



INTRO

Andalusia is thirsty for **change without revenge** , for true democratic regeneration, and for a transparent government after its flag has been tarnished by **corruption** , exposing the malpractice of politicians and businessmen. Operation Malaya, the ERE case, Mercasevilla, and other schemes have spread to the eight "green and white" provinces, causing their courts to become saturated and hundreds of hours of trashy television.

1**Malaya Case***November 2005*

It was the **largest case of municipal urban planning corruption** in the history of Spain. The investigation, which began in March 2005, led to the first dissolution of a city council in the country. This occurred on April 7, 2006. A management team then took over the municipality until the municipal elections in May 2007.

2**Edu Case***April 2014*

It has uncovered irregularities in the granting of **training course** grants in Andalusia. The Andalusian Employment Service (SAE), the agency responsible for managing this funding, was responsible for managing this funding.

3**ERE case***April 2011*

The ERE case had a prequel, the Mercasevilla case, the conversations between the directors of the food market and businessmen from Seville from the La Raza group asking for money (**450,000 euros**) in exchange for the efforts to obtain a subsidy from the Employment Department of the Andalusian Government for a value of **900,000 euros** .

4**Invercaria***January 2012*

Invercaria is a venture capital firm of the Andalusian Regional Government. Thirty companies under investigation raised **significant sums of money** despite projects that were ultimately unsuccessful, such as the airline Andalus, chaired by former Minister of Culture **José María Martín Delgado** .

5**UGT invoices***2014*

A spin-off of the macro-case of the EREs. The union **created and inflated invoices** to illegally finance itself for more than ten years. The union's leaders participated in the union's so-called "central purchasing office." It was a "direct inspiration" from Manuel Pastrana, former general secretary of UGT Andalucía, and continued with Fernández Sevilla.

LOS PROTAGONISTAS

Mercedes Alaya

Titular del Juzgado de Instrucción nº 6

Es la juez instructora del caso de los ERE fraudulentos de la Junta de Andalucía, una de las más largas y complejas de la historia del sistema judicial español. En total tiene siete macrocausas abiertas. Además de los ERE instruye, entre otras, la operación Madeja, que investiga la presunta red de sobornos y el amaño de concursos públicos de la empresa Fitonovo, y el fraude en los cursos de formación. Muchos la han criticado por demorarse demasiado en la instrucción y es previsible que aunque pida una prórroga no pueda permanecer en su puesto por más de un año.



JOURNEY TO BLACK ANDALUSIA

TEXT: AGUSTÍN RIVERA

"Here in Seville, you've won the lottery if you're not a defendant in the EREs." This joke/phrase is uttered in the middle of a frugal dinner by a senior Andalusian executive, fed up with the fact that Andalusia has largely become synonymous with corruption. "This has to change. We can't continue like this," he says in a restaurant near the Colón Hotel in the Andalusian capital.

At the epicenter of the EREs (the relentless and controversial judge **Mercedes Alaya** has already charged 226 people in this case), Corruption with a capital C has become that odious housekeeper that always plagues an idyllic territory of nationals and foreigners. We are writing from an autonomous community of 8.5 million inhabitants, the most populated in Spain, a territory similar to Portugal that suffers the highest unemployment rate in all of Europe.

When did Andalusia go to hell? At what point did the Andalusia brand begin to be associated with corruption? It all started in Plaza de España. **Juan Guerra**, the brother of **Felipe González**'s vice president, had his office there, in the Central Government office. "Alfonso's brother was a fixer, and in the end, he ended up with so little conviction and impact that what he did was inspire others to do the same. It's the mother of all corruption cases," says **Agustín Ruiz Robledo**, professor of Constitutional Law at the University of Granada.

Until the ERE case, the most well-known scandal in Spain so far, although not the most significant (the EDU case, the training course scam), the **Manuel Chaves** government had already faced the Ollero case in the early 1990s, involving the payment of commissions on a highway.

Opinions differ when asked whether corruption with a genuine Andalusian flavor exists. For Ruiz Robledo, the "lack of political alternation" for 33 years (Andalusia is the only Spanish region where the same party, the PSOE, has always governed) and a laxity in oversight instruments have served as a breeding ground for cases like the ERE (Labor and Employment Regulation File), where the barriers of administrative law were breached by granting irregular aid, resulting in fraud totaling €855 million.



Illustration: Raúl Arias

CHRONOLOGY OF THE ERE CASE

*It was in 2009 when the PP spokesperson in Seville City Council, Juan Ignacio Zoido, reported the attempted commission collection from businessmen by two former Mercasevilla executives. At the time, no one could have imagined that the scheme would eventually become the **largest corruption case** in the history of Spain, with Andalusia in the spotlight and the "Iron Lady" Alaya administering justice.*

April 2009

March 2011



24



April 24, 2009

The PP spokesperson for Seville City Council, Juan Ignacio Zoido, is filing a complaint with the courts regarding the alleged attempt by two former Mercasevilla executives to collect commissions from business owners.



