

# INTERIM REPORT

Catalonia Regional Elections  
21st December 2017



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22<sup>nd</sup> December 2017



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## Interim Report on Election Research

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### Objectives

1. To objectively research the electoral process across Catalonia.
2. To advise the local, national and regional institutions and national electoral bodies on the results of the research for the improvement of electoral practice within Catalonia and Spain.
3. Support local councils and national election bodies with constructive feedback on areas of concern so that they may consider remedial action.

### Methodology

Four teams made up of 12 researchers, sorted into teams of 2, 3 or 4, toured Catalonia on 21<sup>st</sup> December 2017 to assess the quality of the election. The team was made of researchers from the United Kingdom, the Republic of Ireland, France, Italy and Norway. They made 81 separate visits across the region, primarily focused in metropolitan Barcelona as well as the cities of Tarragona and Girona. This team of researchers was assisted by a local team of 5 researchers, translators and drivers.

As there is no legal provision for international election observers in Spain these researchers did not enter polling stations but made their observations externally and reported back by means of an online survey which the central team managed regularly.

As well as this work the team also conducted interviews with the leading political parties contesting the election, officials of Catalan institutions as well as attending party events and rallies across Catalonia. They also interviewed senior officials in the Generalitat de Catalunya and visiting the Parliament of Catalunya.

The team was in Catalonia for a week before the election to conduct this research.

As well as the external observation of polling stations the team also conducted extensive media monitoring of the election by assessing the quality and bias of the political debate in the Spanish national and regional media which covers Catalonia.

This constituted 23 media outlets which were randomly selected across the 17 days of the official campaign period in the election. A 20% sample was taken so that each outlet was generally assessed at least four times over the period of the election. In total, 417 surveys were completed as part of this media research project specifically focusing on stories directly related to Spanish politics, Catalanian politics and the election campaign.

## **The History of Catalonia**

Catalonia is an autonomous region in the north-east of Spain with a population of approximately 7.5 million people across its four major provinces; Girona; Barcelona; Tarragona; Lleida. The largest of these areas being Barcelona which holds over a third of the entire population of Catalonia.

Catalonia has a rich history which dates back to Ramon Berenguer I, County of Barcelona, who proposed the earliest versions of a written code of Catalan law in the 11th Century. Known as the Usages of Barcelona, these customs formed the essential laws and basic rights of modern-day Catalonia. Subsequently, the marriage of Ramon Berenguer IV with Queen Petronilla of Aragon brought Catalonia under the Crown of Aragon in the 12th Century although it was permitted to retain its fundamental customs and Parliament. This union of the two kingdoms was strengthened in 1469 upon the marriage of Ferdinand I of Aragon and Queen Isabella of Castile which formed the grounds of Catalonia's integration into Spain.

During the War of the Spanish Succession 1705-1714, Catalonia rebelled against the Spanish throne by endorsing the movement to bring Archduke Charles of Austria to power. This resulted in the repression of the Catalan Parliament and its liberties upon the victory of King Philip V of Spain. The House of Bourbon further suppressed Catalonia through the Nueva Planta decrees of 1716 which brought the area under direct rule from Madrid by dismantling the Catalan legal system and prohibiting the formal use of the Catalan language.

Throughout the 19th Century, Catalonia was at the forefront of industrialisation within Spain which gave rise to the renewal of Catalan culture and language; this caused nationalistic sentiment to increase within the area.

The Second Spanish Republic, which commenced in 1931, coincided with the restoration of the Government of Catalonia by the Revolutionary Left. This provided greater autonomy to the region by affording a degree of self-determination back to Catalonia. However, this autonomy was diminished as the left-wing Republican forces within Barcelona were defeated by General Franco at the end of the Spanish Civil War in 1939. Political opposition to the Franco regime was quashed which resulted in the widescale repression of Catalan culture, language and autonomy as the parliament was abolished.

Conversely, the death of Franco in 1975 ushered in a new wave of democratisation under Juan Carlos, the new King of Spain; the regional parliament in Catalonia was restored being led by Josep Tarradellas. Further, Catalonia was granted greater autonomy by being recognised as a nationality with Catalan becoming the joint official language of the region alongside Spanish.

However, nationalist sentiment was rekindled in 2010 because of the decision within the Constitutional Court to rewrite the 2006 Statute of Autonomy of Catalonia which was previously passed in the Spanish Parliament and ratified by Catalan voters through a referendum. The ruling stated that any references to Catalonia as a nation have no legal effect and that Catalan cannot be placed above Spanish in the region.

