strategic objectives through peaceful ways and methods.

Therefore, according to this view the negotiation process was not a new conflict front that could act in tandem with other ones, such as the military front, or the political front. The armed front could not be switched on and off at any given time, depending on the interests of the conflict party. The negotiation was a new phase of the struggle itself with its own rules, applications, and obligations. Another faction, which according to Arnaldo Otegi was anchored in the 1987 Algeria dialogue attempt,<sup>15</sup> was of the view that violence was still a fundamental instrument for achieving a democratic framework and so could not be removed while the Spanish state did not guarantee the right to self-determination (Otegi and Munarriz 2012, 98).

For Arnaldo Otegi and others, this position was completely out of tune with a realistic analysis of the reality both in the Basque Country and internationally. Internationally, in the words of Otegi “*Latin America was demonstrating that transformations were possible through broad popular majorities as in Uruguay, Bolivia, and Brazil etc*” (ibid., 101). The FARC in Colombia represented the only exception. Arnaldo Otegi, however, stated in an interview (conducted while he was in jail) that he was sure they would shift the dynamic towards a negotiated solution, which, in the end, materialised with the Havana peace accord (ibid., 100).

In Europe, movements like the one in Scotland and, at that time, the emerging process in Catalonia were also showing, according to Otegi, that it was possible to bring about change through the creation of broad strategic alliances and majorities. Arnaldo Otegi considered that the mistake lay in the absence of a clarification debate previously to the peace process (ibid.). One of the main difficulties for this proper debate, as Theresa Whitfield (2014, 314) states, was the lack of a stable leadership in the underground ETA movement structures and later also in Batasuna due to the constant arrests of the leadership after the ban was introduced.

This ongoing process of arresting the different leaders created in ETA a lack of continuity on the thinking and reflexion needed for any transformation. For example, the leaders of ETA involved in the development of the 1987 negotiation attempts were either deported after the collapse of the ceasefire, or were arrested in the years afterwards, and all their knowledge lost. Moreover, the leaders involved in the definition of the minimum requirements bases for the 2006/07 talks, and who had been leading the movement for a long time, were arrested before the start of the new talks, thus affecting the nascent process. At the same time, the process of banning and arresting the different national executives of Batasuna crippled leadership continuity, severely curtailing the capacity of the banned Batasuna structures to conduct internal debates and to properly reflect and analyse.

---

<sup>14</sup> ibid

<sup>15</sup> In 1987 a public dialogue process started in Algeria between ETA and Spanish representatives hosted by Algerian Government. See more in Aiertza and Zabalo (2009).

This will be shown to be one of the relevant differences with the Irish movement where, despite the conflict, the republican movement would be capable of maintaining a solid, consolidated and structured leadership with experience. In the Basque case, the transfer of knowledge and experience from one peace process attempt to another would suffer due to the cascade of arrests of military, social and political activists. As we will see, only the ability of some very relevant people to work in this context, allied with their perseverance and their capacity to convince, enabled the overcoming of these difficulties.

These different strands of thought could be found in the very different groups or organisations of the so-called broad Abertzale Left, from the armed group ETA, to the banned political party Batasuna, and to the Basque trade union LAB. Those different views could also be found in jails or in places where Basques were in exile.<sup>16</sup> But the strategic thinking about the need for clarity and the shift away from the long-used ‘politico-military’ strategy took place in a core group within the outlawed Batasuna party, centred around Arnaldo Otegi. During his jail term, he shared with other imprisoned colleagues and people from outside his views about the need for a new strategy, which was going to be defined as ‘An Effective Strategy’.

As we have said, the debate likely started developing internally from the middle of the 1990s but became inevitable after the collapse of the 2006 process (Otegi and Munarriz 2012, 85). If one looks at the document launched by ETA in 1996 ‘The Democratic Alternative’,<sup>17</sup> most ingredients for transformation were there. The problem lay in the inability of the Abertzale Left to deeply understand its meaning and consequences and to implement it. ‘The Democratic Alternative’ accepted that the debate and decision about the future of the Basque Country had to be decided by Basque society and that the only duty of ETA and the Spanish Government was to accept this. Consequently, the negotiation between ETA and the Spanish Government should only be technical and it was in the hands of the political actors to reach a consensus. From this it can be taken that the political conflict and its solution was being handed over to the Basque political actors.

At the same time, Arnaldo Otegi and others were working to prepare the bases of the broad movement for the debate, both inside and outside of jail. The outside Abertzale Left leadership at that time had shared a document which stated that there were no conditions for dialogue and a scenario change in the short term, as ETA’s assembly had defined (ibid., 95). This analysis considered that the Abertzale Left had to prepare for a long phase of confrontation to achieve a democratic scenario that recognised the Basque Country as a political subject and its right to decide its own future democratically. It was understood that this was a proposal for future generations of Basques (ibid. 91). A long war of attrition was proposed.

Arnaldo Otegi and other people were not of the same view. They considered, as Einstein had, that insanity was “*doing the same thing again and again and expecting different results*”. As he stated, his view was that the conditions for political change were there but the Abertzale Left was stuck in a politically, socially, ideologically and organisationally degenerative process. The official analysis and strategy for a long term confrontation was considered as suicide in political terms and was miles away from a realistic analysis of the country and the international arena (Otegi and Munarriz 2012, 91). Therefore, once he was released, Otegi started the process of dialogue with and within the grassroots, which was crucial for change. This involved discussing with different people, meeting and contacting different people to try to find a solid, broad, clearly defined consensus for the launching of a new process (Whitfield 2014, 203). His meetings included, on one hand, those with members of the outlawed party, with members of the unions, like the former Secretary General of the Basque trade union LAB, Rafa Diez Usobiaga, lawyers, former prisoners, etc. (Otegi and Munarriz 2012, 110). On the other hand, some media also reported that he was in contact with

---

<sup>16</sup> Author interview with Rufi Etxeberria.

<sup>17</sup> For more information on the Democratic Alternative, see [https://es.wikipedia.org/wiki/Alternativa\\_Democr%C3%A1tica](https://es.wikipedia.org/wiki/Alternativa_Democr%C3%A1tica)

people on the run. Police accused him of crossing the border and visiting the north of the Basque Country in the French state once he was later arrested (Whitfield 2014, 246).

He also met members of other nationalist parties like Eusko Alkartasuna (EA). Eusko Alkartasuna was a pro-independence party that had split from the Basque Nationalist Party (PNV), unhappy with the moderate nationalist position of the PNV but also opposed to violence.<sup>18</sup> He met also with members of ELA union, the largest union in the Basque Country, as well as other groups. Arnaldo Otegi and other members were trying to find a way where a shift from the politico-military strategy could open a scenario for new alliances and a joining of nationalist political and social organisations. The idea was to try to build an alternative effective strategy, and so this strategic thinking had to include other progressive pro-independence forces at some stage so that they too would and could be part of a new, shared approach to the resolution of the conflict.

He met also foreign actors, mainly South African and Irish, but also members of the HDC mediation centre that since the end of the process in Geneva kept a contact line with the Abertzale Left (Otegi and Munarriz 2012, 144). The objective was to find foreign support for this new strategy, and for it to be promoted.

Brian Currin was a lawyer from South Africa who had been involved in the anti-apartheid struggle and the liberation of prisoners in South Africa, and who had also been involved in the early release programme of Irish prisoners after the Good Friday Agreement. He was the President of the Early Release Commission in Ireland. Since 2003, the Abertzale Left had been in contact with him and during the 2006/07 talks he came to the Basque Country several times, together with former South African Government member Roelf Meyer (Otegi and Munarriz 2012, 144). He offered them his experience on issues like prisoner release and helped them on negotiation training through his contacts.

During the time that Arnaldo Otegi was in jail, Brian Currin maintained contact with the Abertzale Left and even wrote a discussion document in which he highlighted the relevance of the non-violent struggle of the United Democratic Front (UDF) at a time when the main political structures of the Abertzale movement were being outlawed (Egaña 2018, 23). The purpose of the document was to nurture and sustain internal debate. He also gave quite relevant public presentations and he was crystal clear to the grassroots, when he publicly stated in a conference in the town of Orereta, a stronghold of the Abertzale Left: *“I do not know if with a peaceful and democratic strategy you will achieve your objectives, but what I do know is that with the current one you will not achieve them ever”* (Whitfield 2014, 218).

Sinn Fein was also very active supporting the Abertzale Left internal debate and briefing about their own experience. SF delegates were present at the Geneva talks in 2006 and saw the collapse of the process. They knew about the relevance of internal procedures and debates. In that sense they kept in contact with the Abertzale Left and responded to the requests made by them. In this context, a delegation of SF led by Gerry Kelly came to the Basque Country to discuss with Arnaldo Otegi and other leaders of the movement, explaining and outlining their own experiences of the process.<sup>19</sup> One of the relevant points stressed during those talks was the idea of ‘creating momentum’ in the Irish process and the need sometimes to act on your own by creating new dynamics through it. This would have its relevance in the development of the idea of unilateral steps and strategy.

The HDC also kept its contact with the different groups including those political actors of the Abertzale Left. In that sense they could see the development of the internal thinking and nurture it. Arnaldo Otegi was able to meet discreetly with a delegation of HDC in the Basque Country,

---

<sup>18</sup> For more information on Eusko Alkartasuna, see [www.euskoalkartasuna.eus](http://www.euskoalkartasuna.eus)

<sup>19</sup> Author interview with Rofi Etxeberria

including Martin Griffith, at that time its Director, where he presented them with his viewpoint and encouraged them to stay in contact with the Abertzale Left.<sup>20</sup>

All those contacts and connexions helped to build up a new strategy focused on internal actors on the one hand (parties, unions and civil society of the Basque Country) and foreign ones on the other (long-term friendly movements as well as previously involved mediation organisations and states) (Whitfield 2014, 207). Arnaldo Otegi defined this in a simple way by expressing his idea that the new process should be built with Basque actors and with the support of the international community (Otegi and Munarriz 2012, 137). The activity of the Abertzale Left had to be directed at them. A new strategy was emerging.

All these engagements and reflexions would lead to the opening of a proper debate in the Abertzale Left, a debate of strategic character which would have to include the role of armed struggle or violence. This encountered some opposition as some people considered that the ‘armed struggle’ should only be discussed by ETA. Arnaldo Otegi’s and others’ view was that even if that was true, there was a need within the Abertzale Left to discuss its position regarding the politico-military strategy.<sup>21</sup> This debate first developed among around 300 people and gave birth to a document called ‘Argitzen’ or “*Clarifying the political phase and strategy*” which was drafted to be presented for consultation by the grassroots of the different organisations of the Abertzale Left (Aiertza and Zabalo 2009). ETA itself recognised that the Abertzale Left debate had caused great stir in some sections of the movement as it was the first time that ETA’s armed activities’ legitimacy was debated without them having a leading, exclusive voice (Soto 2018, 33). By that time, ETA had overcome the thesis of a long armed confrontation, but still considered that certain guarantees and pre-conditions were needed before the launching of any new process (ibid., 31).

According to this document, the Abertzale Left did not understand and internalised “*the fact that we are now making specific political changes which compel us to make some changes to our way of thinking*”. The Abertzale Left was, according to this analysis, “*in the political phase in which we must achieve a political change and reach a democratic framework*” and as such “*there are necessary conditions to generate a strategic accumulation of forces*” and “*necessary conditions exist to take a step in the liberation process and to open a new cycle, although this implies the necessity of adapting the political and organisational tools... The national liberation struggle has reached a phase of concretisation, and it would be an enormous lack of responsibility not face it in an adequate manner*” (Soto 2018, 31).

It was not the only document to be presented at the debate. ‘Mugarri’ was a document in support of a strategy where the armed activity still had a place or role to play. According to ‘Mugarri’ it was possible in general terms, to pursue the strategy of engagement of broader forces without renouncing violence. This was impossible for those who were supporting ‘Argitzen’ (Otegi and Munarriz 2012). In their opinion, the strategy had to make it clear that there was no room for ‘white coffee’. Cohesion had to be based on a clear strategy, not on ambiguity.

The day that the ‘Argitzen’ document was going to be shared with the grassroots, on October 13, 2009, Arnaldo Otegi and other members of the Abertzale Left had met up in the Basque trade union LAB headquarters. Arnaldo Otegi was having a conversation with recently released Batasuna member Rofi Etxeberria to update him on the discussions. That day, in a Spanish police operation ordered by the special ‘Audiencia Nacional’ National Court Judge Mr. Baltasar Garzon, police raided the trade union headquarters and proceeded to the arrest of eight people, including Arnaldo Otegi and Rofi Diez. Three of them would be released, one of them being Rofi Etxeberria. The other five would be accused of trying to reconstruct the outlawed Batasuna through a body called Bateragune under instructions of ETA and in order to carry out its politico-military strategy (Whitfield 2014, 246).

---

<sup>20</sup> ibid.

<sup>21</sup> ibid.

The Home Affairs Minister had stated that no one could engage in politics and violence at the same time. Mr Rubalcaba, the Home Affairs Minister, had been sending constant messages in recent times even if he was aware of the internal debate within the Abertzale Left. He was publicly stating that the Abertzale Left movement had to decide between “*bombs or votes*” (El Diaro Vasco 2010). One can also see here a throw-back to Ireland where for a long time the Republican movement had supported the strategy of the ‘armalite and the ballot box’, enabling the ongoing armed activity of the IRA and the legal political activity of Sinn Fein. This had also been the case for a long time in the Basque Country, with Batasuna (previously Herri Batasuna) on the one hand and ETA on the other. The banning of Batasuna in 2003 ended this situation and the public position of the Spanish Government was “*no more legal political activity for the Abertzale Left until the end of ETA’s violence*” (Whitfield 2014, 246). From then on, the Abertzale Left could not stand for elections or perform any public legal activity until ETA’s violence was over. Arnaldo Otegi and Rafa Diez would be sentenced to 10 years of imprisonment and the other three members to 8 years, being accused of belonging to a terrorist organisation. On May 2012, the Supreme Court reduced the sentence to 6 years and a half of imprisonment, a sentence they served in full. On November 2018, the European Court of Human Rights (ECHR) condemned Spain on this case, considering Mr. Otegi and others did not have a fair trial (ECHR 2018). It was the second time Europe would condemn Spain for sending Mr. Otegi to jail, the previous one being in 2011 (Vorhoof 2011).

There are different views about the reasons why the Spanish police carried out this operation. According to some sources, it was due to a lack of intelligence or lack of understanding of this intelligence from the government side – apart from those who believed the government was right in doing this and that the new internal debate within the Abertzale Left was a ‘false flag’ operation. For Arnaldo Otegi, there was another reason, mainly the interest of the Spanish government in promoting a split in the Abertzale Left (Otegi and Munarriz 2012, 96).

According to him, in 2008, during his efforts to open the new strategy, the Spanish Government had been developing a vast operation of intelligence to sabotage the strategic considerations of the Abertzale Left. He mentions that at the international level there were attempts to stop the Abertzale Left voice from being heard; diplomatic messages were sent that ETA would never accept this evolution. He mentions, as proof, the alleged and often cited ETA letter to Brian Currin asking him not to keep engaging (ibid, 96). According to several sources it was a false letter (Gara 2011).

At the same time, the Home Affairs Minister had several meetings with other Basque parties giving the message that what Arnaldo Otegi and others were transmitting was just smoke. He explained that Spain had decided to stop this process and that there were two previous attempts to arrest him. The main objective in stopping this process would be that the Abertzale Left would implode: the maintaining of armed actions would cause a split both in the Basque Country and in jails where there had also been a debate about the future of armed struggle. For Arnaldo Otegi, the Spanish Government was encouraging a split because they knew at this stage of the debate that ETA’s leadership were having and the position of Otegi and others were antagonistic in political terms at that particular moment (ibid).

The objective of those believing in change was to convince the majority. As they were reaching that objective, and thus ensuring there would be an ordered development and not a split, the Spanish government tried to sabotage it. For Otegi, “*The Home Affairs Minister when he was saying ‘bombs or votes’, what he really was saying was, ‘neither votes nor bombs’*” (ibid).

So, why would a Government not be interested in the end of violence? According to the Abertzale Left, they were interested in stopping any evolution towards scenarios that could be more favourable to pro-independence forces, and not merely ending violence. In other words, they were

looking for a complete defeat not only of armed expression but of all political expressions of the pro-independence project.<sup>22</sup>

It seems that part of the security establishment of the Spanish Government was anticipating what one could call the Sri Lanka solution of a total defeat of ETA after the collapse of the last peace process. Indeed, the internal fracture and crisis within ETA (which apart from the strategic challenge promoted by Arnaldo Otegi and others was also suffering from internal feuds), and the successful police operations against them had badly weakened the armed group (Sordo Estella 2017, 339). The Spanish Intelligence and Military apparatus were also formulating a strategy for a complete shattering of the nascent political project of the Abertzale Left. They were fundamentally not interested in this shift, which according to them, could not only avoid the defeat of, but ensure the survival of a form of political expression within the broad Abertzale Left independence movement. This was also of great concern to the Abertzale Left which in its internal debates was highlighting the Tamil case as an example of how defeat was possible. This was a consideration articulated against some who held the perception that defeat was theoretically impossible: To simply resist was to win.

In his recent book *'La Derrota del Vencedor, la política antiterrorista del final de ETA'*, Spanish author Rogelio Alonso (2018) maintains this view. For sections of Spanish intelligence, a situation of complete political, social and institutional blockade of the Abertzale Left, and police operations against ETA, would inevitably bring about "*an integral defeat of the terrorist network*" (Alonso 2018). The supreme objective was then not the military defeat, but the political defeat of the Abertzale Left.

