



Barcelona, May 2016

Full text: Mr. Carles Puigdemont's speech at Chatham House, London, May 12th 2016:
Mr Puigdemont is the head of government of Catalonia region, Kingdom of Spain.

In green letters: comments from Societat Civil Catalana board

Mapping a Path Towards Catalan Independence

For more than five years, Catalonia has been undergoing a political process to leave Spain and become an independent State.

Catalonia, as such, is not undergoing any such process. In this phrase Mr. Puigdemont is referring to the various actions taken by the separatists, personally or through parties or associations, or even through illegal and illegitimate use of the institutions and administrations controlled by the separatists. It is common in all separatism to resort to the metaphor according to which those who act are not a group of people, but a whole country. But this metaphor is, as they all are, false and inappropriate especially in this case considering the fact that most Catalans are not separatists. We reject the name of our region being used in this way. It induces the kind of confusion sought by separatists, but which must be rejected and denounced.]

While this process has certain factors in common with the aspirations of other nations such as Scotland, Flanders and Quebec, it has three distinguishing features that make it unique and also, if I may say so, exemplary. It is a movement that is not against anyone,

The pretense that the secessionist movement "is not against anyone" is ridiculous and false. In politics, there is nothing negative about making proposals that do not enjoy unanimous approval, but it is irresponsible and misleading to claim that those proposals do not have opponents. The initial aim of the secessionists was that secession be seen as a unanimous movement of all Catalans, deepening in its legitimacy. But clearly they have not achieved that purpose. We are many, those Catalans who view with concern a process that could lead us to be foreigners in our own country and to an extremely grave loss of rights; and increasingly there are more of us who are actively opposed to it.]

based on the exercise of democracy,

As we will detail a little later on, one cannot claim that the process is democratic if it ignores the rules we have made together. In a democratic country such as Spain, nothing is gained by democratic legitimacy if it is contrary to the law.]

whose objective is to provide our country with more tools to progress and offer our citizens greater wellbeing.

One of the topics used in the independence argument is that independence would raise the standard of living for Catalans. The truth is that secession, especially if it is unilateral, would obviously imply damage in the short and mid term: leaving the European Union, difficulties in access to the main Catalan market-which is the rest of Spain, instability as a result of the uncertainty of the international status of Catalonia, etc.]

We are a country that feels profoundly European and wishes to continue being European in the future; not just a member of the European Union but an active player in its construction.

Why do you want to be a small State when you are a part of a much larger one? Why do you want to stop being a part of a State as important as Spain? Why do you want to embark on such a hazardous venture? Will you leave unilaterally? Is this proposal serious? These are some of the questions we are asked and no doubt ones that you have also considered. Hence our determination to explain to you first-hand exactly what we are defending, why we are doing it and how we want to do it. In this respect, I would like to thank The Royal Institute of International Affairs most sincerely for giving us the opportunity to do so.

While it is true that there have always been people who have longed for an independent Catalonia, the movement for sovereignty has really blossomed in terms of its depth, breadth, cross-cutting nature and strength in the last six years. For over 30 years, the majority of the Catalan parties and most of Catalan society upheld the autonomy route – in other words, achieving greater levels of self-government within the Spanish State. Finding a fit that would provide respect for what we are – a nation – with a common path to follow as part of the State. All of this was supported by two factors. Firstly, an intensive exercise in educating, in explaining ourselves, in trying to make people understand what Catalonia means.

Once again the confusion among the whole of Catalonia and the vision that the separatists have of it can be seen. Other visions of Catalonia are possible, but unfortunately, the President of the Generalitat does not understand that any vision other than their own can be defended. The reference in the final paragraph to the political party to which he belongs confirms the intentional confusion between party and region. Moreover, it should be noted that what he calls "an educational exercise, to explain ourselves" has incurred in the indoctrination, of which there are examples in both education and the media. We refer you to the document on the deficits of democratic quality in Catalonia prepared by SCC

<https://societatcivilcatalana.cat/assets/documents/20150910informeCalidad00.pdf> ,

as well as what was noted in the conference on education in Catalonia in November 2015 (<https://www.youtube.com/watch?v=SKsMf10cy7U>). Also see, for yourself, how a secessionist rally took place in a public school with student participation:

<http://www.lavanguardia.com/vida/20121012/54352977262/12-o-mas-una-docena-colegios-catalanes-abren-viernes.html>]

We believed that if we could make ourselves understood, everything would be easier. And secondly, and as a very important aspect, a very strong commitment was made to contribute

towards the stability and good governance of the State. All the major challenges that the Spanish State has had to meet throughout all these years of democracy have enjoyed the support of the party to which I belong. All of them.