## 2015 Regional Election

The Catalan regional election of 2015 was the result of the unsuccessful negotiations between President Mas of Catalonia and the Spanish government to secure a legal independence referendum. However, this commenced with the failure of the Convergence and Union Party (CiU) to achieve a majority in the 2012 election as they fell 18 seats short. Consequently, they were forced to sign an agreement with the Republican Left of Catalonia (ERC) who pledged to support the government, without a formal coalition, in return for a quicker route towards Catalan independence.

In the proceeding months, the CiU began to lose legitimacy and support amongst the electorate due to its underwhelming results in the 2012 election; with President Mas being blamed for his running of the economy; corruption scandals surrounding several party members including the party founder, Jordi Pujol. Therefore, the ERC achieved the lead in the opinion polls for the first time since the 1932 election which was an indicator of the rising desire amongst Catalonia for independence.

Subsequently, on the 12<sup>th</sup> of December 2013, the Government of Catalonia announced a non-binding independence referendum in order to achieve a mandate with which to progress their plans for secession. With the electorate voting overwhelmingly for independence, President Mas used this result as an opportunity to announce a regional election for 2015 which would act as an alternative plebiscite instead of a legally binding referendum. Therefore, President Mas justified the election through unsuccessfully negotiating a legal independence referendum with the Spanish government.

The turnout was remarkably high at approximately 75 per cent with all 135 seats in the Catalan Parliament up for election. The main pro-independence alliance (JxSi/Together for Yes) under Artur Mas was made up of the Democratic Convergence of Catalonia (CDC); the Republican Left for Catalonia (ERC); Democrats of Catalonia (DC); Left Movement (MES) which achieved 62 seats in the election. Therefore, the alliance relied upon support from the smaller, separatist pro-independence party, Popular Unity Candidacy (CUP), to achieve an overall majority of 72 seats.

During the following months of negotiations, the CUP opposed the Presidency of Artur Mas which led to an arrangement whereby Carles Puigdemont, mayor of Girona, became President of Catalonia on the 12<sup>th</sup> of January 2016. A strong supporter of Catalan autonomy, Puigdemont pointedly avoided swearing loyalty to the King of Spain thereby declaring his attempt to start the process of formulating an individual state. The Constitutional Court of Spain thus warned Puigdemont that any attempt to develop state institutions within Catalonia would be a challenge to Spanish law whilst state lawyers examined which forms of action could be taken against the President for his act of impertinence.

Consequently, the pro-independence parties within Catalonia won an overall majority in the regional election of 2015. As the election was used as an equivalent to a legally-binding referendum, the alliance thought that this result would give them a clear mandate to further negotiations to secede from the Spanish state. However, the Spanish government in Madrid moved to block independence through the Constitutional Court. Hence, the result of the election was used to place further pressure on central government to provide a legally-binding

independence referendum in their manifesto for the general election which followed three months later.

## **The 2017 Referendum on Independence**

On October 1st, 2017, the government of Catalonia organized a referendum to gauge the desire for Catalonia to secede from Spain. Voters were asked the question “Do you want Catalonia to become an independent state in the form of a republic?”.

The referendum was the second on independence since 2014. Both referendums resulted in over 80% support for secession, but on turnouts below 50%. The Spanish Government and Spain’s Constitutional Court declared the 2017 referendum illegal, with major constitutional questions requiring a vote by all Spaniards. Despite Catalan leader Carlos Puigdemont declaring independence just days after the referendum, the government in Madrid has continued to deny the legitimacy of the referendum and its result.

Catalan independence movements gained momentum under the Franco regime (1939-1975), which the pro-independence movement saw as deeply oppressive of Catalonia’s distinct language and culture. The more recent drive behind the movement came as a result of the 2008 financial crash. Madrid has been blamed by many Catalonians for the country’s employment problems and the unfair burden placed on the region; it pays \$12 billion more in taxes than it receives (according to Reuters).

From Madrid’s viewpoint, any attempts to claim independence for Catalonia are detrimental to Spanish economic and political stability, and have no grounding under the constitution. The region already has one of the world’s most generous devolution agreements in the world. To maintain control, the Spanish government confiscated millions of ballot papers, seized ballot boxes and closed polling stations to prevent the 2017 referendum taking place. After the Catalan Parliament’s declaration of independence, President Rajoy invoked Article 155 of the constitution, sacking the entire cabinet and dissolving the regions parliament. Both the European Union and the United States have supported the Madrid position, seeing its handling of independence movements as an internal matter.

The 1978 constitution gives wide autonomy to its regions, but specifically prohibits undermining the “dissoluble unity of the Spanish nation”. To prevent the illegal attempt to break up the Spanish state, the Guardia Civil confiscated ballot papers, seized ballot boxes and closed polling stations to prevent the referendum producing a result that could be seen as legitimate. Turnout was low at 42%, with an estimated 800,000 more ballots seized.