Nevertheless, it would be, and it was for the Spanish Government, a mistake to consider that complete defeat was a real option for Spain. It is true that ETA had been weakened during its last years but this had already happened in other moments of Basque history. Some data published at the end of the ETA's last internal debate process held between 2017 and 2018, put the figure of member participation as being between 2500 and 3000, with more than 1000 members in active service voting, this alone demonstrates that the desire for a complete defeat, even militarily, was impossible (Gara 2018). ETA itself recognises that during its last years they had difficulties in developing an effective armed struggle and that to undertake an armed struggle the way it had been done historically was more and more difficult. Yet, in terms of capability and resources they could have continued it for a long time. They considered that to develop an armed struggle as mere resistance was completely doable for them. Another question, however, is that this would have negated the creation of the new conditions needed to open new, distinct and original political scenarios (Soto 2018, 111).

The arrest of Otegi and others did not stop the internal debate of the Abertzale Left and subsequent events would demonstrate it. We will see the first movements or examples of unilateral gestures through clear statements and commitments which were made. In October 2009, months after the arrest of Arnaldo Otegi and others, the 'Altsasua Declaration' was launched to frame the parameters of internal debate, and after the process of discussion ended, 'Zutik Euskal Herria Resolution' was presented as the fruits of this debate (Aiertza and Zabalo 2009).

The 'Altsasua Declaration' was the first public expression of unilateral commitments, as it declared that the solution of the conflict should be found in the absence of any violence or internal interference and conducted under or in accordance with the 'Mitchell Principles'. The Mitchell Principles were defined in the Irish Process by the US Special Envoy George Mitchell to solve the frozen dialogue in Northern Ireland among parties at the start of their process. The key point of the principles was that parties in dialogue renounced the use or the threat of force during the dialogue

---

<sup>22</sup> Author interview with Rufi Etxeberria.

as well as at the end of it. The objective was to force or to shift the paradigm on possible outcomes of the dialogue.<sup>23</sup>

The commitment to the Mitchell principles by the Abertzale Left was a first step toward a disavowal of violence. Once again we can see the impact of the Irish process on the Basque case. The ‘Zutik Euskal Herria’ resolution would come at the end of an internal debate in which more than 7,000 members participated and which cemented the strategic change. It was the first time in its history that the broad nationalist left evaluated, debated and adopted a position on ETA’s armed struggle as was stressed by Rufi Etxeberria.<sup>24</sup> Historically, the Abertzale Left considered that they did not have a say on it, and that this was solely a matter for ETA.

Nevertheless, it would still take time for ETA to take unilateral steps in relation to the end of violence. ETA had informed the Abertzale Left that it required three things to move towards a non-violent path; “*political alliances of the Abertzale Left with other nationalist forces so that there was a broad political movement, mass support in terms of mobilisations and finally international involvement*” (Whitfield 2014, 220). These demands created, according to former Batasuna members, a classic ‘chicken and egg’ dilemma; as international support, alliances and mass support could only come with the assurance that ETA’s violence was over (Whitfield 2014, 220).

As we can see from the documents of debate and the main resolutions, the Abertzale Left understood that there was a need to unilaterally stop the violence. This would create a new environment acting as a ‘can opener’, so that bilateral and multilateral engagement could happen. Therefore, ETA had to stop violence; this would lead to a process of talks with the Spanish Government around the main issues related to the violent conflict, i.e. the issues of political prisoners and members in exile, disarmament, victims and dealing with past. This environment would also lead to the creation of a new political party that could guide and give expression to the aspirations of the Abertzale Left through alliances with other forces. It was the Irish concept of creating momentum. The ingredients were there but of course, they needed to be cooked; it would be the combination of foreign and Basque forces’ efforts which would lead to the creation of the proper environment for ETA to stop violence (ibid.).

In terms of foreign actors, the steps taken by the Abertzale Left were seen as needing support and encouragement. Brian Currin was one of the people aligned with the HDC. He and others had encouraged the Abertzale Left to pursue this path and in that sense they understood that ETA was also in need of a scenario to cease its activity. Subsequently, the Brussels Declaration promoted by Brian Currin, signed by important international figures and backed by the European Parliament Friendship Group with the Basque Peace Process, was released on the 29th of March, 2010. On the one hand, it insisted on and welcomed the steps taken by the Abertzale Left, while on the other hand, it called for a fully verifiable permanent ceasefire from ETA.

According to the signatories, such a declaration of ceasefire, if appropriately reciprocated by the Spanish Government, would permit new political and democratic efforts to advance, differences to be resolved, and lasting peace to be attained. Among signatories were people involved in several successful international peace processes, like John Hume, Desmond Tutu, President FW De Klerk, Mary Robinson and the Nelson Mandela Foundation (Whitfield 2014).

As was stated by Teresa Whitfield (2014), this offered ETA, when it chose to move, the possibility of doing so without appearing to cede to the demands from Madrid. This declaration also strengthened the Abertzale Left’s hand in its appeal to end violence, and it publicly called on ETA and on Spain to respond positively to the Brussels declaration.

The other approach was in the Basque Country. The Abertzale Left continued to strengthen its ties with other nationalist political parties with the objective of developing a political alternative

---

<sup>23</sup> For more information on the Mitchell principles, see [https://en.wikipedia.org/wiki/Mitchell\\_Principles](https://en.wikipedia.org/wiki/Mitchell_Principles).

<sup>24</sup> Author interview with Rufi Etxeberria.

to the armed struggle or violence, strong enough to make ETA consider the new strategy doable. In June, the Abertzale Left signed a strategic agreement with EA, a political party formed in the 1980s following a split from the PNV (Sordo Estella 2017, 348). An agreement was signed later with Alternativa, a split of the Spanish United Left party, and lastly with Aralar, a party resulting from a split from Batasuna itself.

Those efforts were not enough for ETA to respond positively to the Brussels declaration. In September, it issued a statement saying that it had called a halt to its offensive armed actions some months previously, in February 2010, and called on the Spanish Government to agree to the minimum democratic conditions necessary to embark on a democratic process (Whitfield 2014, 251). They also stated that they were ready to engage with the signatories of the Brussels declaration to discuss the steps required for a democratic process. The ETA leadership had not yet abandoned the idea of engaging with the Spanish government before any declaration of ceasefire. The Abertzale Left would have to keep creating the conditions for this to happen.

During that period, in late September, a wide range of pro-independence forces, including unions, requested, among other issues, that ETA declare a permanent, unilateral ceasefire that could be verifiable by the international community, as ‘an expression of its will to abandon its arms’. It was the ‘Gernika Declaration’. In November, Brian Currin announced the creation of an ‘International Contact Group’ formed by himself, former Interpol Director Mr. Raymond Kendall, former adviser to Israel Foreign Affairs Minister during Camp David Summit Shlomo Ben Ami, Professor Alberto Spektorosky, Professor Pierre Hazan, and a former member of European Committee for the Prevention of Torture Mrs. Silvia Casale, to advance and build on the Brussels Declaration with the objective being to assist political normalisation once ETA declared a permanent and verifiable ceasefire.

The other big concern was that an instrument was required to ‘verify’ the ceasefire, in line with the Brussels Declaration. Without the engagement of the Spanish Government in this period it was difficult to find a solution to this problem. At the same time, from previous ceasefires (when there were suggestions that ETA did not respect the undertaking), it was seen as crucial to have a verification mechanism in place. The Abertzale Left was in discussion with members of the ICG, HDC and others on how to find a solution to this situation. In this particular element, we can see also the influence of the International Commission on Decommissioning led by De Chastelain in Northern Ireland. Within the internal discussion, the idea of an informal verification body arose, and the so-called International Verification Commission (IVC), would be later, as we shall see, the outcome of all those debates.<sup>25</sup>

All these efforts brought ETA to declare a permanent, general, unilateral and internationally verifiable ceasefire in January 2009. The Abertzale Left, through a laborious and skilled strategy, had been able to move ETA to accept the unilateral step of declaring a permanent ceasefire. At the same time, it was involved in another vital challenge: its legalisation. The new strategy of the Abertzale Left could only work if it functioned legally. To forge new broad political alliances that would have an impact on the political arena, the Abertzale Left needed to recover its own legality. For that to be achieved unilaterally, without any agreement with the Spanish Government, the Abertzale Left would have to develop a strategy that would not leave any legal gap so that Spanish authorities could not be justified in banning it. This meant going through the very restrictive Spanish political parties law and jurisprudence regarding previously banned organisations. The new political party should avoid in its constitution any kind of ambiguity, rejecting clearly any (and specifically ETA’s) violence, openly and without ambiguity, scrupulously reflecting the jurisprudence of the Constitutional Court in relation to political parties’ proscription. It even included in its statutes the eviction from its ranks of those affiliated members who did not maintain its commitment to nonviolence (Whitfield 2014, 236).

---

<sup>25</sup> See [www.ivcom.org](http://www.ivcom.org).

For the Abertzale Left it was clear that the shift of strategy could not work if there was no political legal party to move it forward. According to the new Political Parties Law, which had made the banning of Batasuna possible, once a party had been banned, there was no way of making it legal again (Boletín Oficial del Estado 2002). A new one had to be formed. This new party could not have any reference in name or structure to the one previously banned. Not only that, but, according to Constitutional jurisprudence, if a new party was going to be organised by people linked or connected in any way to a previously banned one, the break with those previously banned had to be proved extensively. So in the case of the Abertzale Left, it was necessary to create a completely new party and explicitly break with violence not in a general sense, but with ETA's in particular. As ETA itself recognised in an interview, to have a legal tool was crucial for the Abertzale Left. The restricted legal process was necessary, even if that meant taking deep breaths and gritting teeth. It was a price to pay and had to be done. According to ETA, it had to be seen from a practical sense, without getting stuck on principles. As ETA's leadership recognised, they understood the step from a practical point of view. However, it created a lot of unrest amongst the rank and file of the movement (Soto 2018, 35).

This was another good example of a unilateral step being taken without waiting for a positive reciprocal response. Nevertheless, the Spanish Government opposed the legalisation of this new party and even the Supreme Court announced its support for the Government's position, voting 9 to 7 that Sortu was an *"unacceptable threat to Spanish democracy"* (Soto 2018, 35). In the end, in 2012, the Constitutional Court did not have any other option than that of accepting an appeal by Sortu (the name given to the new party) and recognising its legal character. It must be stated that this was albeit under the threat of a very real possibility of seeing any other decision revoked by the ECHR. Indeed, the lawyers in charge of writing the statutes had in mind the Spanish Supreme Court and Constitutional Court jurisprudence in the matter, as well as the ECHR jurisprudence.

At the same time, the Abertzale Left had to confront the scenario of local elections without a legalised party as the Sortu process of legalisation was still going on. This was an important test for the Abertzale Left's new strategy. Here the Abertzale Left was also capable of manoeuvring through the new alliances they were building with other political forces (as it was still banned) and so two parties, EA and Alternativa, promoted a coalition, called Bildu. Later, with the inclusion of another party, Aralar, the definitive name of the coalition would change to Euskal Herria Bildu or EHBildu, where individuals close to the Abertzale Left also stood as candidates. For that, the Abertzale Left had to find individuals vetted as 'clean' of any relationship with previously banned parties. This meant that around 40.000 people were considered contaminated because of their links with previously banned parties (Soto 2018, 35).

The Bildu coalition stood in 254 municipalities across the Southern Basque Country and of course was also challenged in Courts by the Spanish Government. Nevertheless, at the last moment, hours before the start of the campaign, the Constitutional Court ruled in favour of its legalisation 5 to 4. Although taken on legal ground, this decision was also a consequence of combined public statements and private pressures on Madrid from different actors. As Teresa Whitfield states, *"it is so hard not to see the move to legalise Bildu as representing both the outcome of a somewhat reluctant choice between two potentially destabilising situations and a significant gamble for the future"* (Whitfield 2014, 239). Bildu had spectacular results, winning 25,5 percent of the votes, and becoming the second largest political group with more elected officials than any other party. The coalition also gained control of the Provincial Government of Gipuzkoa and Donostia-San Sebastian City Council. It represented an extremely significant outcome in consolidating the strategic shift the Abertzale Left had taken.

All these steps were about creating enough momentum to move from unilateral steps towards a bilateral process with the Zapatero Government. In May 2011, although intelligence non-public reports from the Spanish Government were offering full reassurance on the validity of the ceasefire, the IVC was not yet formed, and it was time for international actors to attempt a new approach to Spanish Government to see if it was possible to open a channel of dialogue. In July, President of Government Zapatero received a message from ETA through the international

facilitators that it wanted to establish a road map with the Spanish Government to move ahead (Egaña 2018, 49). It was not the best moment: as a result of the international and internal economic crisis, Zapatero was forced to announce an early general election. Instead of May 2012, general elections would be held on the 20<sup>th</sup> of November 2011. However, the message and position of the Spanish Government was clear. They were requesting of ETA a declaration of “*an end of the armed campaign*” (ibid.).

This is one of the moments where one can see that unilateralism was not absolute, as behind the scenes ETA and the Abertzale Left were looking for dialogue and negotiation with the Spanish Government. But at the same time, it was clear for the Abertzale Left that the process could not simply move to a bilateral model. The reason was simple. Going to a bilateral model without any agreement meant that the unfulfilment of agreed conditions by the Spanish Government would bring stasis to the process. The high expectations and later frustrations among the grassroots if agreements were not fulfilled would lead to a rise in internal tensions. ETA recognised that unfulfilment of agreements from the Spanish Government was not something new and they knew it could happen. The big difference this time was that the answer to the Spanish Government breaking its commitments should be to strengthen the political activity and popular mobilisation (Soto 2018, 37).

The other question debated was whether it was worthwhile to open this channel with the Spanish Socialist Party Government at the end of its mandate, or if it was better to wait for the next Government which clearly would be a conservative one. The Abertzale Left considered that it was better to start the process with this Government so that it would be much more difficult for the next one to stop or destroy it. They considered it would be much harder to start one with the new PP government.<sup>26</sup> According to them it was better to launch the process now, as it would be more difficult to stop it once it was moving forward.

There were also other reasons as ETA stated. The decision to end the armed struggle had a strategical character and there was a need to go deeper into the new strategy. With a new PP Government, it was possible that they could find themselves in a more difficult position to do that as possibly the PP Government would impose repressive measures. There was also a need to push the deep transformations going on in the Basque society (Soto 2018, 39). There was definitely a need to create momentum.

---

<sup>26</sup> Author interview with Rufi Etxeberria.

## 4. The scenario that made possible the Aiete Conference and the end of armed activity by ETA

Banned Batasuna and ETA had maintained, through parallel channels, a direct contact with international agents since the collapse of the 2006/7 process. The channels of communication with HDC and others were kept open, while at the same time HDC members had a channel with the Socialist Government. This allowed the Spanish Government to be aware of internal progresses.

At this moment of the process, it was clear that according to the Abertzale Left, there should be some international engagement, so that a new scenario could be built before the arrival of the Conservative PP to Government. The idea was to create ‘facts on the ground’ so that it would be much more difficult for the conservative government to pull the process apart.

The Spanish Government’s position was clear: to advance the process, violence would have to end forever. A ceasefire was not enough. There should be an end to the armed campaign.<sup>27</sup> For the Abertzale Left it was also clear that the new strategy had to be peaceful and democratic, based on a new alliance of forces, other kinds of political activity like parliamentarianism and civil disobedience, and some kind of international support to consolidate this shift of strategy (Otegi and Munarriz 2012, 109). So, the end of the armed campaign was considered. Of course there were some issues that needed negotiation and bilateralism, like decommissioning, the issues of prisoners (more than 700 at that time) and people on the run. Historical experience also showed that to end conclusively with those issues, there was a need for a bilateral engagement (Whitfield 2014, 312). Banned Batasuna and ETA had made it clear that the political issue, that is the political makeup of the Basque Country, was something to be agreed upon by Basques themselves and then discussed with the Spanish Government but that was not a matter for ETA.<sup>28</sup>

The Abertzale Left started designing a process of two phases, starting with a negotiation between ETA and the Spanish Government about decommissioning, prisoners, on the runs, and victims (made possible by the end of ETA’s armed campaign). A second phase would be the democratic process or debate about the core political issue (Egaña 2018, 136).

Specifically, there was a need for ETA and the Spanish Government to commit to dealing with those issues. This was also generally understood by the international actors involved (Whitfield 2014, 312). The point was that this engagement was very difficult. On the one hand, due to the previous experience of the 2006/07 process and the pressure of the PP and various victims’ associations, the Spanish Government was not in a position to even begin dialogue because of the new elections. On the other hand, the definition of the process as bilateral with ‘quid pro quo’, ‘I do this, you do that’, could bring the Abertzale Left to a previous scenario where non-fulfilment of commitments from one side would bring back the blockade of the process. Any step would have to be seen as quid pro quo, and if one side was not giving, why should have the other side to give? The Abertzale Left’s experience was that this kind of process would not work, as it was very sceptical of

---

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

the Spanish government fulfilling commitments based on previous processes experience, and thought that this could cripple the process.<sup>29</sup>

These considerations resulted in a process of shuttle diplomacy facilitated by HDC between the Spanish Government and ETA, with the knowledge of the Abertzale Left, which led to the design of what Rofi Etxebarria called the “*resultant road map*” (Egaña 2018, 63; see Annex 2). This document outlined that there would be a choreography of steps which would include a big public event, namely, an international conference calling on ETA to end the armed campaign and also calling for a process of dialogue to be opened up with all the contributors to the conflict, to deal with the consequences of the conflict. The other steps included were confidence building measures such as leniency for seriously ill prisoners, the legalisation of the Abertzale Left (at that stage the legalisation process for Sortu was still going through courts) and the transfer of a delegation of ETA to Norway for negotiations. Moreover, after the international conference, the Spanish Government would allow a process of dialogue around the aforementioned issues of decommissioning, prisoners and victims with an ETA delegation in Norway. This ‘roadmap’ was known to very few actors and Spanish representatives would subsequently deny it even existed (ibid.).