As has been noted, while up to this point he makes reference to "Catalonia" the perspective now focuses on his own party. Obviating, moreover, that his party is CDC, which for decades presented itself to the elections in coalition with another party, UDC, thus giving rise to the now defunct coalition "CiU" which had never presented programs that would lead to Catalan independence. In 2012 this coalition attended the elections with an approach based on Catalonia's right of self determination (the so-called "right to decide") program. In those elections of 2012 CiU and suffers a major setback even he wins the election needs the support to govern a traditionally independence party ERC. In 2016 CDC, already separate from separate UDC, takes part in the regional elections on a joint list with ERC (JxS) aimed at achieving a broad majority that would allow the declaration of independence of Catalonia. Despite this move, the electoral coalition does not win an absolute majority in the Catalan Parliament or the majority of votes cast, going back to drawing attention to CiU's best results from a time when its program was not separatist. In the general elections of December 2015 CDC participates in them under the name "Democracy and Liberty" allied with small forces, but separate from ERC, which it had presented itself with in the regional elections just three months earlier. For these reasons, it would be advisable that Mr. Puigdemont clarify what he means by "the party to which it belongs"]

So what has changed in these last few years to make Catalonia decide to embark on its own path? We need to go back to 2010, when the Constitutional Court of Spain, made up of clearly politicised members of the two main Spanish parties,

That claim is unfounded. The Spanish Constitutional Court judges are appointed, like their equivalents in other countries are, by political bodies; but the judgment of their performance must be made by resolutions that dictate without rendering a widespread disqualification inadmissible such as the one formulated here and that fits into the nationalist strategy aimed at delegitimizing Spanish institutions and deepening therefore the symbolic separation between the Catalans and the rest of the Spanish.]

some of whose mandate had expired, issued a ruling against the 2006 Statute of Autonomy of Catalonia, leaving it completely devalued.

The fact is that of 223 articles, 15 additional provisions, two transitional provisions, one derogatory provision and four final provisions, the Constitutional Court annulled part (only parts, at times just eliminating a clause in a section of an article) of 14 articles and established a constitutional interpretation under 21 other items plus four additional provisions. That is, the whole of the Statute practice was declared constitutional by the Constitutional Court. The following is the operative part of the judgment of the Constitutional Court on the Statute of Autonomy for enabling verification of this claim:

"In view of all the above, the Constitutional Court, by the authority under the Constitution of the Spanish Nation,
Has decided

To partially accept the appeal of unconstitutionality raised by more than fifty Deputies of the parliamentary group against the Organic Law 6/2006 of 19 July, reforming the Statute of Autonomy of Catalonia and, consequently,

To declare that:

1st: The references to the preamble to the Statute of Catalonia "Catalonia as a nation" and "national reality of Catalonia" lack the legal interpretative legal force.

2nd: They are unconstitutional and therefore invalid: the words "and preferred" in paragraph 1 of Art. 6; paragraph 4 of Art. 76; the phrase 'of exclusive nature" from paragraph 1 of Art. subsection 78; the art. 97; paragraphs 2, letters a), b), c), d) and e), and 3 of Art. 98; subsections "and with the participation of the Council of Justice of Catalonia ' from paragraphs 5 and 6 of art. 95; the subsection 'by the President of the Superior Court of Catalonia, who chairs it, and "in paragraph 1 of Art. 99; paragraph 1 of Art. 100; subsection 'or the Council of Justice of Catalonia "in paragraph 1 and paragraph 2 of art. 101; subsection 'as principles or lowest common regulatory rules with the force of law, except in the cases determined in accordance with the Constitution and this Statute "of art. 111; subsection "the principles, rules and minimum standards established ' in paragraph 2 of Art. 120; subsection "the principles, rules and minimum standards set in 'in paragraph 2 of Art. 126; subsection 'where carried out a fiscal effort also similar "in paragraph 3 of Art. 206; and subsection "may include the legislative capacity to establish and regulate their own taxes of local governments and" in paragraph 2 of art. 218.