The regional elections on the 21<sup>st</sup> of December took place under unusual circumstances. The former Catalan leader Carlos Puigdemont led his party in the election from Brussels, where he is in self-imposed exile to escape charges of rebellion and sedition in Spain. Meanwhile, Oriol Junqueras (leader of Esquerra Republicana) stood in the election from his Madrid prison cell, unsure whether he could be sworn in even if victorious.



The Spanish government's most senior official in Catalonia, Enric Millo, apologised on behalf of police officers who may have been too violent during the October 1<sup>st</sup> referendum, but insisted that the unrest was the fault of the Catalan government and not those in Spain. After the referendum, the Catalan government and Parliament confirmed their intention to move towards independence. In response, Mariano Rajoy, the Spanish PM, invoked Article 155 of the constitution, dismissing Catalan ministers and dissolving the region's Parliament until fresh elections could be held.

Both Puigdemont from Brussels, and his Junts per Catalunya colleague, Jordi Sanchez, and Junqueras from their prison cells have stood as leading figures for their parties in the regional elections.

## Political Parties in 2015 Catalan Election

### Junts Per Catalunya (JuntsxCat)

Junts Per Catalunya, or Together for Catalonia, is a political platform centred around the currently exiled former President of the Generalitat of Catalonia; Carles Puigdemont. After the unilateral declaration of independence on the 27<sup>th</sup> of October 2017, Puigdemont fled to Belgium alongside four cabinet ministers to avoid an arrest warrant which was placed upon him by the Spanish government for rebellion, sedition and the misuse of public funds. Therefore, he is campaigning for re-election, as President, from Belgium using his own personal list of members of civil society and the political party; the Catalan European Democratic Party (PDeCAT). PDeCAT was founded in 2016 as a resurgence of the redundant Democratic Convergence of Catalonia (CDC). The current party pledges Catalan independence from Spain. The reasoning behind the reformation of the party is that of a disassociation from the allegations of corruption which plagued the members of the CDC including its founder, Jordi Pujol. If victorious,

Puigdemont claims he will take office despite facing arrest upon arrival in Spain.



### Ciudadanos

Ciudadanos or Citizens is the party which is led by the young and charismatic Albert Rivera who built his reputation in the Generalitat around his opposition to Catalan independence. The party transformed from being social-democratic to liberal-progressive in its conference in February because Rivera aims to emulate Macron's 'En Marche' to take votes from left and right to achieve electoral success. Although it has been criticised for lacking a clear ideology, Ciudadanos prefers a centrist approach which saw its support increase by 2.5 per cent in the latest polls.



### Esquerra Republicana de Catalunya-Catalunya Si

Esquerra Republicana de Catalunya-Catalunya Si is a Catalan pro-independence alliance which consists of the Republican Left of Catalonia and Catalonia Yes. The coalition was initially founded to contest the 2011 Spanish



General Election thereby winning three seats. Moreover, the union has Oriol Junqueras as its lead candidate after its leader, Gabriel Rufian, walked out of the Catalan Parliament in October 2017 to protest the arrest of several Catalan politicians.

### **Partit dels Socialistes de Catalunya**

The Socialist Party of Catalonia (PSC) is a social-democratic party led by Angel Ros who has been Mayor of the Catalan province of Lleida since 2004. The face of the campaign and lead candidate is Miquel Iceta who is currently the First Secretary of the party. The PSC does not endorse Catalan independence instead opting for a federalist approach whereby greater devolution should be granted to the area. The preference of the party for Spanish unionism indicates its support for the monarchy and the continued existence of Catalonia within the Spanish state despite being sympathetic to nationalism.



### **Catalunya en Comu-Podem**

Formed on the 13<sup>th</sup> of November 2017, Catalonia in Common – We Can or ‘We have a lot in Common’ is an eco-socialist, social-democratic supporter of alter-globalisation. Xavier Domenech is its lead candidate who is a Spanish historian and member of Proces Constituent; an anti-capitalist and pro-independence group which calls for a ‘Republic of the 99 percent’.



### **Partit Popular de Catalunya**

The People’s Party of Catalonia (PP) is a Christian and conservative regional branch of the ruling party of the Spanish government; the Spanish People’s Party. The PP is opposed to any form of Catalan secession with the leader of the national party and Prime Minister of Spain, Mariano Rajoy, stating that he would block any attempt to make Catalonia’s independence referendum legal. The lead candidate for the PP in the Catalan election is Xavier Garcia Albiol.