Interestingly, Rogelio Alonso, in his newly released book, ‘*La victoria de los perdedores*’, mentions that such a kind of crafted choreography of steps had been proposed in 1998 by former US Senator George Mitchell to the then PP Home Affairs Minister Jaime Mayor Oreja who rejected any kind of dialogue and negotiation process (Alonso 2018).

The only event that was public was the ‘Aiete Conference’ in October 2011, an international conference for the resolution of the conflict, which would include very important international figures experienced in other peace processes like Kofi Annan, Gro Harlem Brundtland, Pierre Joxe, Bertie Ahern, Gerry Adams, and Tony Blair’s chief of Cabinet Jonathan Powell, the leading force of the conference.<sup>30</sup> As stated by Teresa Whitfield (2014, 256), it is impossible to think that such a group of personalities would arrive in the Basque Country without the knowledge and acceptance of the Spanish Government. The Spanish Government never recognised it and even powerful figures in the party opposed, boycotted, or simply ignored it. Clearly, this was part of a strategic game.

On the one hand, this conference allowed ETA to make the first step, as, first of all, the petition was not coming from Spain but from international figures. Therefore, ETA was not responding to Spanish Government demands but to international requirements. On the other hand, it was also seen as a unilateral step and not ‘quid pro quo’, so any unfulfilment by the Spanish Government would not damage ETA’s position. It was a sovereign decision; predicated on its own reflections and a positive response to requests made by international figures and by Basque society, which was very well represented at the conference. This was another step in the design of the concept of unilateralism as well as what Teresa Whitfield calls ‘virtual peacemaking’ (ibid.).

The dynamic, for the Abertzale Left, was that this new unilateral process would, in the end, work as a ‘can opener’, the beginning of what would end up being an inevitable bilateral process tackling difficult issues such as decommissioning, demobilisation, release of prisoners, the return of ‘on the runs’, the recognition of victims, and the reconciliation process. Those issues were still understood as needing both sides’ engagement and agreement.

Previously the International Contact Group (ICG) led by Brian Currin, along with HDC, worked tirelessly for the establishment of an independent international body for the verification of the cease fire as had been previously foreseen. It was not an official commission as the Spanish Government denied any need for that, arguing that verification would be done by state police forces, and so its character was soft and limited. Nevertheless, it gained the support of the vast majority of political parties, unions, civic organisations, the Church, the business community, as well as

---

<sup>29</sup> Ibid.

<sup>30</sup> For more information on the Aiete Conference, see [https://en.wikipedia.org/wiki/Donostia-San\\_Sebasti%C3%A1n\\_International\\_Peace\\_Conference](https://en.wikipedia.org/wiki/Donostia-San_Sebasti%C3%A1n_International_Peace_Conference)

regional institutions of the Basque Country. The IVC, at its launching on the 21<sup>st</sup> of September 2011, considered that there was “*an opportunity to definitively end the violence in Basque Country*”.<sup>31</sup>

The members of the IVC met in the Basque Country with a range of interlocutors: the Church, the business community, the Basque Nationalist Party, the Socialist Party of Euskadi and the pro-independence movement. Everybody they met agreed on one main point – the ceasefire had to continue. The commission requested the assistance of key elements of Basque society to verify the ceasefire, and to ensure that it was fully respected. The IVC also planned to develop links to authorities within the Basque Country and the Spanish Government. They achieved a link with the Basque autonomous government but not with the central government.

This showed that, even in scenarios of non-cooperation from one side, ways can be found to advance the process. The IVC was able to not be seen as a partisan instrument of the pro-independence movement or ETA. The background of the people involved, security and military, and being able to be accepted by a broad spectrum in Basque Country (the only party opposed to this was the PP), gave to the IVC the required recognition of impartiality. However, not being recognised by the central government limited its capacity to have an impact, politically, in Spain (Sordo Estella 2017, 347).

The creation of the Commission was basically left in the hands of an Amsterdam-based organisation, the Dialogue Advisory Group (DAG) led by Mr. Ram Manikkalingam. The Commission was formed by well-known and respected international figures connected with the military and security. Ronnie Kasrils (South Africa) was an ANC leading figure and former Vice Minister of Defence and Minister of Intelligence in South Africa. Raymond Kendall (United Kingdom) was a former Director of Interpol and member of the International Contact Group (months later he resigned, considering his work in both commissions to be incompatible). Mrs. Aracely Santana (Ecuador) was a former Deputy Special Representative of the United Nations Secretary-General for Nepal (2008) and former Deputy to the Secretary-General’s Special Adviser on Post-Conflict Planning for Libya (2011). Chris Maccabe (United Kingdom) was former Political Director of the Northern Ireland Office, and Ram Manikkalingam (Sri Lanka) was director of DAG and former advisor to the Sri Lankan President during peace talks with the LTTE. The team finally included General Lieutenant Satish Nambiar (India), Former Indian Deputy Chief of the Army Staff. The Coordinator of the IVC would be Fleur Ravensbergen from DAG. All members joined the IVC in their individual capacities and not as representatives of their respective governments. The idea was to draw on their collective experience in peace processes, law enforcement and military or intelligence services to do the verification job respectfully, and confidentially. Even at the start of a new process, they were committed to the task for the long run. They were confident that the Basque Country was moving towards a definitive end to violence.

The IVC was a strong, confident step that helped to consolidate the perception within Basque society that this process could be the definitive one. It also helped to mitigate the impact of messages that ‘securocrats’ kept on sending to political sectors and to the media about the lack of commitment of ETA to a definitive process.

Hence, by the end of Rodriguez Zapatero’s government, the landscape had altered completely. The Abertzale Left had developed its change of strategy and was able, through a complex process of internal debate and work, to engage with other Basque actors. Supported by international figures, they had moved the scenario of conflict to a new place, one where ETA had declared an end to its more than 50 years-old armed campaign. The key or the driving force of this transformation was a new strategy based on peaceful and democratic means and the need to act unilaterally to create new scenarios without waiting for the moment when there would be an agreement with a Spanish government. As Arnaldo Otegi declared, they were capable of shifting the paradigm without any split (Otegi and Munarriz 2012, 106).

---

<sup>31</sup> See <https://ivcom.org/en/launch-of-the-international-verification-commission/>

# 5. Deepening and expanding within the new paradigm

The arrival of the Popular Party to government and its rejection of any dialogue with ETA or Sortu about the consequences of the conflict was challenged with initiatives and proposals that would enable, even in this scenario, the process to move forward. There was going to be a broader understanding of unilateralism.

The defeat of the PSOE during the November 2011 elections and the arrival of the PP with an absolute majority changed the scenario created by the unilateral decision to end the armed campaign. The PP rejected any kind of dialogue with ETA on the consequences of the conflict (disarmament, demilitarisation, prisoners...) once in government: Updated by the previous government on the situation, including on the fact that a delegation of ETA was waiting in Oslo to be contacted, the reaction of the PP Government was to do nothing. Of course there was an ongoing shift on the Spanish political landscape.

The economic crisis was the main issue on the agenda, and at the same time, the ongoing unrest in Catalonia was creating another factor of instability within the Spanish state. Economic woes came accompanied by a profound institutional crisis. Public confidence in the Spanish institutions was shaken up by blatant politicisation, endemic corruption and incompetence at a moment when citizens were facing unprecedented economic unrest and austerity.

In Catalonia, after the frustration of the new statute of autonomy, approved by the Catalan Government and rejected substantially by the Constitutional Court, and coupled by Madrid's proposals for a new fiscal pact to address what a Catalan majority perceived as an unjust subsidy of the national budget, the demand for a referendum for self-determination increased with massive demonstrations in the street as well as a growing support for independence in the polls (Whitfield 2014, 267).

In this scenario, the HDC contacted the Spanish Government as did the Norwegian Government. As it had been previously brought to Mr. Zapatero, President of Government Rajoy was made aware of the presence of an ETA delegation in Norway authorised by Spain and waiting to start talks with Spanish representatives. The Spanish Government declined to send anybody, not even conveying any message. Prime Minister Rajoy's decision was to act as if nothing was happening. It took some time for the Abertzale Left to understand and deduce the Spanish Government position. International actors tried, for months, to break this situation and different attempts were made with this objective. At some stage it seemed that there was going to be a change in the Spanish Government's attitude as an (unnamed) international figure appointed by the Spanish Government went to visit the ETA delegation. Nevertheless, after the visit and when he returned from the visit, nothing happened (Egaña 2018, 95).

As we have previously stated, the Abertzale Left speculated, before the Aiete Conference, on the possible attitudes a new conservative government would take. There were three options: On the one hand, they would grasp the opportunity and engage in the process, on the other hand, they would oppose it, destroying everything that had been constructed, and the third option was to do nothing, leaving it to the Abertzale Left alone to carry the burden of the process. The PP Government did not take steps to reverse the political progress made in 2011 but under the pressure from very politicised victims organisations and the extreme right wing of the party led by Mr. Aznar and his hawks in intelligence and security, they simply rejected any kind of engagement.

Moreover, they demanded not only the total dissolution of ETA, but the surrender of its weaponry too, or face the full force of the law and police. This took place in the background context

of ETA having ended, unilaterally, a campaign of more than 50 years of armed struggle. According to the Director of the Spanish National Police, Ignacio Cosidó, a hardliner close to Mr. Aznar, the only objective was the ‘unconditional defeat’ of ETA and maintaining the police pressure in the state and abroad; police operations against ETA continued (Whitfield 2014, 271). There was a clear objective or thinking among the extreme right wing securocrats and intelligence sector of the deep Spanish state: the real goal was not ETA’s defeat but the destruction of the nationalist movement in general.

The PP Government was not able, or simply did not want to understand, that the landscape had changed. ETA had declared an end to its armed campaign and the Abertzale Left, in coalition with other forces, had become the second largest force in the Basque Country. In the General Elections to Spanish Congress and Senate of the 20<sup>th</sup> of November of 2011, the Abertzale Left had obtained 7 Deputies and 3 Senators, becoming the party with largest Basque representation in Madrid. The coalition was ruling dozens of city councils and the following spring Sortu would be legalised by the Constitutional Court. Registered on the 9<sup>th</sup> of February 2011, the Spanish General prosecutor demanded that Sortu not be accepted, and the Spanish Supreme Court followed this demand on the 23<sup>rd</sup> of March in a disputed vote, as 7 magistrates from 16 voted in favour of its legalisation while 9 voted against. In June 2012, the Constitutional Court changed the situation in another disputed vote of 6 to 5 and Sortu was legalised.

In a very politicised Court system some people saw the hand of the Spanish Socialist Party in the decision as it was one of the points agreed by the Zapatero Government in the so called “Resultant Road Map”. Despite all these changes in the Basque Country, Spain continued to respond with old recipes.

Faced with complete stasis from Spain, ETA changed its focus to France. Historically the position of ETA towards France had been one of non-confrontation. Even though, from a nationalist point of view part of the Basque Country is under French jurisdiction, and ETA’s ultimate goal was the independence of the seven provinces of the Basque Country, including the 3 provinces in the French state, ETA never considered France as an enemy to fight militarily against. Historically during Francoism, ETA members used to escape across the border and lived in ‘the north’. France granted them refugee status until the middle of the 1980s. Spanish integration in the European Economic Community and the deepening of relations among governments, especially after the arrival of the PSOE in the 1980s, would change the attitude of France towards ETA fugitives and a policy of arrest, deportation or extraditions started. Collaboration between the police forces continued and strengthened, and with the European common policy on policing and justice, these joint police operations resulted in the arrest of ETA members.

Consequently, more than 100 ETA members were serving sentences in French jails. Nevertheless, ETA continued to use French territory as a kind of rear-guard and most of the arms and munitions dumps were believed to be on French soil. ETA never changed its policy towards France and, except in a few cases of armed clashes when trying to escape from police operations, its policy was always a policy of non-confrontation.

In this scenario, ETA checked the possibility of engagement with the French government to deal with the issues of decommissioning and prisoners under French jurisdiction. The idea was to break with the isolation Madrid was promoting. In March 2013, in a statement, ETA called for a greater involvement by the French Government, having considered that a Government headed by F. Hollande might favour participation in the process. They also sent a private letter to him and made public that an ETA delegation had been appointed to enter in direct contact with the French Government. Nevertheless, those attempts failed and the French Government at that stage considered, through its Home Affairs Minister Mr. Valls, that the policy to pursue was complete alignment with the Spanish Government. Valls, himself of Catalan origin, is a strong advocate for Spanish policy in France, regarding both the Basque case and the Catalan case.

In this scenario, it was made public that an ETA delegation, after more than a year waiting for a government response, left Norway. At that stage, some Spanish media had made ETA’s

delegation presence in Oslo public. Information was leaked by Spanish Intelligence services to put pressure on the Norwegian Government. As it was clear that the Spanish Government wanted to sabotage their presence in Norway, the ETA delegation left, and went underground again (Egaña 2018, 94). As ETA itself recognised, they were not expelled by Norway, they left because there was no sense in keeping a delegation there once it was clear that there would not be any bilateral negotiations (Soto 2018, 40).

After October 2011, the Aiete Conference and the declaration of the end of the armed campaign, the situation was frozen, the Abertzale Left had lost momentum and there was a sense of crisis. There was no movement on ETA-Spanish Government dialogue, no movement on prisoners, and also a blockade on the recently formed Peace and Coexistence Commission of the newly elected Basque Parliament where EHBildu, the Basque pro-independence coalition, became the second largest party represented. The main reason for this blockade was the demand of other parties for EHBildu to accept what they called ‘the ethical ground’, namely, the recognition of ‘the injustice of the damage caused’ by the ‘terrorism of ETA’. Without that recognition the commission could not work. In some sense this was also a policy that unionist forces had tried with Sinn Fein when they demanded the so-called quarantine regarding its participation in institutions. This was the first signal of a new battle in Basque politics, the battle for the narrative of the conflict. The former Spanish Home Affairs minister Mr. Rubalcaba expressed his strong will to prevent the Abertzale Left from “*winning the peace*” (Whitfield 2014, 241).

The electoral results of the pro-independence coalition EHBildu were the main obstacle for the interpretation of the conflict, for those who always negated the existence of a conflict at all in the Basque Country. For the majority of Spanish forces, there was no political conflict in Basque Country but simply a terrorist group committing atrocities without any kind of political motivation. As Teresa Whitfield explains, she was told by Emilio Cassinello, a seasoned diplomat and Director of a Spanish foundation dedicated to conflict resolution and with experience in El Salvador, Guatemala, Colombia and the Middle East, that she “*had to understand*” that “*ETA was different. They were not insurgents or even just terrorists but barbarians of the worst kind who almost ruined our transition*” (Whitfield 2014, 9). For the moderate nationalist forces like PNV, even though there was a political conflict, there was no correlation between the political conflict and violence, or better said there was no necessary connection. The political conflict did not necessarily have to be violent; there was no justification for it.

Some forces were not and are not ready to accept that those different versions of the past have to learn to live together, as no one should be able to impose their interpretation over or above any other. The debate on this issue was and is as much about the past as about the future in terms of political relevance and prospection.

The great electoral success of the pro-independence Left after the end of ETA’s violence had sent off alarms within the other political parties. In a personal conversation with the author, Alex Maskey from Sinn Fein remarks that on a visit to the Basque Country at this time, he met with PNV members who expressed to him their concern that their party might meet the same fate as the SDLP, which had been eclipsed by Sinn Fein, as the Irish peace process developed.

The lack of movement on the issue of prisoners after the end of the armed campaign also gave oxygen to those sectors of the Abertzale Left opposed to or sceptical of the new strategy. At this time, a dissident group called ATA, *Amnistia Ta Askatasuna*, was formed. It was supported by some former prisoners and people disappointed with the new direction of the Abertzale Left. Despite being a small group focused just on public activity by demanding an amnesty of prisoners and also criticising the Abertzale Left’s new party Sortu’s strategy, it created unrest in parts of the rank and file of the movement as the absence of developments created more and more scepticism.

A new period of reflexion was needed and so all the Abertzale Left’s movement organisations – Sortu, the Basque Union LAB, and the youth movement, Ernai – went through a debate process to try to clarify the current scenario and to move forward. It was time for another turn of the screw in the strategic thinking of the movement. The debate was called ‘Abian’ and it would

basically serve to strengthen the need for unilateral steps and to focus on joining forces in Basque Country and abroad.

Strategic thinking was also broadening. At the same time, different social organisations, NGOs and peace movements promoted the so-called Basque Peace Social Forum, led mainly by the peace group Lokarri, later called the Basque Permanent Peace Social Forum. The objective of the forum was to advance and contribute with proposals and solutions to the different difficulties or challenges to the peace process. The first forum, organised together with the International Contact Group, invited relevant international experts in different areas, like disarmament, the release of prisoners, reconciliation and finally made a number of recommendations to be followed by the different actors involved, including ETA, Spanish Government, prisoners etc. It was a first step to try to build up a consensus among relevant actors about the challenges of the peace process.