3rd: The following provisions are not unconstitutional, provided they are interpreted in terms of the corresponding legal basis indicated: Art 5 (FJ 10); paragraph 2 of Art 6 [FJ 14 b)]; paragraph 1 of Art. 8 (FJ 12); paragraph 5 of Art 33 (FJ 21); the Art. 34 (FJ 22); paragraph 1 and the first sentence of paragraph 2 of Art. 35 (FJ 24); Paragraph 5 of Art. 50 (FJ 23); Art 90 (FJ 40); paragraphs 3 and 4 of Art 91 (FJ 41); paragraph 2 of Art. 95 (FJ 44); Art 110 (FJ 59); Art 112 (FJ 61); the art. 122 (FJ 69); Paragraph 3 of Art 127 (FJ 73); Art 129 (FJ 76); Art 138 (FJ 83); Paragraph 3 of Art 174 (FJ 111); Art 180 (FJ 113); Art 183, paragraph 1 (FJ 115); Paragraph 5 of Art 206 (FJ 134); paragraphs 1 and 2, letters a), b) and d) of Art 210 (FJ 135); paragraph 1, letter d) of Art 222 and paragraph 1, letter i) of art. 223 (FJ 147); paragraph 1 of the third additional provision (FJ 138); and the eighth, ninth and tenth additional provisions (FJ 137).

4th: Dismiss the appeal of unconstitutionality everything else.]

Five years earlier, the Catalan Parliament had approved the reform of the Statute of Autonomy, the basic law that controls our self-government. This new Statute was intended to be a renewed bilateral pact between Catalonia and Spain in order to give us more self-government and greater financial capacity. Not without sacrifices, that Statute was subsequently approved by the Spanish Parliament and then ratified by the people of Catalonia in a referendum. Despite this, four years later, as a result of appeals lodged by the Partido Popular (Popular Party) and the Spanish Ombudsman, - and with the approval of the Socialist Party, which was then in power - the Constitutional Court literally demolished the main elements designed to improve the new Statute of Autonomy.

As noted, most of the Statute was not touched by the TC, so the statement does not conform to reality.]

Previously, as it was going through Parliament, the Popular Party, in a very unseemly manner, decided to collect petitions from around the whole of Spain to oppose this improvement in self-government.

How is it possible that something that had been approved by two Parliaments and, above all, by the citizens of Catalonia in a referendum, could be overturned four years later by a discredited and politicised tribunal?

There is nothing extraordinary or scandalous in what is proposed here. It is clear that no law is above the Constitution and therefore the only relevant factor is whether or not the statute was contrary to the fundamental rule of our law. If so, it would be unlikely that such a rule would remain as valid. Surprisingly enough, at that time it was even argued that the Constitutional Court should respect the statute, even though it was contrary to the Constitution, because it should have been understood that the Statute represented a reform of the Constitution:

http://elpais.com/diario/2009/11/27/espana/1259276405_850215.html Such absurdity of reasoning is incompatible with the basic principles of the rule of law, and therefore insisting arguing that the referendum in Catalonia should have cured the unconstitutional defects that could affect the Statute is an insult to intelligence and a despicable demagogic exercise.]

The response from Catalonia

Again here, there is a reference made to Catalonia when it should be to the nationalists or, as in this case, those who disagreed with the ruling of the Constitutional Court. Incidentally, in relation to this, the demonstration was called when only part of the sentence was known, but not in its entirety, which was particularly relevant regarding the items on which the Constitutional Court demanded an interpretation in accordance with the constitution. Some nationalist politicians challenged in provocation that the judgment had been published in full precisely on the eve of the demonstration, as if it were inappropriate that the protesters be aware of the knowledge of the decision against which the demonstration was intended. <http://www.elperiodico.com/es/noticias/politica/print-379239.shtml>]

to such a harsh verdict was a mass demonstration in the city of Barcelona involving one million people