### **Candidatura d’Unitat Popular - Crida Constituent**

Popular Unity Candidacy – Constituent Call (CUP) is a left-wing, pro-independence alliance which supported the Junts Per Catalunya coalition to achieve a majority of 72 seats within the election of 2015. Their preference for Carles Puigdemont in the negotiations after the election ensured that he would become President of the Catalan Parliament in exchange for the 10 seats which the (JuntsxCat) required to achieve a majority. The CUP is also active in other Autonomous Regions of Spain which it considers should belong to Catalonia. The lead candidate for the party is Carles Riera who is strongly pro-independence having been a spokesman for the organisation ‘Call to Solidarity in Defence of the Catalan Language, Culture and Nation’.



## Democracy Volunteers Deployment to Catalonia

A team of twelve researchers deployed for a week before polling day to Barcelona. In the week before polling day the team attended the seven party offices, party events and rallies for each of those parties campaigning for the election. On every occasion the group assessed the diversity of the party, the size of the event, the policies and campaigning techniques of each party and the size and scale of the media at each event.



As the campaign developed most of these events became party rallies towards the end of the campaign. On each occasion a minimum of two researchers attended each of the rallies and reported back to the core team at the end of the event, in writing, on the nature of the event and the size, venue etc.

Each group was supported by a Spanish and/or Catalan speaker for these events.

As well as campaign events the teams were split into three groups based around the electoral areas of Barcelona, Girona and Tarragona. Because of the limitations of the size of the team it was unfortunately not possible to deploy a team to the Lleida electoral region or more remote parts of Catalonia.

In the days preceding the election each of these teams had one day for pre-deployment, to their area of responsibility on polling day, to assess the whereabouts of polling stations, the local context in their area and to conduct any possible interviews and meetings that they thought desirable. Teams of three, with a driver, were deployed to both Girona and Tarragona electoral regions and a team of four was deployed to Barcelona. The three others constituted the core team.



On polling day the three regional teams, which subdivided into two teams in Barcelona, deployed across Catalonia making limited, external observation of polling stations. These limitations were due to the Spanish Electoral Commission's restrictions of electoral observation.

However, considerable activity could be assessed during the day and this work is explained in the relevant section later.



## **The Process of Accreditation of International Observers**

Before the election, Democracy Volunteers contacted the Junta Electoral, based in Barcelona, to seek accreditation for international election observation. A response was received some weeks later informing Democracy Volunteers that we would not be accredited. Spain comes under the aegis of the OSCE for purposes of electoral observation. As Catalonia is a sub-division of Spain no invitation to observe the election on polling day in polling stations was offered to the OSCE/ODIHR which, in any case, is primarily focused on national elections.

As such, the Junta Electoral received only the application of Democracy Volunteers for the purpose of observing the election on 21<sup>st</sup> December.

This is clearly a continuation of Spain's policy to exclude international oversight of its elections despite continuing representations by Needs Assessment Missions from the OSCE/ODIHR.<sup>1</sup>

As well as being poor practice it is in apparent contravention of Section 8 of the Copenhagen Agreement to which Spain is a signatory. This states that:

‘The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings.’<sup>2</sup>

A copy of the response from the Junta Electoral can be seen in Appendix 1.

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<sup>1</sup> <http://www.osce.org/odihr/elections/spain/224411>

<sup>2</sup> <http://www.osce.org/odihr/elections/14304>

## Media Monitoring

As part of the deployment the team had identified that the media had been subject to substantial criticism during the 1<sup>st</sup> October referendum campaign and felt that assessing the independence of the media would be a useful part of the research that the team could undertake in Catalonia.

As such a random, 20% sample, was produced of the 23 press and media outlets that cover the Catalonian region. These were *El Pais*, *El Mundo*, *ABC*, *La Vanguardia*, *El Periodico*, *ARA*, *El Punt Avui*, *La Razon*, *TV1*, *TV2*, *TV3*, *Antena 3*, *Cuatro*, *Tele 5*, *La Sexta*, *TD8*, *Onda Cero*, *Cadena Ser*, *COPE*, *RNE*, *Catalunya Radio*, *RAC1* and *Catalan News*.

The media coding assessed all the political stories and their relevance to the Catalonian election. In total, there were 417 stories which discussed political news in this period (within the 20% sample) of which 242 were directly relevant to the election.

The coders assessed the length and focus of the reports and which parties received most of time within each report. They also assessed whether there was a bias for or against the unionist or independence arguments. In Spain, private institutions should try to maintain balance and publicly owned ones should show no bias.

At this early stage of the research the figures are indicative rather than conclusive but there is considerable indication that the Madrid press, most notably *El Periodico* and *El Pais*, has not helped contribute to a fair reflection of the debate in Catalonia for the election.