At the same time, in the north of the Basque Country (in the French state), the initiative 'Bake Bidean' was started, which brought together the majority of the social and political forces of the region in favour of the peace process and the need for dialogue. Bake Bidean promoted the 'Bayonne Declaration' signed on October 24<sup>th</sup>, 2014, where the main stakeholders in the North demanded a process of dialogue between ETA and the French Government to deal with prisoners and disarmament, a process of truth and reconciliation with the support of governments as well as an institutional framework for the Basque region in the context of a French decentralisation process. In that sense, one of the most unexpected consequences of the Aiete conference was the capacity of the politicians in the North, be they nationalist or French republicans, to engage in dialogue and agreement at a speed and level that was not possible in the South. One of the reasons that has been stressed is that in the North, violence did not have such a huge impact as in the South.<sup>32</sup>

The recommendations from the Social Forum (see Annex 5) included a myriad of points related to disarmament based on international experience, the early release of prisoners (which would have to include a recognition of the damage and hurt caused) as well as proposals for reconciliation. Through these recommendations, civil society had started proposing to the different political actors how a consensus could be reached on ways to advance shared and agreed positions in relation to those issues in the Basque Country.

The 'Abian process' stressed the validity of the new strategy but concluded that one of the mistakes was to divide the process in two phases, the first solving the consequences of the conflict and the second achieving political agreements in relation to the right to self-determination. For the Abertzale Left, it was clear that the Spanish Government was not interested in helping their political progress; it was solely interested in maintaining its veto of the process by not giving any answers to the questions the process raised, in creating internal contradictions and at the same time avoiding any political developments that could open a similar scenario to the one occurring in Catalonia.

The Spanish Government wanted to stop the Abertzale Left's political progress. "Abian" considered that Spain was not interested in helping a new democratic and peaceful movement in the Basque Country when facing a similar one in Catalonia. It preferred to keep the Abertzale Left movement focused on the need for disarmament, prisoners etc. So, it was crucial for the movement to advance on those areas without waiting for any agreement with the Spanish Government, despite the difficulties that this could create. This meant taking steps both in disarmament and in the area of prisoners. Essentially, the Abertzale Left concluded that the process was not in the interests of the Spanish Government and consequently that it was interested in not letting it advance: What it was looking for was a model for complete surrender instead.

The Catalan process, and the same Spanish attitude of complete negation of dialogue with Catalan forces from Spain, highlighted and supported this analysis. According to Arnaldo Otegi, the main problem was that the central Spanish government had no political ability to offer anything to Basque and Catalan forces and any dialogue was deemed akin to a national tragedy.

---

<sup>32</sup> See [www.bakebidea.com](http://www.bakebidea.com)

The Abertzale Left considered that it should not expect any engagement by any Spanish government and it had to do whatever it could to advance solutions that would address the consequences of the conflict with just the engagement of Basque organisations and civil society as well the international community.

ETA had been in contact with the IVC, discussing the possibility of developing its remit so that it could be transformed from a verification body of the ceasefire into a mechanism for the decommissioning of ETA's arms.

In this context, ETA and the IVC agreed in 2013 to proceed, as a first step, with the inventory of ETA's weaponry and a sealing of ETA's arms dumps which would put munitions beyond operational use: Another unilateral step aimed at securing the process as well as a response to the obstruction of the Spanish government. It was also a confidence building mechanism on ETA's unilateral commitment. This process of sealing dumps was not publicly explained for security reasons. This process could be understood to have been an initial positive step towards disarmament.

The IVC made public on the 21<sup>st</sup> of February 2014, in Bilbao, that a certain number of arms and ammunition were stocked and sealed, while images of ETA members and IVC members working were shown. This first step was criticised by several political actors and media and qualified as a propaganda event (Whitfield 2014, 293). *"ETA allowed the process to be filmed – something the IRA always refused – and broadcast on the BBC. The group made clear that it was taking this step unilaterally and unconditionally, and not in response to any promises from governments"* (ibid.). The reaction to this event in Spain was *"bizarre"* as *"members of the Commission were summoned to the country's anti-terrorist court to be questioned, and risked 'being charged with assisting a terrorist organisation'"* (ibid.).

The fact that this process was much more than a propaganda event was confirmed when David Plá, a member of ETA arrested after 2011, and appointed as spokesperson, said to the Gara newspaper that the process of sealing and inventory taking was going on despite the difficulties and more slowly than what they would have desired, due to the Spanish and French authorities (Egaña 2018, 109). This whole process helped to have a kind of control and knowledge of the arsenal in the hands of ETA by the IVC, before complete disarmament. The IVC being summoned to Spanish Courts had its consequences, as it made everything much more complicated, especially its activity (ibid.).

By contrast, in the case of the decommissioning of the Provisional IRA (PIRA) in the North of Ireland, as Jonathan Powell stated, the International Committee for Decommissioning had been given legal and legislative backing to make it possible for its observers to proceed and do their jobs (Powell 2014).

The process of inventory and sealing mechanisms without the involvement of the central government showed that despite all the difficulties, disarmament could be developed unilaterally even with small or no pro-active support from government. The process of sealing the dumps as a first step before disarmament demonstrates again the way the Basque process mirrored the Irish experience to reflect the Basque reality.

The Spanish and French authorities kept on arresting ETA members and especially those involved in the process of inventory and sealing, which could have had enormous consequences and shows the level of foolishness undertaken by the both governments on this issue. The fact that ETA was able to maintain the chain of command and the commitment of all its structures and members is something that has not been stressed, yet it should be. Decisions like getting rid of weaponry without control, perhaps selling to third parts or the mere decision to dump arms could have been options taken by ETA with less risk for its members.

As Plá stated (Gara 2015), ETA did not have a necessity to seal its arsenals nor even to disarm. According to him, arms could have stayed where they were but ETA was doing it for the good of the process; providing a solution to this particular problem. Additionally, those other options would have been worse for Spain, France and Europe itself in terms of security. A split in the

command structure could have taken place, as had happened in Ireland with the IRA splinter group of the Real IRA, and the subsequent Omagh bombing.

ETA clearly saw that there was a need for an orderly developed process of closure of its armed strategy and that this, at the same time, required a controlled process of disarmament. Only those not interested in a concise and concrete closure could not be interested in disarmament with these characteristics. This brings us back again to the battle among diverse narratives on the conflict which caused clashes in this process. On the one hand, there is the narrative of the state based on the defeat of ETA. Besides that, there is the narrative of the pro-independence movement that stresses the unilateral character of the process, its own, independent decision for a change in strategy, and as a consequence the impossibility to speak of defeat but only of a shift in strategy.

The involvement of civil society in the peace process is probably one of the most relevant lessons and innovations of the Basque case. As has been previously stated, the scenario of complete deadlock faced by the pro-independence movement and ETA after the new Spanish government rejected contacts with ETA in 2012-13, forced any advance of the process to be focused on the Basque Country itself, between Basque actors and the international community. As Otegi stated, the process had to be based on initiatives in the Basque Country, stressing again the relevance of unilateral steps. It is in this scenario that civil society took on a relevant role. This role was first initiated with the development of the Peace Social Forum as a space where discussions on how to move forward took place. Their recommendations, published after a series of conferences, where diverse experiences of relevant processes and actors were heard, helped to promote the idea of the need to advance the process by taking unilateral steps.<sup>33</sup> This work would develop later into a more detailed proposal which would basically stress the need for the IVC to be the driving force of the process but in liaison and connexion with primarily Basque institutions and civil society. Civil society also played a role of bridge-builder between the IVC, the Basque institutions and ETA in moments when there was a tense relationship between them.

However, the direct involvement of civil society members in the process of disarmament makes the Basque process an exceptional case. It was the real possibility of complete collapse of the process which forced civil society activists from the Northern Basque Country (in the French state) to engage with ETA and led ETA to respond to their proposal positively. The exchange of letters between these peace activists, who would later be called 'Artisans of Peace', and ETA are quite significant (Naiz 2016). This group included people like Mixel Berhokoirigoin, former President of the Farming Chamber of the Basque Country in the north, Jean Noel Etcheverry, active member of civil disobedience movements like Demo and Bizi, Mixel Bergouignan, Basque wine-producing entrepreneur, and Michel Tubiana, President of the French league of Human Rights, among others.

It was this involvement that was able to create such a momentum that forced the French Government to take a more reasonable position and which in turn pressured Spain into not blocking it. This group was also capable of developing a strong network of politicians, journalists, judges, etc. in Paris who lobbied the French Government on this matter. It is also true that ETA participated in a flexible manner by accepting that the process of disarmament be handled by civil society members with the insurance that it would not include acts that could be seen as humiliating by the armed group or as surrender.

From the letters exchanged between ETA and the Artisans for Peace, one can reach some relevant conclusions. Civil society members considered themselves to be intermediaries and proposed to ETA the transfer to civil society of the process of the arms destruction. They did not see themselves linked to ETA; their commitment was based solely on their support for peace, non-violence and democracy. They talked about transferring the political and technical responsibility of disarmament to civil society. ETA's response was also unequivocal: a commitment to going from taking the inventory and sealing dumps to full disarmament and its readiness to accept the

---

<sup>33</sup> See [www.forosocialpaz.org](http://www.forosocialpaz.org)

involvement of civil society in collaboration with the IVC and with the support of the Basque institutions. ETA only stressed one point and this was that any model adopted by civil society should avoid being seen within a context of winners and losers.

The commitment of this group (Artisans for Peace) was seen in December 2016 when they were arrested by French authorities as they were in the process of destroying 15% of ETA's arsenal. The intention was to destroy this number of arms and to then transfer them to French authorities to convince them of the need to proceed with a proper decommissioning. They were released on bail but the event created such a momentum in France that the need to solve the issue became clear. That same month, more than 600 French elected representatives demanded that their central Government involve itself in the peace process.<sup>34</sup> Prior to that, there had been quite a lot of lobbying work done in Paris which included, for example, the Humanitarian Conference for Peace in Basque Country in June 2016 in the French Assembly, where relevant figures like former French Home affairs Minister Pierre Joxe, or Marc Gentili, Honorary President of the Red Cross, participated together with international figures like Bertie Ahern and a relevant number of other French Senators and Deputies. In this scenario and after those arrests, contacts and lobby work with the French Government increased.

This new environment was crystallised on April 8th 2017, on what the Artisans for Peace called Disarmament Day. If we have a look at the choreography of the event we can see on the one hand, how arm dumps were under the control of civil society with dozens of people controlling them before French authorities arrived to take them. We can see that in those images any attempt at classifying the final disarmament as victory or surrender was avoided. A relevant point was the non-presence of any Spanish authority during those acts. The main act was the meeting hosted by local authorities in the Northern Basque Country, with the Mayor of Bayonne and President of the new Basque regional institution, Euskal Hirigune Elkargoa, the Association of Basque Municipalities in the Northern Basque Country, Mr. Rene Etchegaray, with the support of the Presidents of the Basque Autonomous Government and the Navarre Autonomous Government to the event. In the days before the 8th, the Basque and Navarre parliaments also passed resolutions of support. The Artisans of Peace passed the location and inventory of arms on to the IVC representatives and two foreign witnesses from the Church<sup>35</sup> participated as guarantors. Then the IVC contacted the French authorities to pass on the inventories and locations.

Clearly it can be seen how the arms control and decommission process was passed from ETA to Basque civil society, strengthening the narrative of ETA as being a group formed in the Basque Country and for the Basque Country. At the same time, this control would be later on handed over to an international body, the IVC, and not any Basque representative, which would in turn contact the French authorities. This last step only had an operational relevance, as everybody accepted that the IVC had neither the ability nor the legal status for proceeding with the destruction of the arms.

This final piece of choreography helped French authorities avoid being seen as talking or negotiating with so-called terrorists or allowing any violation of law. Spain would also be able to say they had not intervened in any way in the process. The Basque institutions could say they were informed and, moreover, had participated in the process. Finally, ETA declared they had not surrendered but decided to disarm unilaterally as a gesture to Basque society with a view of advancing the peace process in the Basque Country. Public reaction to the process saw the presence of thousands of people in Bayonne celebrating the event, which also demonstrated the disarmament had become something belonging to society itself. The Permanent Peace Social Forum would later present a work published by Berghof analysing this process of disarmament in the light of international guidelines (Basque Permanent Social Forum 2017).

---

<sup>34</sup> See <https://youtube/LaLwMXaGqgU>

<sup>35</sup> Archbishop of Bologna and founder of St. Egidio community, Mateo Zuppi, and Northern Ireland Methodist church Reverend Harold Good acted as witnesses.

After the disarmament, civil society organisations like the Basque Permanent Peace Forum stated that the next logical step in a singular DDR process was demobilisation. This process of demobilisation should include the dismantling of all ETA structures, a break in the chain of command and an end to any military character of the group.

The other relevant issue was going to be the issue of prisoners. There was a need to adequately highlight the issue and move actively on it. When ETA declared the end of the armed campaign, there were more than 700 Basque prisoners related to ETA or accused of being members of ETA or organisations banned for alleged links with ETA. Since the middle of the 1980s the Spanish Government had been applying to them the so-called ‘dispersal policy’ or the transfer of the prisoners connected to ETA to jails and prisons far away from the Basque Country. This policy even included having them in different parts of the same jail so that internal communication among them is limited.

This was a prison policy with clear anti-terrorist objectives. For the Spanish government, the objective was for prisoners to freely decide their own future without the imposition of the group while for the Abertzale Left movement it was an attempt at breaking the resistance spirit of the prisoners and the cohesion of the collective. Whatever the objective was, clearly it was and is a policy that affects the relatives of prisoners at least as much as the prisoners themselves. As they must make long trips to have limited visits with prisoners, this gave rise to anger and opposition not only from the rank and file of the Abertzale Left movement but from a broad spectrum of Basque society.

At the same time, ETA prisoners, because of accusations of links to a terrorist group, are kept in 1<sup>st</sup> category (top-security) imprisonment, with notable limitations in relation to living standards in jail, options for visits, study, etc. At the same time, the character of the Spanish penitentiary system means that in order to be able to have the opportunity for early release or staggered release, prisoners must have passed from first to second category, and then from second to third category. Historically, the policy of Basque prisoners has been first of all be part of a collective group, the so-called *Euskal Preso Politikoen Kolektiboa* (EPPK), the collective group of Basque prisoners, and acting in accordance with the decisions taken by the group with a spokesperson elected by the prisoners.

Similarly, there has been a policy of refusal to collaborate with prison institutions, which meant that prisoners systematically opposed their participation to any kind of jobs and activities while in prison, but also refused to ask for permissions or demand the transfer from 1<sup>st</sup> to 2<sup>nd</sup> category prisoners. The prisoners’ view as a collective was that prison was just another front where the struggle continued. Therefore, constant protest for better conditions, hunger strikes and an attitude of resistance towards the penitentiary system was the policy to follow as it was considered that the future of the prisoners would be conditioned to a negotiated settlement of the conflict between ETA and the Spanish Government. The unilateral character of the process would change all of this and the collective would go through an internal debate to find the ways of confronting the new scenario. This started to occur mainly after the possibility to negotiate between ETA and the Spanish Government vanished in Oslo.

The internal debate of prisoners would be very relevant as the outcome was that, rather than waiting for future developments, prisoners had to use all the legal options in their hands to bring about their release. The case was brought to the European Court of Human Rights where the Court sentenced in favour of Basque prisoners being imprisoned for longer time than they should have been (the so-called Parot Doctrine case), which had an effect on more than 50 long-term prisoners and was an example of the new policy (ECHR 2013). The decision to make use of all the mechanisms of the legal system to advance their release had been taken.<sup>36</sup> Consequently, sick

---

<sup>36</sup> On October 23<sup>rd</sup>, 2018, the ECHR also took a decision on a request by four Basque prisoners against the Spanish State. The Court considered that Spain violated art. 6.1 but not 5.1 and 7 of the ECHR.

prisoners would demand their release depending on their personal situation, and those on 1<sup>st</sup> category would demand to be transferred to 2<sup>nd</sup> category, etc. The decision also considered that the prisoners would have to develop their own individual process as the process for everyone would be different.

This did not mean renouncing the demand of being released early as a consequence of the end of the armed campaign and in terms of transitional justice, but it changed the strategy that the only option was to resist the situation and not to use legal opportunities that could arise. The Spanish Government has, however, opposed any changes and has rejected systematically the release of sick prisoners, as well as the changing of security status and the transfer of prisoners to jails closer to the Basque Country. The prisoners, however, have kept challenging these decisions and continue demanding what they consider to be their rights. They have had some successes up to now, like in the case of Ibon Iparragirre, a sick prisoner transferred to a hospital in the Basque Country, or more recently with a Court decision to accept the downgrading from first category to second category of another ETA prisoner. At the same time, as it has been said throughout the Basque Peace Social Forum, attempts to achieve broad consensus in the case of prisoners, which includes the recognition of the damage done to victims, has arisen, with the PP being the only one not ready to accept a compromise.

## 6. The last logical step: ETA's internal debate about its own future

After the debate about the strategic change, the decision by ETA to end its armed campaign, the closing of the Oslo dialogue attempt and the unilateral disarmament with support from Basque society and international involvement, the debate about ETA's future arose as a logic consequence.