The falsehoods on the mobilization in the streets in favor of independence are constant and we shall go back to them a bit later. In this particular case, the estimates made on participation in the demonstration and which explain the method used for the calculation, reduce that number by half http://elpais.com/diario/2010/07/11/espana/1278799221_850215.html or even much less <http://espacioeuropeos.com/2010/07/un-estudio-de-la-agencia-efe-encargado-a-la-empresa-lynce-afirma-que-unas-56000-personas-asistieron-a-la-manifestacion-en-defensa-del-estatut/> In any case, the figure of one million people cannot withstand the debate, a very dense occupation of 250,000 square meters would have been needed to reach that number of attendees.]

taking to the streets under the banner 'We are a nation. We will decide'. That ruling, which a few people within the Spanish Government are quietly admitting was a big mistake, was the definitive sign that a radical change was needed. That the path we had followed up to that point, the attempt to find a fit for Catalonia within Spain, could never be a reality. That Spain had no political will to change. It raised a dilemma: to stop being Catalan, or to go for independence. And a comfortable majority of our citizen decided to embark this new path.

There is no evidence that a majority of Catalans truly opt for the independence of Catalonia. data on the subject can be found in the following report:

<https://societatcivilcatalana.cat/assets/documents/20150513estudioOEC-es.pdf>]

At that time, there was an emotional disconnect of many Catalans towards the Spanish State. As a result of all this, on September 11th – Catalonia’s National Day – in 2012, 2013, 2014 and 2015 around one-and-a-half million people took to the streets each time to demand Catalan independence, in a country of some 7.5 million inhabitants.

The figures for participation in these demonstrations are an obvious exaggeration. Even an environment that was nowhere near hostile with regards to nationalism, as was La Vanguardia in 2012 calculated the participation in the rally of 2012 at about 600,000 people.

<http://www.lavanguardia.com/politica/20120914/54349577571/manifestacion-independentista-600-000-personas.html> In 2013 the figure given by the Government for participation in the Via Catalana was 1,600,000 people, but the reality is that the amount was half of that figure.

<https://societatcivilcatalana.cat/assets/documents/informe-gigafoto-via-catalana-scc.pdf>

Finally, in 2015 the participation in the demonstration at Meridiana Avenue stood at around half a million people. <https://societatcivilcatalana.cat/assets/documents/recuentoDiada2015.pdf> These are extremely high turnout figures that are of unquestionable political significance; but that become ridiculous in their implausibility when multiplied by two or three. The independence movement in recent years has indeed been significant, but has never exceeded 12% of the total population in Catalonia despite the use of its administrations and public media as an instrument of call and encouragement to the participation in such events.]

I also believe it appropriate to point out that the independence movement has taken on its shape and bulk in the last few years not from a stance of extremism or radicalism but from a central position. The independence project in Catalonia is the most powerful democratic revolution currently taking place in Europe, and to illustrate this, colloquially, I should add that it is also a peaceful revolution, carried out in suit, shirt and tie, with participation from the general public and institutions, the working classes, middle classes and business leaders of the nation. This situation is what most worries Madrid, because it is fully aware that this movement is unstoppable.

It is also worth mentioning that in 2012, Catalonia made a last-ditch attempt to reach an agreement with the Spanish State.

Here we encounter an inappropriate reference to Catalonia as an entity interacting on the same plane as the rest of Spain. Ignorance of the fact that the Generalitat is no more (or less) than an administration integrated in the Spanish state interacting with other Spanish administrations, but not the Spanish state as such, as the Generalitat itself is integrated in. From a nationalist perspective it is interesting that the conflict is perceived as one between equivalent territorial entities, which easily leads to the reference of the conflict as international; but it is only a distorted reference that does not correspond to reality.]

Our Parliament approved a draft Tax Deal, a kind of economic pact in the style of the one enjoyed by two other Spanish regions, the Basque Country and Navarre, which allows them to collect and manage all their own taxes. The proposal that came out of Catalonia, with wide-ranging parliamentary and social consensus, was intended to put an end to the fiscal deficit that Catalonia

has endured over the last 30 years: every year, on average, a figure equivalent to 8% of the Catalan GDP made up of taxes paid by Catalans, is kept by the State without any compensation.