Table 1

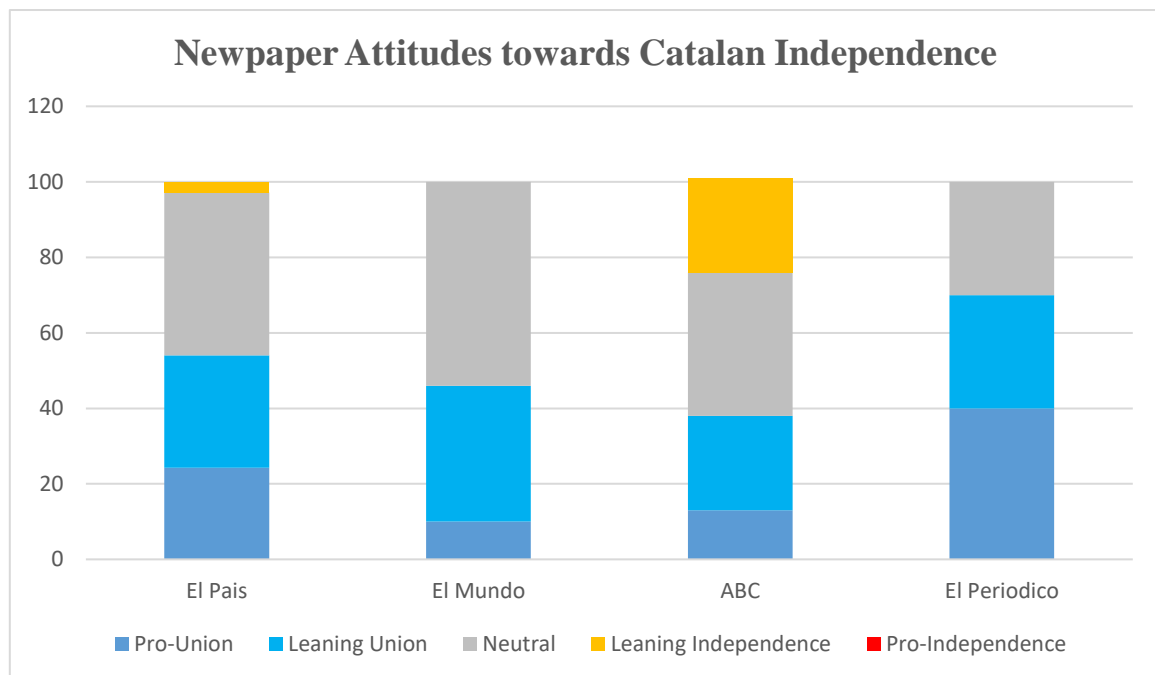


Table 1 indicates that the print media is almost entirely negative towards Catalan independence. At best the majority of the coverage was neutral, for example in *El Mundo*, and, at worst, the newspapers supported the campaign for unionism with enthusiasm, in *El Pais* and *El Periodico*.

Only ABC showed any suggestion of balance in coverage. (NB Due to paywall issues, it was not possible to code *La Vanguardia* at this time and this will be done for the final report).