March 30, 2011

Judge Alaya requests the Board to provide the minutes of all the meetings of its Governing Council.



July 3, 2011

The State Audit Office has launched an audit of the EREs (employment reduction plans) following a complaint from the People's Party (PP).

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25,000

Part of the origin of the corrupt evils is due to the existence of the so-called parallel administration, made up of some 25,000 people.

A civil servant with 20 years of experience in the Andalusian Regional Government believes that part of the root cause of the corruption in the south is the existence of the so-called parallel administration, made up of some 25,000 people and costing €5 billion. "The general interest has been replaced by private interest, and it is this private interest that causes each and every one of them, from the first to the last (politicians, managers, advisors, and officials and appointees) to dip their hands into a sack that doesn't belong to them, but to everyone," notes this civil servant, who does not want to give her name for fear of reprisals.

Ana Pérez Luna, blogger and former Secretary of Women's Affairs at the UGT (United Left of Andalusia), doesn't believe corruption can be localized. "In fact, I think any attempt to brand corruption as the hallmark of any nation should be avoided," says Pérez Luna, who believes the biggest scandal "is the one that the media chooses to target."

José Manuel Sánchez Fonet, president of the Citizen Observatory against Corruption, believes that Andalusians "are not the most corrupt." "We must keep in mind that Andalusia is the largest autonomous community. Corruption also exists in the Balearic Islands and Catalonia," he points out.

Javier Padilla, a Sevillian businessman with businesses in New York, laments how in Andalusia it is often said that someone "is a genius for collecting unemployment benefits and working as a home-based handyman, and criticizing politicians who steal. Society must harshly condemn this type of behavior, as it does in more advanced countries."

Jesús García Calderón, the Chief Prosecutor of Andalusia, points out that Andalusian society "has long been demanding a strong and adequate response to their punishment." "The only genuinely Andalusian endemic crime problem, also extremely serious, could be linked to human trafficking

in the Strait of Gibraltar," explains García Calderón.

The prosecutor insists that when we talk about corruption, it's not just about politics. "There are also serious forms of corruption among individuals or public officials far removed from the public eye, financial corruption, or even forms of accounting corruption that can also be effectively prosecuted by budget oversight bodies."

Mariano **Aguayo**, managing partner of Aguayo Abogados, a firm with offices in Madrid and Córdoba, is particularly distressed by the training course scandal. "I am convinced that what our society needs is more and better training at all levels. The fact that funds intended for this purpose have been used to enrich a few seems regrettable to me. Andalusia needs better-trained citizens."

THE MAP OF CORRUPTION

*Hover over the dots to find out
the number of people charged and convicted in
political corruption cases in Spain.*



Data: Europa Press

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***Are there any
remedies, any recipes
to end this scourge?***

Are there remedies, any recipes for ending this scourge? "Whoever does it pays; whoever is accused must resign. An accusation may be permissible for a citizen, but for a politician, it's a sin. We must go to the maximum," says a former Andalusian MP who has now retired from political party leadership. Susana Díaz announced the creation of an anti-fraud office in the midst of the campaign, although she has yet to provide specific details. The PP has several defendants ("for administrative matters, not for corruption," according to the PP) on its lists for the Andalusian Parliament.

Miguel Ángel Arredonda, historical leader of the Andalusian Party, emphasizes honesty as an essential element. "In politics, you have to appear honest, not just be honest. The two main parties have been covering up. What happened with Chaves and Griñán is pathetic, whether they were indicted or partially indicted."

For Pérez Luna, one of the keys to minimizing corruption would be for institutions and organizations with public powers to prioritize "talent and ability over the cult of leaders or flattery. People with responsibilities cannot have their opinions conditioned or hijacked." Furthermore, not only should the fine print of budgets be disseminated, but also the results should be presented in employment policies.

There's an example along these lines that demonstrates the system's opacity. Public job postings aren't advertised to job seekers on the SAE (Andalusian Employment Service) website, unlike those from private companies. "It's the SAE offices themselves that contact job seekers if they believe they fit the profile. Why is there no transparency here?" says a Malaga-based manager of a multinational, who denounces the Andalusian Regional Government's aid "to companies that, years later, are sold to foreign capital. We lose those resources that we Andalusians have

provided."

There's a general feeling: fed up. "We're fed up with so much corruption. Maybe we Andalusians are too comfortable, or maybe we're just too conformist. It's not logical that with so much unemployment, nothing changes," this executive concludes.

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