Before its disarmament, ETA declared that it had dismantled all its military structures, holding only those related to decommissioning and leadership and, after the disarmament, declared that it was no longer an armed organisation. In this context, ETA promoted an internal consultation about its own future as a group or organisation. As stated in the last interview by ETA cadres, the question was about how a clandestine organisation could contribute to the needs of the pro-independence movement and process today (Gara 2018b). They considered their organisation was no longer relevant, as the strategy and model of struggle was now so different. So the debate was about what to do as a group to consolidate the new process. According to ETA itself, and for the first time in April 2015, an internal discussion document at leadership level launched the debate about its possible end. Unfortunately, the debate had to be postponed due to some arrests and detentions. On the 20<sup>th</sup> of September, however, on the Basque Soldiers' Commemoration Day (*Gudari Eguna*), ETA stated publicly that most of the journey of the organisation had been completed. Paradoxically, as ETA stated, it was the Spanish security services activity which had prolonged the decision-making process. At the same time, ETA made it clear that they had to move forward with it (Soto 2018, 13).

During an internal process that lasted more than a year, about 2,500-3,000 people were consulted, 1,335 of whom had the right to vote as active members. It was a deep consultative engagement which was extremely important to empower members to own the discussion, thus making the decisions more inclusive and binding (Gara 2018). The proposal made by the leadership was clear about concluding the organisation's historical cycle and function, and ending its journey. That was, the leadership felt, the best contribution to the new strategy. The outcome of the debate was clear: 93% of members voted in favour, with only 3% opposing and 4% abstaining. It is also very clear that the decision was absolute, as a proposal to keep a technical committee to deal with the pending consequences of the conflict (prisoners, those on the runs, etc.) was rejected. The decision had to be crystal clear, to exclude any doubts or misinterpretations.

Consequently, on the 3<sup>rd</sup> of May 2018, ETA released a final statement to the HDC in Geneva, including an audio recording by two historical figures of the organisation (Josu Urrutikoetxea and Marixol Iparragirre) which was authenticated by the Centre, declaring that "*following the ratification by its members of the proposal to conclude this organisation's historical cycle and function, its [ETA's] journey has ended. As a consequence of this decision:*

- *ETA has completely dismantled all of its structures.*
- *ETA has put an end to all its political activity. It will no longer express political positions, promote initiatives or interact with other actors.*
- *Former members of ETA will continue the struggle for a reunited, independent, socialist, Basque-speaking and non-patriarchal Basque Country, wherever they see fit, with the sense of responsibility and honesty they have always demonstrated."*

ETA considered that it was “*born at a time when the Basque Country was agonising, strangled by the claws of Francoism and assimilated by the Jacobin state*”, and that “*60 years later, thanks to all the work carried out in many spheres and to the struggle of many generations, the Basque nation is alive and wants to be the master of its own future.*”

ETA stated that it had no fear of a “*democratic scenario, and this is why it has made this historic decision, so that the process towards freedom and peace may continue on another path. This is a logical consequence, following the decision made in 2011 to put a definitive end to armed struggle.*”

Supporting the strategic thinking and change promoted by the Abertzale Left, it declared that “*from now on, the main challenge will be to build a process, as a people, based on the accumulation of forces, grassroots mobilisation and agreements among those with differing viewpoints, in order to overcome the consequences of the conflict and to address its political and historical root causes. A key part of this will be to bring into effect the right to decide, in order to achieve recognition of our nationhood. Left-wing pro-independence people will work for this to lead to the establishment of a Basque State*”. ETA considered they had made “*this, our last decision, in order to foster a new historical phase*”. The statement ended by declaring “*ETA was born from the people and now it dissolves back into the people.*” (See Annex 8)

The statement was sent to the HDC in Geneva as this Centre had been working closely during the last year with key stakeholders in the Basque Country to achieve a new scenario. It was also part of the strategy of ETA to clearly state in front of the international community its decision to bring an end to its activities.

Because of the unique character of the Basque case, with the process lacking any support from the Spanish side, to validate that this had happened to ETA, it had to be verified by the international community and by Basque society. The decision had to be clear, supported by the rank and file who had been properly and comprehensively consulted. There would be no doubts. In this sense, the deep and broad internal consultation had given ETA leadership a strong base and support to move forward. Nobody could say that they had not been consulted. The decision not to adopt any kind of technical committee helped to clarify this last decision.

On the 2<sup>nd</sup> of May, an internal communication which ETA had sent to several political and social organisations in the Basque Country explaining the internal process that had taken place and its outcome was made public (EITB 2018). This was also another instrument to provide some assurance of the decision to Basque society. The event organised by HDC, where several diplomatic representatives were invited, also had the objective of reinforcing this, as well as the decision of publicising the participation of historical figures of the organisation like Josu Urrutikoetxea and Marixol Iparragirre. All those steps and the statement itself ensured that there was no doubt about the decision. The demobilisation was complete. ETA had dissolved and would not transform into anything else. ETA members would continue the struggle for their political goals through political means and through legal political and social organisations currently existing.

This statement was welcomed by those who had attended the Aiete Conference. On the 4<sup>th</sup> of May, an ‘International event to advance in the resolution of the Basque Country’ was held in Camboles-Bains [Kambo], in the North Basque Country. It was promoted by the ICG, the Basque Permanent Social Forum, and Bake Bidean, and was supported by a broad spectrum of regional political representatives from the North Basque Country. A declaration was read by a group led once more by Jonathan Powell, along with other international figures from the Aiete Conference such as Gerry Adams, Bertie Ahern, Cuauhtemoc Cardenas and Michel Camdessus, and endorsed also by Pierre Joxe, Kofi Annan and Gro Harlem Brundtland.

The so-called Arnaga declaration issued by this group recognised “*the progress done since 2011 to achieve a just and lasting peace in the region*”. The group “*recognised and warmly welcomed the steps done by ETA since 2011 till its decision to end as a group*”.

The declaration stressed that some of the steps called for at Aiete had not yet been implemented, such as “*further dialogue between the group and the Spanish Government*”. However,

*“many other efforts for peace were made. Basque society, civic organisations, parties and institutions have played a role in moving peace forward.”* The Arnaga resolution also stressed that there were relevant issues that *“remain to be addressed, including prisoners and those still on the run, as well as continuing steps to fully normalise daily life and politics in the region. Most of all, a process of reconciliation lies ahead.”* The group expressed confidence that *“that the work of reconciliation in the Basque Country will succeed”* and that they *“stand ready to contribute should this be requested.”*

Finally, the signatories of Arnaga noted that *“building peace requires political dialogue among all the key actors.”* According to them, *“to resort to security measures and prison alone rarely proves successful. Peace is not a zero-sum game, but a matter of political consent where both sides agree to pursue their aims peacefully, politically and democratically.”* Emphasising the political nature of the conflict, they also expressed their *“hope that sooner rather than later, with the efforts of everybody, a comprehensive, just and lasting solution will be reached in the Basque Country.”* (See Annex 9)

Before its last statement, ETA also contributed to the process of reconciliation with a declaration in relation to its armed activity and its consequences. On the 8<sup>th</sup> of April 2018, ETA *“acknowledged the harm”* its *“armed activity”* had caused, stating that *“none of this should ever have taken place”* and *“it should not have continued as long as it had”*. ETA also expressed its commitment *“to overcome the consequences of the conflict once and for all, so that such events never happen again in the future.”*

In a historically unique statement they expressed *“respect to all the victims of ETA’s actions, in that they were harmed as a consequence of the conflict, whether they were killed, injured or harmed in any other way.”* *“We are truly sorry”*, they stated. They also recognised that *“through mistakes or as a consequence of mistaken decisions, ETA has also caused victims amongst people who had no direct part in the conflict, both in the Basque Country and elsewhere.”* For those cases they asked *“the forgiveness of these people and their relatives”*, recognising that *“these words will not cure that harm, nor will they make their hurt lesser. We say this with respect, with no wish to cause any further grief.”*

Finally, they talked about the need of reconciliation: *“Reconciliation is necessary to bring out the truth in a constructive way, to cure wounds and to build guarantees for such suffering not to happen again in the future. It is possible to build peace and achieve freedom in the Basque Country by finding a political solution to the conflict. The flames of Gernika will die down for good.”* (See Annex 10)

It was a historically unique and relevant statement that could help create or establish the needed space for a future reconciliation. Nowadays, with the issue of the conflict legacy so contentious in the Basque Country and Spain, we can consider that we are still at the beginning of another long journey. The statement had in that sense different replies. For quite a relevant group of people ETA had gone further than anything they could ever have expected. Others stressed the distinction made by ETA regarding those victims who they were asking forgiveness from, and considered it unfair to make such a distinction between innocent and legitimate victims.

Despite this statement by ETA taking such a huge step towards reconciliation, we cannot abstract it from the intense, emotive and painfully distinctive narratives about the past and its future consequences which persist so divisively and vividly in the country. We should also not forget that this statement on the pain that ETA had inflicted was completely unilateral. There has not been, at the time of writing, any statement by the Spanish Government nor from central or regional institutions, to recognise the harm caused by their actions during the years of conflict.

The end of ETA brought the issue of political prisoners back again to the forefront. The Permanent Social Forum in the Southern Basque Country and Bake Bidea in the North have kept working on this issue. In the North Basque Country, since July 2017, a group of politicians and civil society representatives led by Rene Echegaray, Mayor of Bayonne and President of the Basque Association of Municipalities (*Euskal Hirigune Elkargoa*), started engaging both with prisoners’ representatives in French jails, as well as with French Justice Ministry representatives, and *“an official working space”* was formed (Ubiria 2017). The end of ETA strengthened this work. An

outcome of this has been that French authorities have started transferring Basque prisoners to jails closer to the Basque Country (Iturribarría 2018).<sup>37</sup>

On the other hand, in the South the Permanent Social Forum has been promoting dialogue and consensus amongst parties in the Basque Country, with the exception of the PP, which has led to resolutions in favour of the release of sick prisoners and their transfer to jails in the Basque Country.<sup>38</sup>

Then on the 1<sup>st</sup> of June 2018, Spanish President Mariano Rajoy of the PP was removed by a no-confidence vote in the Spanish Parliament and Mr. Pedro Sanchez, Secretary General of the PSOE was appointed by the same Parliament as new President of Spain with the support of Podemos, the Catalan nationalist parties and the Basque parties PNV and EHBildu. Quickly, he announced the need to change the policy towards Basque prisoners and commented about initiating possible transfers of some prisoners to the Basque Country. The Abertzale Left has remained quite sceptical about the real consequences of this new attitude because of the weakness of this Government and the fractured political environment in the Spanish State. At the time of writing, no significant change has, as yet, taken place.

Nevertheless, the complete shift of the political landscape in the Basque Country, at least, can be seen in the agreement that the PNV and EHBildu have reached in the Self-Government Commission of the Basque Parliament about the bases for a new Statute for the Basque Country, which includes the recognition of Basque Country as a nation with a right to decide its own future. The strategic shift of the Abertzale Left, even if it has met many challenges and has not unfolded as fast and decisively as one could wish for, is finally producing some results.

In this new scenario the ICG announced on the 17<sup>th</sup> of October 2018, on the 7<sup>th</sup> anniversary of the Aiete International Conference for the Resolution of the Conflict in the Basque Country, that it had taken the decision to end its facilitation activity in the Basque Country, considering that a large part of its mandate was completed (Mediabask 2018).

---

<sup>37</sup> In July 2018, 20 of the 39 male ETA prisoners in France had been transferred to jails close to Basque Country. There were 11 females not transferred as there is no female jail close to Basque Country.

<sup>38</sup> Currently there are 232 Basque Prisoners in Spain and only 2 of them are located in 1 of the 4 jails based in the Basque Country. For more information, see [www.etxerat.eus](http://www.etxerat.eus).

# 7. Conclusions and lessons from the process

With the dissolution of ETA, not all issues have been resolved or have disappeared, including those that once had contributed to bringing the organisation into being. Moreover, the conflict transformation process itself is not yet completed. There are still important pending issues to be addressed. Although the number of prisoners has decreased dramatically since the declaration of the end of the armed campaign (right now the number of prisoners related to ETA is around 260), it remains a very contentious issue. Prisoners are still held in jails far away from the Basque Country and with no change in their prison conditions. Hence, this issue demonstrates the limitations of the so-called unilateral strategy as only engagement with the Spanish Government can solve it definitely. The Abertzale Left was conscious of this and has tried to achieve as much consensus as possible inside the Basque Country, so that through this consensus a change in the balance of forces can allow to demand a shift in policy from the Spanish Government. The new Spanish Government President Sanchez's comments and the timid steps taken in the last few months show the validity of the strategy despite its limitations. The same can be said of the more than 50 people allegedly 'on the run' (in countries outside of Spain or France) because of their links with ETA. Like in the North of Ireland, a solution to this issue of activists 'on the runs' is going to be difficult.

There is also the process of reconciliation, a very long and deep process that of course needs engagement and empathy. This also cannot be done unilaterally but requires multilateral and reciprocal involvements by all different actors and sectors of society. ETA with its statement, and Sortu and EHBildu through different initiatives at the local level, have shown their commitment to a reconciliation process, but a lot must still be done. There is still a hierarchical approach to victims of and contributors to the conflict by the Spanish state and media. A very relevant and contentious issue is also the narrative of how the conflict started and how it continued for so long. The ability to construct a truthful historical record that includes different views and opinions or at least respects them is going to be one of the biggest challenges for a conflict transformation of a meta-conflict that still has to be successfully resolved.

In the Basque context we are seeing the ending of a violent conflict, but not the end of the political one. There has been a transformation towards exclusively political unarmed expressions of the conflict, but the core issue of the future status of the Basque Country inside or outside the Spanish constitutional framework, and its possible accommodations, remains unresolved. And as recent events in Catalonia show us, while the issue of the status of the Basque Country remains unresolved, the political conflict will not disappear. In this sense, new steps for strategic thinking will be needed in the future. If the diverse Basque political parties want to move forward with a demand for the recognition of the Basque Country and the right to decide its own future, it will be necessary to find common grounds and positions between them. To this end, some steps have already been taken.

There is a Commission in the Basque Parliament discussing the basis for a reform of the legal dispensation of the Basque Autonomous Community. The agreement reached by the PNV and EHBildu on the bases for that new framework represents a positive sign. Strong strategic thinking will, however, be needed amongst the Basque parties that agree on the idea of Basque Country as a nation and its right to decide democratically and peacefully its own future. This crucial intra-Basque engagement on how to advance this goal must also take into account the position of Madrid regarding the recent developments in Catalonia. There will also be a need to try to attune the Catalan and Basque experiences, as, in the words of Arnaldo Otegi, we deal with the same challenges. The fact that violence is now out of the equation should make this harmonisation easier.

Finally, this conclusion ends with some key lessons to be learnt from the Basque case.

### ≡ **The question about the existence or not of an actual peace process**

The idea of a peace process is a contentious matter, mainly in Spain but also for some sections of Basque society. This is logical if we consider that the very idea of the Basque conflict is something contentious. If there is no armed Basque conflict, how can there be a Basque peace process? If there is no armed conflict, then there is no need for building peace and the question of ETA is only a security issue.

That said, if we take into account the definition of the Oxford dictionary of conflict as being “*a serious disagreement or argument, typically a protracted one or a serious incompatibility between two or more opinions, principles or interests*”, with the additional definition including “*a prolonged armed struggle and a state of mind in which a person experiences a clash of opposing feelings or needs*”,<sup>39</sup> it is clear that a Basque conflict related to the accommodation of the Basque population within or outside the Spanish constitutional framework has existed and continues to exist.

The other main objection to the existence of a peace process has been related to the idea that there have not been two sides working to achieve peace. Moreover, there simply cannot be a peace process as there has not been any involvement from the Spanish government in this process. Indeed, ETA has unilaterally decided to end its armed struggle without any response from the Spanish Government. We consider this conception to be quite limited because we could not then talk of any case of a peace process in any region if the state is not involved. In the case of the Basque Country we have seen the involvement of civil society in peace proposals and in peace developments such as disarmament. We have also witnessed the involvement of regional institutions, for example, in the verification of the ceasefire but also in areas like reconciliation, through the promotion of legislation in support of victims, reports about the application of torture, legislative initiatives, mobilisations, forums, congresses, international involvement and initiatives.

It is true to say that we are probably not facing a conventional peace process. Perhaps more than a peace process, to offer a better definition, what we are observing is conflict transformation where the contentious issue, the core issue related to *the existence of a Basque majority supportive of the right to self-determination that does not have any legal procedures to fulfil its aspirations* will keep on being a source for future discontentment, confusion and disorder, but without, at least for this generation, the violent expression which we have experienced in the Basque Country during the 20<sup>th</sup> century.

In this sense the Basque case can help bring about more creative ways of thinking about peace processes, not limiting them to formulaic conventional ways or methods, but understanding them as any means or ways that can help us to move from a scenario of violence to another one of relative peace, where those aiming to change the status quo try to do it by non-violent means.

### ≡ **The relevance of an internal transformative process through strategic thinking and the need for a capable leadership and strategy as key elements**

As Martha Crenshaw observed, “*decisive defeats as the way to find the end of an armed organisation military campaign are rare*” (Crenshaw 1991, 69-70). Audrey Kurth Cronin also stated that “*repression alone seldom ends terrorism*” (Cronin 2009, 8). Total defeat or disintegration is very rare and much more so in the case of armed groups with an ethno-nationalist background, clear goals and significant population support. Of course, cases like the LTTE in Sri Lanka show that the defeat of a military organisation (albeit not the end of the conflict) is possible, but we should consider this case as an exception rather than the rule. Of course repression and a military campaign can extremely weaken armed groups and this can lead armed groups to bringing an end to an armed campaign, but this is quite difficult to imagine if alternatives to the strategy are not put in place.