Table 2

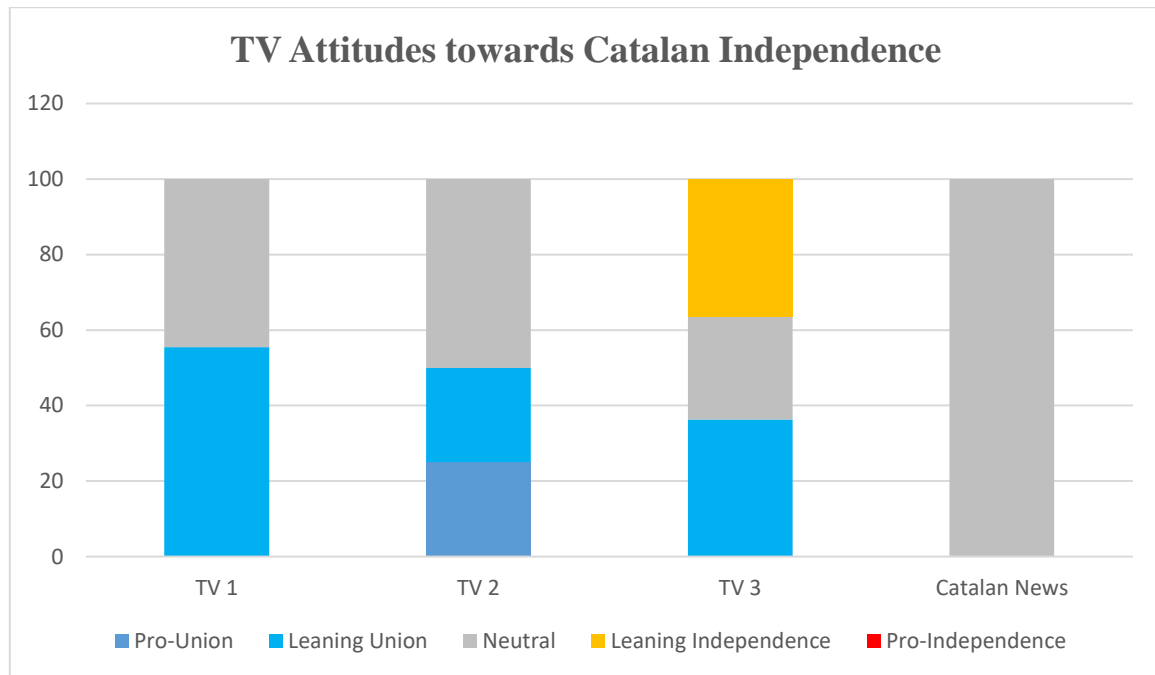


Table 2 indicates that the TV media, in the case of TV1 and TV2, is also heavily pro-Union, if not to the degree that the newspapers are. Only TV3 showing proportional coverage with balance between the two sides of the independence debate. The newly created *Catalan News* online TV station coded as being neutral but this was because of the content being primarily from party events during the election. The stories the station chose were, however, heavily weighted in the direction of the independence movement and its candidates.

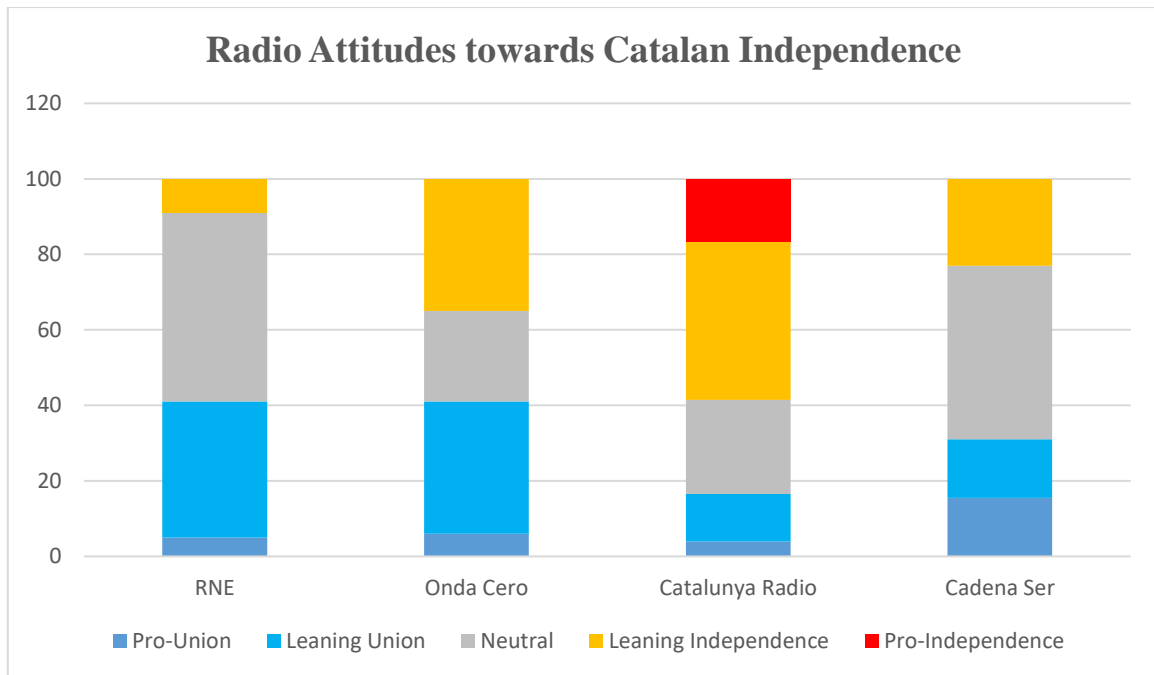
Other TV stations were also coded and these will be included in the final report of the deployment. Although, these statistics reflect the Independence/Unionist political cleavage, in the nature of the debate, there was considerable care taken by the national TV stations to ensure equality of coverage for the parties, in the television debates that took place. In some cases, this even included an on-screen clock to express this.

However, if party events' timings clashed, it often appeared as if the clash benefited the smaller unionist parties rather than the leading independence parties in the election.