The alleged fiscal deficit of the GDP of 8% is one of the most repeated topics raised by secessionist propaganda, but it does not respond to reality. This figure would only result if the cash flow method were applied to the calculation of the déficit, which involves/suggests, for example, that military spending is allocated only to Catalonia as a benefit corresponding to the military facilities that are located in Catalonia. If other calculation methods were used for said deficit the result would vary considerably, ranging between 4% and 5% of the GDP or less (J. Borrell / J. Llorach, accounts and stories of independence, Madrid, Waterfall , 2015, p. 93). A figure that would correspond with the expected result, given the difference between per capita income in Catalonia and the average Spanish per capita income. Since the Catalan's is higher than the average the norm would result in a fiscal deficit, as happens in all regions whose wealth exceeds the average for the country in which they are integrated, as Angel de la Fuente explained in his study "Tax Abuse?" published in The Catalan Question II. fiscal balances and tax treatment of Catalonia; Madrid, Institute of Economic Studies, 2014, pp. 11-29, esp. pp. 19-26.]

The Spanish government's response to the proposed Tax Deal was a resounding NO. Not just a NO to the proposal itself, but a NO to even discussing the matter. In view of this new setback and yet another frustrated attempt, in November 2012 early elections were called in Catalonia. The central issue of these elections was the right to decide; in other words, the commitment of the different political powers to convene a consultation or referendum on the political future of Catalonia. And the result was that 107 of the 135 Members of Parliament included this specific commitment in their manifestos. I should point out that, at a sustained level over time right up to the present day, between 75% and 80% of Catalans support the calling of a referendum, even the voters of parties that are officially opposed to it, irrespective of what they would vote should it be convened.

Thus at the end of 2012, the new Catalan Government was given the mandate to introduce a referendum. On this point, once again, the response from the Spanish government was a refusal to enter into dialogue and a resounding NO. From the Catalan

That is to say, from a nationalist perspective. There are many Catalans who do not share this view, and it is worth noting, for example, that when the Parliament of Catalonia formally presented its proposal at the Congress of Deputies in order to authorize said referendum a majority of Catalan deputies in the Spanish Parliament also voted against the proposal. The abuse of the term "Catalonia" by nationalists is constant, but that should not lead us to stop reporting each and every one of the misappropriations that the separatists make of the concepts that must be common to all Catalans separatists and not separatists.]

perspective it was clear that with political will, a referendum was, and is, perfectly possible and feasible. There is no need to change the Constitution. There is no legal problem. It is simply a problem of political will.

It is debatable whether a referéndum such as the one requested by the Catalan Parliament could, in fact, be considered legal or constitutional; but in any case, as Mr. Puigdemont admits, the political decision for its authorization corresponds to for the Spanish Government or the Spanish Parliament. When the consent of another actor is necessary in order to carry out a particular action, it seems childish to claim that such consent is required and threaten to break away in the

event that it is not granted. If the consent of the State is essential for the realization of such a referendum, the way to obtain it is to convince and not to threaten; and in any case it must be assumed that legitimately he who provides such consent must understand that it is inappropriate to do so. To convert an exercise in the capacity of political decision by the Government of Spain into an assault on their capacity for political decision by the Government of Spain and the Spanish Congress lacks justification.]

Faced with the refusal of the Spanish government to do anything, in September 2014, in accordance with the competences enjoyed by Catalonia in respect of non-referendum public consultations, the President of the Catalan Government convened a consultation on the 9th of November that year with the question: Do you believe that Catalonia should be a State? And, if so, do you believe that this State should be independent? Some 95% of the country's town and city councils approved a motion upholding the citizens' right to vote, which demonstrates the cross-cutting nature and strength of this claim. The whole country got completely involved.

Again we have a clearly distorted version of reality. 95% of municipalities that showed support for the consultation are primarily the least populated of Catalonia and it can not be ignored that in many of them the population was divided on the desirability of that consultation. The final participation data corroborate that by no means did the entire population of Catalonia become involved in the process, and it is also obvious that many of us Catalans did it precisely to oppose the same.]