---

<sup>39</sup> [www.en.oxforddictionaries.com](http://www.en.oxforddictionaries.com)

The Basque case offers an example of the value of internal transformative processes inside armed groups to achieve an end to armed activity. In other words, the development of proper strategic thinking when any real prospect for a two-sided engagement is non-existent, because of a lack of willingness on one side, or because the conflict is so asymmetrical, can shift the paradigm. The Basque case is a very good example of a lack of possibility for advancing with the old formula for the Abertzale Left: The understanding that there was a need for a shift in the strategy was crucial to changing the scenario. It is fundamentally a tactical change in the field of the struggle, so that the new strategy offers more favourable outcomes for the aims and goals which never changed for the Abertzale Left. It is this strategic thinking, this self-reflection and the conclusions reached that there were better ways and means of achieving their objective which moved the Abertzale Left and ETA towards a new strategy.

As we have seen, it was the need to find an effective strategy to achieve the objectives which made the possible debate successful; a debate not focussed on seeing if a rejection of armed struggle was a surrender or a renunciation of principles. The capacity to engage with other relevant Basque political actors, like Eusko Alkartasuna, Aralar or Alternatiba, as well as with trade unions to try to assemble a new strategy that could be an alternative to the ongoing armed campaign was crucial. Keeping the same objectives of independence, as radical as they can be, and defining a new strategy to achieve them, made it possible to change the methods.

These considerations also underscore the need for capable leaders who are able to promote this debate, lead it and propose alternative substantive strategies. It was the capacity of people like Arnaldo Otegi, Rufi Etxeberria and Rafa Diez, among others, with a long history of engagement with the movement, that made this transition possible. Their historical background and the discipline they showed, for example during the 2006/07 process, when, despite their opposition to break down the peace process, they decided not to go home or split but to keep on engaging and trying to develop and transform things internally, was crucial to making change possible.

We also have to take into account that these leaders had a long internal experience on failed processes, and on possibilities and limits of the movement. Only this experience and internal knowledge allowed them not to fail again, and stopped them from repeating the same mistakes and errors by convincing the rank and file of a change of approach. As we have seen, this was a contentious issue within sections of the Abertzale Left which, because of constant arrests, suffered from a lack of experienced leadership.

This is possibly one of the big contrasts with the Irish case where for years the leadership of the Republicans remained unchanged, with figures like Gerry Adams and Martin McGuinness. In the Basque case, continuity of leadership was much more difficult, as people with long experience and capability were imprisoned and the formal leadership was in a state of constant flux and renewal. Only the commitments shown by some of them, despite being in jail many times, in overcoming adversities, and convincing the rank and file of the need for change to take place, made this change possible.

### **≡ The concept of unilateralism or creation of momentum, its possibilities and limits**

Probably one of the lessons from the Basque Case experience is the value of unilateral steps to create new momentums that make advancement possible again when progress is blocked. Unilateralism also means taking ownership and control of your side of the process and not staying static because the other side does not move forward with you. The decision of ETA at the very beginning of not calling a ceasefire until there was a bilateral agreement with the Spanish Government, in actual fact, meant that the key to advancement or not, to moving forward or not, would always be in the hands of the Spanish Government. In that regard, if the Spanish Government was not going to accept a bilateral ceasefire, there would be no change, so the option of change was in the hands of the Spanish Government. Unilateralism changed this and gave back, or better still, took back the initiative to the side which had decided to move: The strategy would be based on the analysis of the interests and gains on that part.

Brian Currin recognised this recently: *“When we realised that the Spanish Government would never participate, we had two options. One, there is nothing we can do, we move away. Two, what we did and said to the Abertzale Left, to Batasuna and through them to ETA: If you decide not to continue you are giving a veto capacity to the Spanish Government. But if you start giving an answer to diverse questions unilaterally, you will be responding in a counter-intuitive manner because nobody will expect it. And the answer or reply in a counter-intuitive manner is a non-contemplative way. And what you are doing then is taking the deck of cards and throwing it all into the air, and who knows how the game will be played! Nobody! But you will open the game, no doubt”* (Zubimendi 2018).

This idea of unilateralism also gives the opportunity to create new momentums that can force others to make some steps or change their positions, multilaterally or bilaterally. Of course unilateralism has its limits, as we have seen in the Basque Country. Disarmament was very difficult to conclude until the end without any kind of engagement, as it created risks and the possibility of ambiguous outcomes. But, as the case also shows, through unilateral steps, one can force, in the end, a response from the other side. Of course the issue of political prisoners is another example of the limitations; prisoners can unilaterally take as many steps as they want but the last decision for their release is going to be with the Central Government Penitentiary Administration and their Courts. Nevertheless, their actions can be conditioned by the other side.

### ≡ **The primordial role of civil society**

Civil society involvement in the Basque peace process is something that is important to underline. It was not so relevant in the previous peace attempts of the Algeria talks in 1987, the Lizarra Garazi process in 1998 or the Geneva/Oslo talks of 2007, when the scheme kept on being bilateral, and where the role of civil society was limited to mass support in favour of dialogue and peace but without any direct contribution to that process. The shift towards a unilateral scheme has opened spaces to the Basque civil society, affording it the opportunity of giving a response to the steps taken by the Abertzale Left. Empirically, the recommendations made by civil society through the Peace Social Forum in the areas of disarmament, prisoners, and dealing with the past were innovative as those areas were always considered as part of the negotiation space of both sides in the conflict: ETA and the Spanish Government. In the absence of this space civil society took responsibility and made proposals. Not only that, we have seen how they even took leadership in the process through activities such as the initiative by the Artisans of Peace that created the space for the complete disarmament of ETA. This direct engagement of civil society with ETA cannot be underestimated in terms of its importance.

Brian Currin stresses this as one of the main specificities of the Basque case. He considers that it *“offers a model and a lesson ... about how ordinary people can contribute firmly and directly during the critical elements of a process. One of the ghosts coming back in South Africa and also at some stage in Ireland is that in those processes a lot of progress was made at the highest level. You have these agreements with people like De Klerk, Mandela, leaders with vision and capacity to make concessions because they understood there were other legitimate visions and they committed to them, but ordinary people do not have this experience and when there is an agreement they celebrate it but they have not owned it, they do not feel it is theirs. In the Basque Country we have seen so many people committing to it, that it has broken our previous schemes. I arrived at the conclusion that in the long term this Basque model is more sustainable than others cooked secretly at the highest level”* (Zubimendi 2018).

### ≡ **The relevance of external engagement and support**

Additionally, the Basque case also shows the value of external support and engagement even if it is limited and restricted. The contact maintained by international actors even after the collapse of the 2006/2007 process allowed external actors to retain their pulse on the Abertzale Left movement.

They tried to influence the route the movement was taking through proposals and discussion, as well as to encourage those who keep on advocating peaceful solutions inside the movement.

As we have seen, a combination of public and private engagement was able to support and strengthen the position of those who were looking for a transformation. The support through messages, events, and external contacts helped or allowed those in favour of a shift of strategy to create a new one based on a combination of elements, including external factors. These external links are also useful in maintaining contact with the other side and making the exchange of information possible even during the worse moments. As a *sui generis* case, the Basque process can be a model in situations where a state is not ready to engage and where the combination of regional institutions, civil society and international actors can help to move the processes forward.

There was an efficient division of roles by external actors such as the ICG publicly promoting engagement among Basque actors; the IVC performing a specific role in terms of verification of the ceasefire and decommissioning of arms; and discrete back channel facilitation by HDC, all of them in hushed coordination with each other. Symbolic public support and engagement was provided during the Aiete Conference for the Resolution of the Conflict and the Arnaga Conference, with relevant international figures supporting the process and encouraging both sides towards peace. Moreover, the technical support by civil society organisations like the Berghof Foundation or Conciliation Resources and other individuals offered a valuable contribution to peace efforts undertaken by various actors in the Basque Country.

### ≡ The relevance of the mirror game

The Basque case also shows the relevance of the mirror game where a movement learnt from another one's experiences, from its successes as well as its failures, to positively build new strategies, acts or proposals. We have seen how the Irish case influenced the Basque process, probably because of geographical and political similitudes, a myriad of elements that the Basque case used to transform the situation. We have seen how the Abertzale Left committed itself to the Mitchell principles which were created at a very specific moment and for specific reasons. In the case of the Basque Country, however, this served to show the commitment of the Abertzale Left to exclusively peaceful and democratic means, renouncing the use of political violence to achieve its objectives. We have also seen how the idea of creating momentum was transformed in the Basque Country and identified with the concept of unilateralism. Other examples pertaining to arms decommissioning or the role of prisoners have also been incorporated. The South African UDF experience was another case which helped the Abertzale Left to start thinking differently, by analysing new options and formulas to advance its objectives. On the other hand, the mirror game can also play a role in the case of process failures: the LTTE case highlighted for the Abertzale Left that complete defeat was a possibility.

### ≡ The idea of process-building

Mr. Sergio Jaramillo, former High Commissioner of Peace in Colombia, developed the concept of process-building, as distinct from other approaches such as ripeness or mutually-hurting stalemates.<sup>40</sup> It means that at the end of the day, success is conditioned by the parties' willingness to build a process, combined with their capacity to do it and to overcome difficulties. There can be a theoretical ripeness, as William Zartman references, but if there is no real willingness to construct a process, it will not work. Peace processes must be constructed and the Basque case demonstrates this. Most analysts would have considered it impossible for the Basque process to advance due to the completely closed position and attitude of the Spanish Government. One could have argued that

---

<sup>40</sup> Personal conversation with the author. For more information on the concepts of ripeness and mutually-hurting stalemates, see Zartman (1985).

that the lack of movement or even reply to an ETA delegation that had been waiting in Oslo for more than 15 months, the ongoing arrests, detentions etc. were stark examples which emphatically highlighted that it would not work. However again, it was the ability and mainly the willingness to construct the process, in this case by one side alone, which made the process possible.

### ≡ **Why make it easy when you can make it much more difficult: The Spanish anti-model**

In conclusion, the attitude of the Spanish Government throughout the transition of the Basque conflict should be considered as being very irresponsible at the very least – a negative attitude which might be referred to as a Spanish ‘anti-model’. Fortunately, in the case of the Basque conflict there was no split in the armed group and so the policy of non-engagement and obstruction pursued by the Government has not had the impact that it could have had if the Abertzale Left had not been able to maintain such internal cohesion. Spanish Government policy towards the end of ETA’s armed campaign, such as the arrest of those promoting a directional change and sentencing them to 10 years’ imprisonment like in the case of Arnaldo Otegi or Rafa Diez, shows not only an undemocratic behaviour but also a tremendous lack of ability to adapt to new realities. Observing finally, the policies of the same government in the Catalan process, we must conclude that the lack of a culture of dialogue and compromise as a response to internal political challenges and contestations is driving Spain away from European liberal democracies.

# Bibliography

**Aiartza, Urko and Zabalo, Julen** (2009). *The Basque Country, the long walk to a democratic scenario*, Berghof Transition Series No. 7, Berlin, Berghof Conflict Research.

**Alonso, Rogelio** (2018). *La Derrota del Vencedor : la Política Antiterrorista del Final de ETA*, Madrid, Alianza Editorial.

**Basque Permanent Social Forum** (2017). *ETA's disarmament in light of international DDR guidelines: Lessons learnt from an innovative Basque scenario*, Berghof Transitions Series No. 12. Berlin, Berghof Conflict Research. Available at: [www.berghof-foundation.org/fileadmin/redaktion/Publications/Papers/Transitions\\_Series/transitions12\\_Basque\\_II.pdf](http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Papers/Transitions_Series/transitions12_Basque_II.pdf).

**Boletín Oficial del Estado** (2002). Organic Law 6/2002. Available at: [www.boe.es/buscar/act.php?id=BOE-A-2002-12756](http://www.boe.es/buscar/act.php?id=BOE-A-2002-12756).

**Crenshaw, Martha** (1991). How terrorism declines, in: *Terrorism and Political Violence* (3:1), pp. 69-87.

**Cronin, Audrey Hurt** (2009). *How terrorism ends: Understanding the decline and demise of terrorist campaigns*, Princeton/Oxford, PUP.

**ECHR** (2018). Applicants in trial related to banned group ETA had justified fears about judges' lack of impartiality at trial. ECHR 374, Press Release. Available at: [www.naiz.eus/media/asset\\_publics/resources/000/547/976/original/20181106-estrasburgo-otegi-bateragune.pdf](http://www.naiz.eus/media/asset_publics/resources/000/547/976/original/20181106-estrasburgo-otegi-bateragune.pdf).

**ECHR** (2013). CASE OF DEL RÍO PRADA v. SPAIN, Judgement. Available at: [https://hudoc.echr.coe.int/eng#{\"itemid\":\[\"001-127697\"\]}](https://hudoc.echr.coe.int/eng#{\).

**Egaña, Iñaki** (2018). *El Desarme, la Vía Vasca*, Tafalla, Txalaparta.

**Eguiguren, Jesus and Aizpeolea, Luis Rodriguez** (2011). *ETA: Las claves para la paz*, Madrid, Aguilar.

**EITB** (2018). ETA comunica su disolución a instituciones y agentes políticos. May 2. Available at: [www.eitb.eus/es/noticias/politica/detalle/5565168/eta-anuncia-su-disolucion-carta-hecha-publica-2-mayo-2018/](http://www.eitb.eus/es/noticias/politica/detalle/5565168/eta-anuncia-su-disolucion-carta-hecha-publica-2-mayo-2018/)

**El Diaro Vasco** (2010). Rubalcaba: «O bombas o votos». 18 January. Available at: [www.diariovasco.com/20100118/mas-actualidad/politica/rubalcaba-o-bombas-o-votos-201001181104.html](http://www.diariovasco.com/20100118/mas-actualidad/politica/rubalcaba-o-bombas-o-votos-201001181104.html)

**Elustondo, Miel A.** (2011). *William A. Douglass: Mr Basque*, Iruñea, Pamiela.

**Fisas, Vincenc** (2010). *Alto el Fuego, Manual de Procesos de Paz*, Barcelona, Icaria.

**Gara** (2011). Cuando Brian Currin recibí una carta de ETA? Available at: <http://gara.naiz.eus/paperezkoa/20110703/276418/es/Cuando-Brian-Currin-recibio-una-carta-de-ETA>

**Gara** (2015). David Pla: « Estábamos en Baigorri para escuchar opiniones y propuestas» Available at: [www.naiz.eus/eu/hemeroteca/gara/editions/2015-12-15/hemeroteca\\_articles/david-pla-estabamos-en-baigorri-para-escuchar-opiniones-y-propuestas](http://www.naiz.eus/eu/hemeroteca/gara/editions/2015-12-15/hemeroteca_articles/david-pla-estabamos-en-baigorri-para-escuchar-opiniones-y-propuestas)

**Gara** (2018). ETA decidió su fin con gran consenso (93%) y participación (1.077 votantes). *Gara*, May 6. Available at: [www.naiz.eus/eu/hemeroteca/gara/editions/2018-05-06/hemeroteca\\_articles/eta-decidio-su-fin-con-gran-consenso-93-y-participacion-1-077-votantes](http://www.naiz.eus/eu/hemeroteca/gara/editions/2018-05-06/hemeroteca_articles/eta-decidio-su-fin-con-gran-consenso-93-y-participacion-1-077-votantes)

**Gara** (2018b). Entrevista a eta, adelanto del libro de gara. May 7. Available at: [www.naiz.eus/eu/hemeroteca/gara/editions/2018-05-07/hemeroteca\\_articulos/en-euskal-herria-hay-fuerza-valentia-e-inteligencia-suficientes-por-eso-hemos-disuelto-la-organizacion](http://www.naiz.eus/eu/hemeroteca/gara/editions/2018-05-07/hemeroteca_articulos/en-euskal-herria-hay-fuerza-valentia-e-inteligencia-suficientes-por-eso-hemos-disuelto-la-organizacion)

**Iturribarría, Fernando** (2018). Etxaburu y Martitegi son los dos últimos beneficiarios de una dinámica que no ha afectado a las reclusas de la organización disuelta. *El Correro*, July 7. Available at: [www.elcorreo.com/politica/francia-mitad-presos-20180707000112-nt.html](http://www.elcorreo.com/politica/francia-mitad-presos-20180707000112-nt.html).

**Martinez, Isabel** (1998). El foro de Irlanda se reunirá antes de iniciar los contactos bilaterales. Available at : [https://elpais.com/diario/1998/06/22/paisvasco/898544407\\_850215.html](https://elpais.com/diario/1998/06/22/paisvasco/898544407_850215.html)

**Mediabask** (2018). Groupe international de contact : une fin aigre-douce. Naiz, October 18. Available at: [https://mediabask.naiz.eus/eu/info\\_mbsk/20181018/groupe-international-de-contact-une-fin-aigre-douce](https://mediabask.naiz.eus/eu/info_mbsk/20181018/groupe-international-de-contact-une-fin-aigre-douce).

**Mitchell, Christopher** (2014). *The Nature of Intractable Conflict. Resolution in the Twenty-First Century*, London, Palgrave Macmillan.

**Naiz** (2016). ETA y las personalidades detenidas cruzaron cartas donde se abogaba por un desarme total, en el plazo de tiempo más breve posible. Naiz, December 17. Available at: [www.naiz.eus/en/actualidad/noticia/20161217/eta-y-las-personalidades-detenidas-cruzaron-cartas-donde-se-disenaba-un-desarme-total-en-el-plazo-de-tiempo-mas-breve-posible](http://www.naiz.eus/en/actualidad/noticia/20161217/eta-y-las-personalidades-detenidas-cruzaron-cartas-donde-se-disenaba-un-desarme-total-en-el-plazo-de-tiempo-mas-breve-posible).