Radio stations, as seen in Table 3, can also be publicly and privately owned. Indeed, one Catalonian radio station, *Catalunya Radio*, received criticism and potential sanction from Madrid, for apparently breaching the strict terms of impartiality that public corporations should maintain.<sup>3</sup> However, although it does seem that *Catalunya Radio* is more supportive of independence the national Spanish radio station, *RNE*, seemed biased against independence, if not to the same degree.

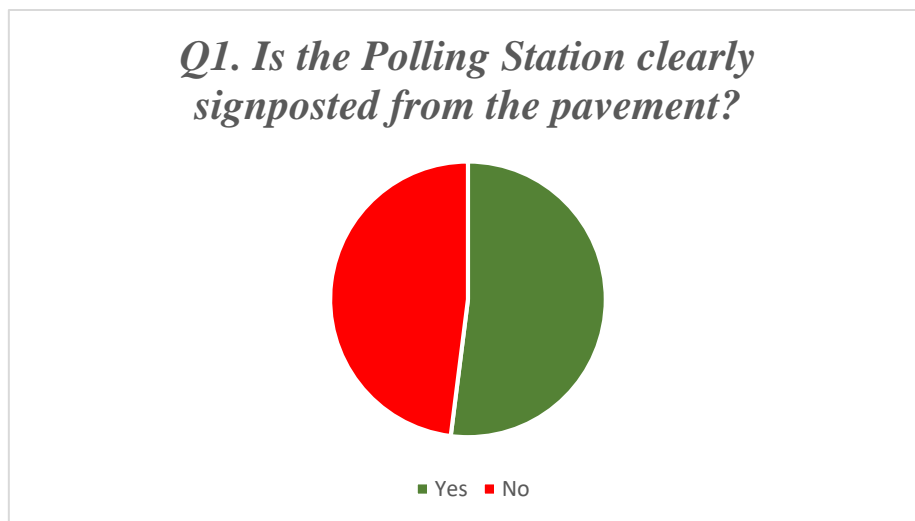
<sup>3</sup> [https://politica.elpais.com/politica/2017/12/12/actualidad/1513099655\\_405100.html](https://politica.elpais.com/politica/2017/12/12/actualidad/1513099655_405100.html)

Table 3



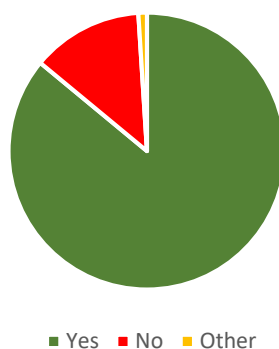
## Results of the Polling Day Research

The researchers answered the following questions in order as they progressed with each observation at each polling station. Other data will be available in the final report but due to the limitations of access we were unable to assess whether ballot boxes were sealed or that the secrecy of the ballot was kept. However, despite the limitations of created by the lack of accreditation our researchers reported on the following:



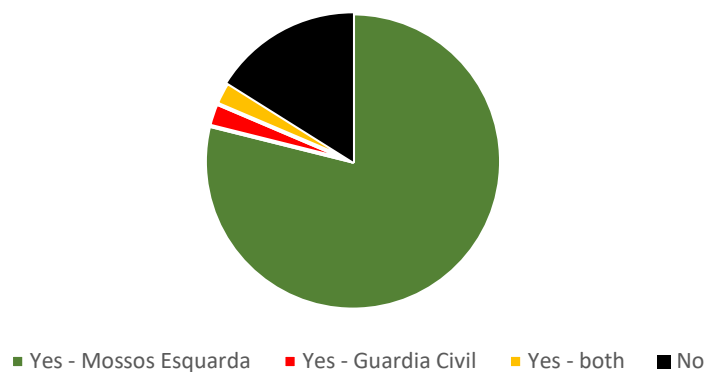
**QUESTION 1:** Only 52% of cases polling stations were properly signposted from the pavement. Signage is very rudimentary and not clear in many cases.

*Q2. Is it clear how disabled voters would access the Station?*



**QUESTION 2:** In 86% of cases, researchers did not identify problems with where disabled voters should report. On 13% of occasions it was unclear how disabled voters would gain access.

*Q3. Are there police outside the polling station?*

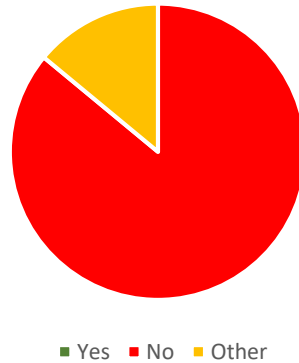


**QUESTION 3:** Police were identified at the vast majority of polling stations. Mostly this was the Mossos Esquadra, the Catalanian regional police. In two cases there were also the Guardia Civil and in two cases both forces were present. In a large number of cases the researchers identified that the police had entered polling stations for lengthy periods. However, it was not clear the purpose of the visit or the necessity for the visit.