**Otegi, Arnaldo and Munarriz, Fermin** (2012). *El Tiempo de las Luces, entrevista con Arnaldo Otegi*, Bilbao, Baigorri.

**Murua, Imanol** (2010). *El triángulo de Loiola*, Donostia, Tartalo.

**Murua, Imanol** (2013). *Ekarki Armak*, Donostia, Tartalo.

**Powell, Jonathan** (2014). *Talking to terrorists: How to End Armed Conflicts*, London, Bodley Head.

**Ramsbotham, Oliver** (2016). *When Conflict Resolution Fails: An Alternative to Negotiation and Dialogue*, London, Polity.

**Sordo Estella, Luis Miguel** (2017). *Promesas y Mentiras*, Madrid, Tecnos.

**Soto, Inaki** (2018). *ETAren zuzendaritzarekin azken elkarrizketa*, Tafalla, Txalaparta-Gara.

**Ubiria, Maite** (2017). Baiona y París abren un «espacio de trabajo» oficial sobre los presos. *Gara*, October 23. Available at: [www.naiz.eus/eu/actualidad/noticia/20171023/baiona-y-paris-abren-un-espacio-de-trabajo-oficial-sobre-los-presos](http://www.naiz.eus/eu/actualidad/noticia/20171023/baiona-y-paris-abren-un-espacio-de-trabajo-oficial-sobre-los-presos).

**Vorhoof, Dirk** (2018). European Court of Human Rights: Otegi Mondragon v. Spain. *IRIS* 5:1/3. Available at: <http://merlin.obs.coe.int/iris/2011/5/article3.en.html>.

**Whitfield, Teresa** (2014). *Endgame for ETA: Elusive Peace in the Basque Country*, Oxford University Press.

**Zartman, I. William** (1985). *Ripe for Resolution: Conflict and Intervention in Africa*. New York: Oxford University Press (2nd edition in 1989).

**Zubimendi, Mikel** (2018). Madrid dijo ‘no’ al proceso de paz porque nunca quiso el fin de ETA. *Gara*, October 20. Available at: [https://www.naiz.eus/eu/hemeroteca/gara/editions/2018-10-20/hemeroteca\\_articulos/madrid-dijo-no-al-proceso-de-paz-porque-nunca-quiso-el-fin-de-eta](https://www.naiz.eus/eu/hemeroteca/gara/editions/2018-10-20/hemeroteca_articulos/madrid-dijo-no-al-proceso-de-paz-porque-nunca-quiso-el-fin-de-eta).

#### **Daily newspapers:**

Gara: [www.naiz.eus](http://www.naiz.eus)

Diario Vasco : [www.diariovasco.com](http://www.diariovasco.com)

Deia: [www.deia.com](http://www.deia.com)

Berria: [www.berria.eus](http://www.berria.eus)

El Pais : [www.elpais.com](http://www.elpais.com)

**Websites:**

[www.basquepeaceprocess.com](http://www.basquepeaceprocess.com)

[www.bakebidea.com](http://www.bakebidea.com)

[www.forosocialpaz.org](http://www.forosocialpaz.org)

[www.sortu.eus](http://www.sortu.eus)

[www.ezkerabertzalea.eus](http://www.ezkerabertzalea.eus)

[www.icgroup.com](http://www.icgroup.com)

[www.ivcom.org](http://www.ivcom.org)

## ANNEX 1: Biographies of key individuals

- Brian Currin** Born in 1950, Brian Currin is a South African lawyer, previously involved in the South African as well as Irish peace processes. Since 2004 he has been deeply involved in the Basque peace process, especially as head of the International Contact Group.
- Rafa Diez** Born in 1956 in Urnieta, Rafa Diez has had a long trade unionist career, including as Secretary General of the Basque Trade Union LAB from 1996 to 2008. Member of the Abertzale Left, he has also been MP in the Basque Autonomous Parliament and Madrid Congress. Because of his political influence he has participated in all the conflict resolution attempts in the Basque Country, ever since his role as adviser during the 1987 Algeria talks. He was arrested alongside Arnaldo Otegi in 2009 during a police operation against the so-called Bateragune group, and released in 2017 after completely fulfilling his sentence.
- Jesus Eguiguren** Member of the Socialist Party of Euskadi (PSE) since 1977, Jesus Eguiguren has been a Basque parliamentarian for this party from 1983 to 2012, and President of the Basque Parliament during his third term, from 1987 to 1990. In 2002 he was elected president of the PSE. Jesús Eguiguren played an instrumental role in establishing contacts on behalf of the PSE with Arnaldo Otegi and Pernando Barrena, members of Batasuna in 2002, while the Popular Party was in Government. With the Presidency of the Government of José Luis Rodríguez Zapatero (PSOE), he began the process of dialogue with ETA on behalf of the Government of Spain which lasted until 2006. In April 2013, Jesus Eguiguren together with Arnaldo Otegi was awarded the Gernika Prize for Peace and Reconciliation for ‘their contribution to achieving peace in Euskal Herria’.
- Rufi Etxeberria** Born in 1959 in Oiartzun, Gipuzkoa, Rufi Etxeberria was a member of the social movement for the amnesty of political prisoners during the 1970s. He was arrested, tortured and sentenced to two years of imprisonment in 1981, with the accusation of belonging to ETA. Upon leaving prison, he joined Herri Batasuna, and soon became member of its *Mahai Nazionala* (National Board). He was arrested four times in the proceedings against Batasuna and Herri Batasuna. He has participated in the dialogue and negotiation processes that took place since 1987, including as a member of the delegation that traveled to Geneva in 2007 for talks with the Spanish Government. In 2007 he was imprisoned again, until autumn 2009. With Arnaldo Otegi in prison, he became the main promoter of the new commitment of Abertzale Left to an exclusively peaceful and democratic strategy. He was one of the signatories of the strategic agreement between Eusko Alkartasuna and the Abertzale Left in June 2010. After ETA declared a ceasefire, he actively participated in the Abertzale Left, supporting both the Brussels Declaration and the Agreement of Gernika, as well as the International Peace Conference of San Sebastian, which were the prelude to the definitive cessation of armed activity of ETA in October 2011. He was also the main promoter of the process of legalisation of Sortu and the main interlocutor between the Abertzale Left and international bodies (ICG, IVC and the HDC). He played a crucial role in the unilateral process that led ETA to disarm and disappear. Currently he is in

charge of the conflict resolution dossier within Sortu's National Executive Committee.

**Marixol Iparragirre** Born in 1961 in Eskoriatza, Marixol Iparragirre went on the run after her first arrest alongside her family in 1981. In 2004 she was arrested in France and condemned to 20 years of imprisonment, accused of being member of ETA's leadership.

**Arnaldo Otegi** Born in 1958 in Elgoibar, Arnaldo Otegi was forced into exile under Franco's fascist regime in the early 1980s. He was arrested in North Basque Country by the French police in 1987 and extradited to Spanish authorities, who tortured him and sentenced him on the ground of his alleged membership of ETA. After his release in 1993 he continued his political activism as a member of Herri Batasuna. In 1995 he became MP in the Parliament of the Basque Autonomous Community. After the arrest and imprisonment of the whole *Mahai Nazionala* (national board) of Herri Batasuna in 1997, Arnaldo Otegi became a member and spokesperson of the new executive. From 1998 on he took part in all the negotiation attempts to solve the conflict, and was jailed several times with sentences connected to his political activism. He was part of the negotiation team in the talks amongst Basque Parties, both in Loiola and Geneva during the 2005-2007 peace process. Arnaldo Otegi was arrested three days after the collapse of the peace process in June 2007 and sent to jail until 2008 for his homage to Jose Miguel Ordeñana, Argala (a Basque exile during Franco's regime killed by a death squad called 'Spanish-Basque Battalion' in December 1978). On 13 October 2009 he was arrested again while preparing a new peace initiative, along with other party leaders. More than 50.000 people took to the streets in Donostia to demand their release. On September 17<sup>th</sup>, 2011, the Spanish Special Court 'Audiencia Nacional' sentenced him to 10 years' imprisonment. The Supreme Court reduced his sentence to 6 and half years. The Constitutional Court ratified this decision in July 2014 on a much disputed decision when five out of twelve Court Judges dissented, asking for his release. During Sortu's constitution process early in 2013, he was elected as its Secretary General. In April 2013, together with the President of the Basque Socialist Party Jesus Eiguren, he was honored with the 'Gernika Peace Award' for his contributions to a lasting peace in Basque Country. He was released on March 1<sup>st</sup>, 2016. EHBildu appointed him as candidate for the presidency of the Basque Government for the 2016 regional elections. On August 24<sup>th</sup>, the Junta Provincial Electoral of Gipuzkoa determined that he could not be a candidate because he was disqualified for passive suffrage as part of his sentence. On June 17<sup>th</sup>, 2017 he was elected general coordinator of EHBildu, for which he left the General Secretariat of Sortu.

**Josu Urrutikoetxea** Born in 1950 in Ugao, Josu Urrutikoetxea fled to the North Basque Country under French jurisdiction in May 1971, being accused of belonging to ETA. In January 1989, he was arrested in Bayonne by the French police and sentenced to 10 years in prison. After serving his sentence he was extradited to Spain, where he was released on the grounds that he had already been tried and sentenced in France. He was elected MP to the Basque Parliament on October 25, 1998, and became member of its Human Rights Commission. In 2003, he

was called to testify before the Supreme Court for an alleged relationship with an attack against the barracks of the Guardia Civil of Zaragoza in 1987. Given the lack of legal guarantees for a fair trial, he left his political responsibilities and went 'on the run'. He was a member of the delegation of ETA that negotiated with the Government of Spain in 2006 and 2007 in Oslo and Geneva. His whereabouts are unknown since then, being one of the voices announcing the end of ETA in May 2018.

## **ANNEX 2: RESULTING ROAD MAP<sup>41</sup>**

**Road map designed by HDC and agreed by ETA and the Spanish Government, August-September 2011**

### **1. Unbanning of SORTU**

After ETA's statement, the Spanish side will request publicly the unbanning of SORTU. Its national party will accept the legalisation of SORTU as a public and official policy and the State Prosecutor will change its legal view at the Constitutional Court to help its unbanning.

### **2. Parot doctrine**

After meetings and discussions this continued being an unresolved point.

After ETA's statement, the Spanish side will make a public statement stating that the Parot doctrine is to be reviewed and all related cases to be positively solved.

As it is known today, the view of the Constitutional Court is not to proceed to solve it, neither individually nor in a collective sense. In current conditions, the most probable is the Constitutional Court to approve the doctrine.

The facilitation considers that the change of the situation, ETA statement will create, will be an important element for the political steps that will be given to reinforce the resolution of the conflict and so to provoke in the Court a different position about the doctrine or its individualized application.

### **3. Basque Political Prisoners**

The facilitation has knowledge of positives changes on the living conditions of prisoners.

Basque president Patxi Lopez has clearly stated that flexibilization of current conditions must be part of a new policy responding to the changes on ETA's side and the prisoners' collective.

Facilitation has in hand clear definitions and commitments in the course of the new dynamic, new steps that will be taken after ETA's statement, including the release of prisoners with serious illnesses. The facilitation has passed a list of them.

There shall be a progressive transfer of prisoners to prisons in the Basque Country, starting with the very sick and elderly.

While transfers happen, change of actual conditions of solitary confinement and separation in jail. Couples will be united in same jails.

After ETA's statement, the Spanish side will communicate to the French government a petition to improve living conditions and find ways to transfer prisoners to jails in the Basque Country.

All those steps of improving living conditions and progressive transfers will be made while the current Government is in charge. When the new government takes power the current Government

---

<sup>41</sup> Translation from Egaña (2018, 66).

and others with same view will request to the new one to continue the new policy in operation towards Basque prisoners.

#### **4. Suspension of offensive operations**

Active search and new detentions' suspension is confirmed. Accidents like detention at check points or border crossings are not included as discussed.

Any sense of "offensive action" will be subject to a security response.

#### **5. Delegation's transfer**

ETA's delegation transfer is approved and accepted and will be done.

#### **6. International conference**

The International Conference will be held as agreed in the last encounters involving the high level international figures and with the resolution we add in doc apart.

#### **7. ETA's statement**

ETA will publish a statement in the form agreed.

The facilitation believes the best method is to make it public 3 days after the Conference to stop prolonged speculations and attacks from those who will oppose it.

#### **8. Spanish and French Governments' declarations as well as other instances**

After ETA's statement, the Spanish and French Governments, as well as others, the EU, international figures and the Church will give a strong signal welcoming it with offers to support the new process of resolution of the conflict.

#### **9. Political parties' statement**

Most of political parties in the country will publicly declare support for the resolution of the Conflict Conference and will welcome the ETA statement.

#### **10. Confirmation ETA respected ceasefire**

Spanish and French Governments will confirm publicly ETA has respected the ceasefire and there is no more imposition of ETA's 'Revolutionary Tax' on businesses in the Basque Country.

#### **11. Declaration of direct dialogue with ETA**

Spanish and French Governments will publicly declare that they accept that it is necessary to enter in direct dialogue with ETA to deal with the consequences of the conflict.

#### **12. Institutional agreement proposal to the Basque Parliament by Patxi Lopez**

Taking into account the diversity, complexity and deepness of the issues affecting the process of resolution, the facilitation has recommended to the Spanish side to initiate exceptional political activity to emphasise the new era that requires profound changes.

In that sense President Patxi Lopez and his party will present an urgent resolution in the Basque Parliament requesting that seeing ETA's statement it will be required as soon as possible:

- the legalisation of Sortu
- the transfer of Basque prisoners to Basque jails
- the positive review of the Parot Doctrine and pending cases
- a similar institutional proposal to be presented to the Spanish parliament to adopt necessary legal measures to stop and review all cases related to the conflict.
- the request to suspend all measures adopted against the Abertzale Left's prosecuted members
- to consider that in response to the International Conference, the Basque President calls all political parties including the Abertzale Left to a new dialogue to deal with politically and socially relevant issues.

### **13. Agenda of the consequences of the conflict**

The facilitation commits together with the hosting government to develop an agenda of discussions in relation to the consequences of the conflict:

- release of prisoners
- return of political exiles, including active service members.
- putting arms and logistics beyond operational use.
- demilitarization
- measures of support for the social reintegration of prisoners and exiles after returning home.

### **14. Petition to PP to continue the process**

The facilitation commits to request international figures to ask the PP government to commit to a resolution of the consequences of the conflict process with ETA. Therefore, responding to the international conference request as well as ETA's statement.

### **15. Security of the delegation**

ETA's delegation security is ensured after being discussed with the hosting country.

The facilitation and hosting Government ensure that the delegation will be treated as requested by ETA, with required facilities in relation to personal conditions and access so that they can communicate and work to advance the process.

### **16. Institutional declaration**

With ETA's statement there will be an institutional response from the President of the Spanish Government.

## **ANNEX 3: AIETE DECLARATION**

We have come to the Basque Country today because we believe it is time to end, and it is possible to end, the last armed confrontation in Europe.

We believe this can now be achieved, with the support of citizens and their political representatives, as well as the support of Europe and the wider international community. We want to state clearly that we have not come here to impose anything or claim that we have the right or the authority to tell the citizens of this country, or relevant actors and political representatives, what they should do.

Rather, we have come here in good faith, with the hope of offering ideas drawn from our own experiences of resolving long conflicts that afflicted our own societies and peoples, as well as others we have helped resolve.

We know from our own experience that it is never easy to end violence and conflict and secure lasting peace. It requires courage, willingness to take risks, profound commitment, generosity and statesmanship.

Peace comes when the power of reconciliation outweighs the habits of hate; when the possibility of the present and future is infinitely greater than the bitterness of the past.

We also know from our own experience that when a genuine opportunity for peace arises it must be seized. The growing demand of the citizens of this country and their political representatives to resolve this conflict through dialogue, democracy and complete non-violence has created this opportunity.

Because of all of this, we believe it is today possible to end more than fifty years of violence and attain a just and lasting peace.

In light of this:

1. We call upon ETA to make a public declaration of the definitive cessation of all armed action and to request talks with the governments of Spain and France to address exclusively the consequences of the conflict.
2. If such a declaration is made we urge the governments of Spain and France to welcome it and agree to talks exclusively to deal with the consequences of the conflict.
3. We urge that major steps be taken to promote reconciliation, recognise, compensate and assist all victims, recognise the harm that has been done and seek to heal personal and social wounds.
4. In our experience of resolving conflicts there are often other issues that, if addressed, can assist in the attainment of lasting peace. We suggest that non violent actors and political representatives meet and discuss political and other related issues, in consultation with the citizenry, that could contribute to a new era without conflict. In our experience third party observers or facilitators help such dialogue. Here, such dialogue could also be assisted by international facilitators, if that were desired by those involved.
5. We are willing to form a committee to follow up these recommendations.

Donostia-San Sebastian, 17<sup>th</sup> of October 2011

## **ANNEX 4: ETA's declaration of a definitive cessation of its armed activity**

With this declaration, Euskadi ta Askatasuna, the Basque socialist revolutionary organisation for national liberation, wishes to give news of its decision:

Eta considers that the international conference that has recently taken place in the Basque country is an initiative of enormous significance. The agreed resolution includes all the elements for an integral solution of the conflict, and it has attained the support of a wide spectrum of the Basque society and the international community.

A new political time is emerging in the Basque country. We have an historical opportunity to find a just and democratic solution for the centuries old political conflict. Dialogue and agreement should outline the new cycle, over violence and repression. The recognition of the Basque country and the respect for the will of the people should prevail over imposition.