Independent, local, feedback suggested this was a much higher police presence than local people were used to.

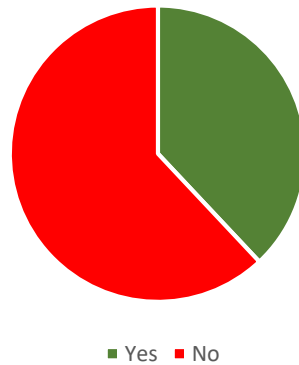


***Q4. Are they interfering with the access of voters to the polling station?***



**QUESTION 4:** Despite the high police presence there was no suggestion that the police were, in any way, impeding access to the polling stations.

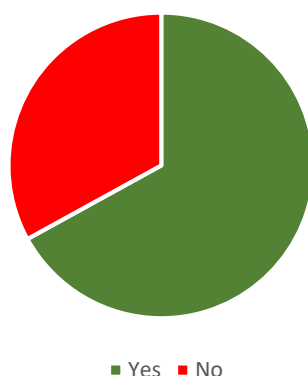
***Q5. Is there a queue of voters outside the polling station?***



**QUESTION 5:** Throughout the day lengthy queues were identified outside a large number of polling stations. This tended to subside after the early morning rush but a number of polling stations had queuing in excess of 200 at the opening of polls.

A number of party representatives, although attributing this partly to the interest in the election and the likely high turnout, also suggested that the fact that the election was on a Thursday, rather than the usual Sunday, might have an effect on the likelihood of queues.

***Q6. Did you see party officials in or around the polling station?***



**QUESTION 6:** Researchers identified party officials in or around polling stations on 67% of occasions. These were generally engaged in monitoring their party activity and checking the process for the benefit of the party. Only on one occasion did the team see domestic or international observation in operation.

Although this party activity ensured a level of transparency to the electoral process the lack of independent oversight was still a concern to the Democracy Volunteers team.

### **Other Comments from the Research Team**

As well as external observations of polling stations the team also identified concerns given to the team by meetings and from discussions with party observers during the process of the election.

A number of election issues have appeared across social media, but Democracy Volunteers have been unable to substantiate them thus far.

Firstly, issues of voters abroad not receiving their ballot papers on time or at all have been frequently mentioned. Catalonians living in Italy, Finland and Mexico amongst other countries complained of not receiving their ballot papers. This rumour is particularly important for the regional elections in 2017, with almost 40,000 overseas Catalonians registering to vote, a 60% increase on 2015.

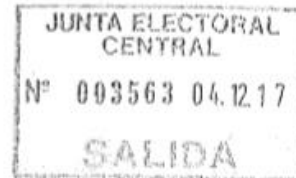
Bea Talegon of Diario 16 also conveyed the allegation that officials in polling stations were instructed by the Spanish Government to report incidences of individuals entering polling station wearing the yellow ribbons which are associated with the pro-independence movement. This is in order to allow the JEC (Central Electoral Board) to invalidate the results from these polling stations, favouring the non-independence parties.

However, Democracy Volunteers has been able to find more substantial sourced for concerns surrounding postal voting. A leading candidate in Tarragona told Democracy Volunteers in an

interview that their party did not trust the accuracy of postal vote counting, to the extent where their campaign discounted them to focus on polling day. They also added that the company responsible for postal voting was based in Madrid.

We note them here but have not been corroborated by the research team.

## Appendix A



Referencia: Expte. (339/174)  
Cítese en toda comunicación

La Junta Electoral Central, en sesión del día de la fecha, ha adoptado el acuerdo que se transcribe respecto del asunto de referencia.

**Expte. 339/174**

Autor: Junta Electoral Provincial de Barcelona

Escrito de la Junta Electoral Provincial de Barcelona sobre solicitudes de observadores internacionales.

### ACUERDO.-

No resulta procedente atender a su solicitud, dado que -como bien se pone de relieve en el Informe de la Dirección General de Política Interior- nuestra legislación electoral no prevé la existencia de observadores internacionales; de tal manera que únicamente se ha autorizado esa observación en supuestos especiales en que lo ha solicitado un organismo electoral público de un Estado o una organización internacional reconocida por España y a la que estatutariamente le correspondan funciones de observación de procesos electorales.

Palacio del Congreso de los Diputados, 4 de diciembre de 2017.

EL PRESIDENTE  
  
Segundo Menéndez Pérez