This has not been an easy road. The cruelty of the fight has taken away the lives of many comrades. Many others are still suffering in prison and in exile. Our recognition and deepest tribute goes out to them.

From here on the road will not be easy either. Facing the imposition that still exists, every step, every achievement, will be the result of the effort and fight of Basque citizens. During these years the Basque country has accumulated the necessary experience and strength to address this path and it also has the determination for doing it. It is time to look at the future with hope. It is also time to act with responsibility and courage.

Therefore, Eta has decided the definitive cessation of its armed activity. Eta calls upon the Spanish and French governments to open a process of direct dialogue with the aim of addressing the resolution of the consequences of the conflict and, thus, to overcome the armed confrontation. Thorough this historical declaration, Eta shows its clear, solid and definitive commitment.

Lastly, Eta calls upon the Basque society to commit to this process until freedom and peace are achieved.

Long live the free Euskal Herria! Long live Basque socialism! No rest until independence and socialism!

Basque country, 20<sup>th</sup> of October, 2011

Euskadi ta Askatasuna

ETA

## **ANNEX 5: Recommendations to promote the peace process**

Following the Social Forum to promote the peace process, held last 14th and 15th March the organisers, having heard the opinions of international experts and analysed the social contributions received, wish to propose the following recommendations to promote the peace process:

### **a) Reach minimum consensus on addressing the main challenges of the peace process**

1. – We recommend an exercise of dialogue and reconciliation that would seek to establish to establish a solid basis for future coexistence through a wide-ranging and active engagement of institutions, political parties and civil society. In particular, we recommend that these groups should work to reach consensus that will contribute to addressing the main challenges of the peace process: disarmament, dismantling ETA's military, reintegration of prisoners and people on the run, the safeguarding of Human Rights, as well as dealing with everything that happened in the past and establishing a basis for coexistence in the future.

### **b) Design, develop and implement a process of dismantling and disarmament**

2. – In order to ensure safety for all citizens, and as an essential part of the peace process, we recommend designing a controlled, ordered and agreed process that will conclude with the disarmament of ETA and the dismantling of its military structures.

3. – We recommend that this process, to be carried out in a reasonable timescale, should be able to call on international independent facilitator bodies, with the aim of providing security to the states and its institutions and to the general public.

### **c) Facilitate the integration of prisoners and people “on the run”**

4. – We recommend that a consensus is found on a comprehensive solution to the issue of prisoners and people “on the run”. This is essential to building a stable and lasting coexistence. To do this, we consider it necessary to adapt the law to the new reality and implement a transitional justice that helps society to consolidate coexistence. At the same time, and as a starting point, aspects of the prison policy that contravene human rights or that go against the humanitarian treatment of prisoners must be modified, eliminating exceptional prison policy measures that oppose the international standards. In particular, the situation of those who are seriously ill, the refusal to allow the release of prisoners who have served their sentence, and the dispersion of prisoners, which punishes their families.

5. – We recommend that the process of reintegration be done through legal channels, accepting that it – being comprehensive – may take place in an individualised and staggered manner. This process requires that prisoners show their commitment to the new scenario of peace and renounce violent means. Furthermore, as the case may be, there should be recognition on their part of the harm done as a result of their actions.

6. – We recommend that prisoners be active agents of the process of peace and normalisation. Therefore, it is important to facilitate contacts and the exchange of opinions between prisoners and Basque society and the competent institutions, in order to promote coexistence for a future in which no type of violence takes place.

7. – We recommend examining the situation of people on the run, exploring ways for their integration into society and providing solutions for them.

### **d) Promote and safeguard Human Rights**

8. – We recommend implementing the necessary legislative reforms to guarantee that all Human Rights and democratic freedoms are fully safeguarded, setting up the necessary mechanisms for that. As a first step, an independent body must assess the current human rights situation.

9. – We recommend establishing the principle that there cannot be room for impunity. Not only is it outside the international legal order, but it would also go against the principles of truth, justice and

reparation and of the rights of victims. Nevertheless, international standards do allow the implementation of justice that takes the context of a peace process into consideration.

10. – We recommend redimensioning the number and function of State security forces and bodies to adapt them to the new reality. Mechanisms to control the security forces and bodies of security by institutions and civil society also need to be strengthened.

**e) Preserve truth and memory to deal with the past honestly and establish the basis for future coexistence**

11. – We recommend that the institutions promote a broad process of truth, justice and reconciliation of a comprehensive nature that will include society as a whole. The aim is to create the ingredients for future coexistence based on respect and acknowledgement of others. To this end it is necessary to address what happened in the past, to recognise and provide reparation for all the victims and recognise all the harm done. Furthermore, we understand that a mechanism for Truth and Reconciliation, promoted and supported by the institutions and independent, and where civil society has a main role, is a useful tool capable of dealing with all this.

12. – We recommend facilitating different ways of narrating and remembering what happened, encouraging self-criticism in every social and political sector and an honest exercise of recognition of the serious mistakes made. In this way, it is necessary to create an official database that is public and complete, of all victims and Human Rights' violations, in order to preserve the memory of what happened in the past before it is lost or becomes blurred.

Finally, we consider that all the actions referred to in this document should be compatible with respect for the rights to the truth, justice and reparation applicable to all victims.

27<sup>th</sup> of May, 2013

Basque Social Forum

## **ANNEX 6: ETA's declaration on disarmament**

ETA, Basque Socialist Revolutionary Organisation for National Liberation informs International community that after giving up all its weaponry (arms and explosives) to Basque civil society representatives it is now is a disarmed organisation.

This has been a hard and difficult task consequence of all obstacles put by Spanish an French States along the path, who still persist in a winners and losers scheme, stubborn with a police solution.

Fortunately, civil society took a step forward, and taking political and technical ownership of the disarmament process, have made a decisive contribution to unblock a situation very close to entrench. We want also to highlight the support given by Basque institutions.

The process is not completed. "Disarmament day" is tomorrow and we want to warn that still the process can be attacked by the enemies of peace. The only real guarantee to succeed are the thousands of people gathering tomorrow in Bayonne supporting the disarmament.

We took up arms for the Basque people and now we leave them in their hands so that Basques can continue taking steps to achieve peace and freedom for our country; because to advance on the agenda of solutions we need to commit ourselves.

GORA EUSKAL HERRIA ASKATUTA! GORA EUSKAL HERRIA SOZIALISTA! JO TA KE INDEPENDENTZIA ETA SOZIALISMOA LORTU ARTE!

Basque Country, 7<sup>th</sup> of April, 2017

Euskadi Ta Askatasuna

E.T.A

## **ANNEX 7: Statement of the International Verification Commission on ETA's disarmament**

The International Verification Commission (IVC) was established on 28 September 2011 to verify Euskadi Ta Askatasuna's (ETA) declaration of a definitive end of violence. For the past six years, the Commission, together with Basque institutions and Basque civil society, has worked towards achieving an orderly end of violence. Since its establishment, the Commission has verified that ETA has fulfilled its commitment to cease all violent actions.

In January 2014, the Commission verified that ETA had put beyond operational use a specified quantity of arms, ammunition and explosives. This was the first step towards ETA's disarmament.

On 27 March and 6 April 2017, respectively, the Navarre and Basque parliaments resolved that the Commission "continue to use its good offices to achieve" the "unilateral, complete, definitive and verified" disarmament of ETA.

In pursuance of that objective, today the Commission received, from Jean-Noël Etcheverry, a representative of Basque civil society, information regarding the location of ETA's weapons, ammunition and explosives. This information was immediately conveyed to the relevant French authorities, who will now secure and collect ETA's arsenal. The Commission will not be involved in this stage. The Commission believes that this step constitutes the disarmament of ETA.

The handover of information by civil society representatives took place in the City Hall of Bayonne at the invitation and in the presence of the Mayor of Bayonne Jean-René Etchegaray. It was also witnessed by His Grace Matteo Zuppi, the Archbishop of Bologna, and the Reverend Harold Good, former President of the Methodist Church in Ireland.

Since 2011 the Commission has worked closely with Basque political and social actors, including the Basque Government, political parties, trade unions, the business confederation and the Basque Catholic Church. The Commission would also like to thank the President of the Basque Country, Lehendakari Iñigo Urkullu, for his support over these years. The Commission is grateful for all of their assistance and cooperation in its task of verifying the ceasefire and the end of violence.

The Commission trusts that, with the support of all relevant actors, this historic step will help consolidate peace and coexistence in Basque society.

The Commission consists of the following members:

- **Ronald Kasrils**, former Minister of Intelligence and Deputy Defence Minister of South Africa.
- **Chris Maccabe**, former Political Director of the Northern Ireland Office of the United Kingdom.
- **Ram Manikkalingam**, Chairman of the IVC. Director of Dialogue Advisory Group and Professor at Amsterdam University, and former Adviser to the President of Sri Lanka for negotiations with the Tamil Tigers.
- **Satish Nambiar**, former Deputy Chief of the Indian Army and former Commander and Head of Mission of the UN Protection Force in the former Yugoslavia in 1992 and 1993.
- **Fleur Ravensbergen**, Assistant Director of Dialogue Advisory Group.

**Aracelly Santana**, former Deputy Special Representative of the Secretary-General and Deputy Head of Mission, United Nations Mission in Nepal (UMIN) and former Director, Americas Office in the United Nations Department of Political Affairs.

*8<sup>th</sup> of April, 2017*

## **ANNEX 8: Final statement from ETA to the Basque Country**

ETA, the Basque socialist revolutionary organisation for national liberation, hereby informs the Basque people that, following the ratification by its members of the proposal to conclude this Organisation's historical cycle and function, its journey has ended. As a consequence of this decision:

- ETA has completely dismantled all of its structures.
- ETA has put an end to all its political activity. It will no longer express political positions, promote initiatives or interact with other actors.
- Former members of ETA will continue the struggle for a reunited, independent, socialist, Basque-speaking and non-patriarchal Basque Country, wherever they see fit, with the sense of responsibility and honesty they have always demonstrated.

ETA was born at a time when the Basque Country was agonising, strangled by the claws of Francoism and assimilated by the Jacobin state, and now, 60 years later, thanks to all the work carried out in many spheres and to the struggle of many generations, the Basque nation is alive and wants to be the master of its own future.

ETA wishes to end a cycle of the conflict between the Basque Country and the Spanish and French states; the cycle of the use of political violence. In spite of this, the Spanish and French states persist in their attempt to perpetuate that cycle, being aware of their weakness on exclusively political confrontation and fearful of the scenario of a full resolution of the conflict. Conversely, ETA has no fear of that democratic scenario, and this is why it has made this historic decision, so that the process towards freedom and peace may continue on another path. This is a logical sequence, following the decision made in 2011 to put a definitive end to armed struggle.

From now on, the main challenge will be to build a process, as a people, based on the accumulation of forces, grassroots mobilisation and agreements among those with differing viewpoints, in order to overcome the consequences of the conflict and to address its political and historical root causes. A key part of this will be to bring into effect the right to decide, in order to achieve recognition of our nationhood. Left-wing pro-independence people will work for this to lead to the establishment of a Basque State.

We have made this, our last decision, in order to foster a new historical phase. ETA was born from the people and now it dissolves back into the people.

3<sup>rd</sup> of May, 2018

Euskadi Ta Askatasuna.

## **ANNEX 9: ARNAGA DECLARATION**

Nearly seven years ago we came to Donostia-San Sebastian and issued the Aiete declaration because we believed there was a real opportunity to overcome the last armed confrontation in Europe.

At that time, we called upon all sides to commit to peaceful and democratic means, and to dialogue and negotiation, to resolve differences so that a just and lasting peace could be achieved in this region.

ETA responded to our call by issuing a declaration of definitive cessation of all armed activity. Since then, they have kept their word and there has been no violence. Last year they went further and proceeded with complete disarmament. We recognise and warmly welcome these historic steps.

Today we come to Arnaga Palace in Kanbo-Cambo-les-Bains to welcome the final declaration by the group. Yesterday ETA announced it has ceased to exist. This is a historic moment for the whole of Europe as it marks the end of the last armed group on the continent.

In the nearly seven years since the Aiete Declaration, there have been major advances in response to our call for peace in the Basque Country. There are of course things that we called for at Aiete that have not been done. We suggested further dialogue between the group and the Spanish Government, and that did not happen. But many other efforts for peace were made. Basque society, civic organisations, parties and institutions have played a role in moving peace forward. We also pay tribute to the efforts over many years of the people and governments of the Basque Country, Spain and France as well as the work done by many named and unnamed individuals and organisations who have worked tirelessly to achieve what has been achieved today.

Relevant issues remain to be addressed, including prisoners and those still on the run, as well as continuing steps to fully normalise daily life and politics in the region.

Most of all, a process of reconciliation lies ahead. In our experience in the conflicts in which we have been involved, this takes a long time. Deep wounds remain. Families and communities are still divided. Further efforts need to be made to recognise and assist all victims. It will take honesty about the past from all sides, and generosity of spirit, to heal the wounds and rebuild a shared community. We welcome ETA's recent statement recognising the suffering it had inflicted and supporting the work of reconciliation that lies ahead. More work remains to be done on all sides. We trust that the work of reconciliation in the Basque Country will succeed and we stand ready to contribute should this be requested.

As we said in Aiete in 2011, we believe that building peace requires political dialogue among all the key actors. To resort to security measures and prison alone rarely proves successful. Peace is not a zero-sum game, but a matter of political consent where both sides agree to pursue their aims peacefully, politically and democratically.

Today is a good day for the people in the Basque Country, in Spain, in France and in Europe as a whole, a day to celebrate. We hope that sooner rather than later, with the efforts of everybody, a comprehensive, just and lasting solution will be reached in the Basque Country. We hope it also brings hope to those facing apparently insoluble conflicts elsewhere in the world.

### **Michel Camdessus**

Managing Director of the IMF 1987-2000, Governor of the Banque de France 1984-1987.

### **Bertie Ahern**

An Taoiseach, prime minister, chief executive and head of government of Ireland, 1997-2008.

### **Pierre Joxe**

Minister of the Interior 1984-1986, 1988-1991; Minister of Defence 1991-1993, Member of the Constitutional Council of France 2001–2010.

**Hubert Védrine**

French Minister of Foreign Affairs 1997-2002.

**Cuahtémoc Cárdenas Solórzano**

Head of Government of the Federal District 1997-1999, founder of the Party of the Democratic Revolution (PRD), Honorary President of the Socialist International.

**Gerry Adams**

Uachtarán Shinn Féin, Leader of Sinn Féin 1983- 2018, Teachta Dála since 2011.

**Jonathan Powell**

Downing Street Chief of Staff and chief British negotiator on Northern Ireland 1997-2007.

4<sup>th</sup> of May, 2018

## **ANNEX 10: ETA statement to the Basque Country: Declaration on harm caused**

With this declaration ETA, the Basque socialist revolutionary organisation for national liberation, wishes to acknowledge the harm it has caused by its armed activity, and to express its commitment to overcome the consequences of the conflict once and for all, so that such events never happen again in the future.

Over the decades, there has been much suffering in our Country: people died, were wounded, tortured, kidnapped or had to leave into exile. There has been too much suffering. ETA acknowledges its direct responsibility for this harm and states that none of this should have ever taken place and it should have not continued as long as it has. The political and historical conflict should have been resolved in a democratic and just way a long time ago. Indeed, suffering was great in our Country before the birth of ETA and now, after ETA has ended its armed struggle, there continues to be pain and suffering. The generations after the bombing of Gernika inherited that violence and distress, and it is up to us to ensure future generations inherit a completely different future.

We are aware that we have caused great pain throughout this long period of armed struggle. We know much of this harm cannot be mended. We wish to express our respect to all the victims of ETA's actions, in that they were harmed as a consequence of the conflict, whether they were killed, injured or harmed in any other way. We are truly sorry.

Whether through mistakes or as a consequence of mistaken decisions, ETA has also caused victims among people who had no direct part in the conflict, both in the Basque Country and elsewhere. We know that, due to the various requirements of the armed struggle, our activity has harmed a number of people who had no responsibility whatsoever in the conflict. We have caused grave harm, which cannot be put right. We ask the forgiveness of these people and their relatives. These words will not cure that harm, nor will they make their hurt lesser. We say this with respect, with no wish to cause any further grief.

We understand the fact that many people believe and express the idea that what we did was unacceptable and unjust; and we respect that, as nobody should be made to feel or say what they do not believe or feel. Much of what the State forces and their regional allies have done too, even though it was done under the guise of the law, was absolutely unjust for many Basque citizens and they do not deserve to be humiliated. Otherwise we would be led to understand that there has been harm done which was just and deserves praise. ETA's attitude to this matter, however, is different: we wish none of this had ever happened. We wish freedom and peace had taken root in the Basque Country a long time ago.

Nobody can change the past. But to distort or to try to cover up parts of that past would be one of the worst legacies anyone could leave for the future. Let us all acknowledge our responsibilities and the harm we caused. Despite having different points of view and feelings we must all acknowledge and respect the suffering of others. This is exactly what ETA wishes to express.

Precisely, as we look to the future, one of the aims we must work towards in the Basque Country is reconciliation; and it is already happening, sincerely, on many levels, among the people. Reconciliation is necessary to bring out the truth in a constructive way, to cure wounds and to build guarantees for such suffering not to happen again in the future. It is possible to build peace and achieve freedom in the Basque Country by finding a political solution to the conflict. The flames of Gernika will die down for good.

Basque Country, 8<sup>th</sup> of April, 2018

Euskadi Ta Askatasuna, E.T.A