Once again, however, the Spanish State made clear its absolute lack of willingness to negotiate or even tolerate that the people of Catalonia could be consulted, and called upon the Constitutional Court to suspend the consultation. Immediately, at an unprecedented speed, the Court suspended it. In view of this new hurdle, the President of the Catalan Government announced the organisation of a participative process, also on the 9th of November, asking the same question as the consultation and enlisting the help of volunteers, as a way of getting round the suspensión.

Mr. Puigdemont leaves out the fact that the appeal of the Spanish government to the Constitutional Court was based on the unconstitutionality of the consultation, unconstitutionality which was indeed/precisely established by the Constitutional Court in its judgment of 25 February 2015 <http://hj.tribunalconstitucional.es/es/Resolucion/Show/24331>.

It is illegitimate for Mr. Puigdemont to claim that the Spanish Government tolerates conduct by the Government of the Generalitat which is contrary to the Constitution. Respect for the law is not negotiable in democratic states. Precisely for this reason, the President of the Generalitat pretended to circumvent the prohibition of the TC by substituting the consultation by a citizen participation process is nothing more than a thinly disguised fraud. Mr. Puigdemont also fails to mention that the aforementioned citizen participation process was also banned by the Constitutional Court and ultimately declared unconstitutional by Judgement on June 11, 2015.]

This participative process was a huge success. Despite the impossibility of using the official census and its purely symbolic nature, 2,305,290 Catalans cast their vote out of the 5.4 million who were entitled to do so.

It says for itself: it was a huge success that had had a 42% participation rate on an expanded census of foreigners and over residents 16 and over. Of these two million three hundred thousand

participants, only one million eight hundred thousand opted for independence in Catalonia, 33% of the census.]

A few days later, the Office of Public Prosecutions, going against the position taken by Catalonia's own prosecutors, presented a lawsuit against the President of the Catalan Government, Artur Mas, the vice-president of the Government and the Minister of Education, accusing them of the crimes of disobedience, perversion of justice, misappropriation of public funds and the usurping of judicial powers. Two months ago, the Prosecutor sought to extend the lawsuit against the current Secretary General of the Presidency. Can there be any justification for pursuing someone through legal channels who simply wishes to promote democracy? Is it a crime to provide ballot boxes for people to vote? Is it democratic to use the Public Prosecutor and the State apparatus against those who have defended the right of citizens to make their voices heard?

Clearly, the judicial investigation directed at Mr. Mas and other top government officials of the Generalitat is not for providing ballot boxes, Mr. Puigdemont suggests, but for disobeying the ban by the Constitutional Court. In a democratic state government action is subject to the courts, and blatant disobedience which endangers the very foundations of the rule of law and democracy can not go unpunished. It should also be noted that the performance of the President of the Generalitat and other senior officials, by leading the administration outside the law placed the citizens and especially the Catalan officials in an unacceptable dilemma incompatible with the rule of law: the one disobeying the either a court decision (the Constitutional Court) or an order of the administration. It is worth recalling, for example, that the Catalan administration initiated sanction procedures against radio stations refused to broadcast institutional information on the consultation to understand these radios that broadcast such information would disobey the decision of the Constitutional Court.

<http://www.elmundo.es/cataluna/2014/11/27/54776d33268e3e7d2f8b4587.html>]

To conclude what has been happening in Catalonia over the last few years, I need to tell you about the elections of the 27th of September last year. On the 9th of November 2014, the Catalans were able to vote and express their opinion, but in order to move forward towards independence, a democratic mandate was required. Given the frontal opposition of the Spanish Government to the referendum option, there was only one alternative open to us, which fortunately only depended on ourselves: to convene early elections and turn them into the plebiscite on independence that we had not been allowed to carry out.

On 27 September, the people of Catalonia expressed their views through the ballot boxes, voting massively with a turnout of 74.9%, the highest ever in the history of elections for the Parliament of Catalonia, sending a clear message as to their preferred way forward. The independence parties achieved an absolute majority of members of parliament.. In all, 72 members in favour of independence out of a total of 135. The parties against independence amounted to 52 members. Finally, 11 members belonged to a party whose position is neither in favour of nor against independence per se but is in favour of a referendum. In percentage terms, the supporters of independence won 47.74% of the vote and those against it, 39.17%

Obviously, simple addition is enough to figure out that 47.74 and 39.17 do not amount to 100. Mr. Puigdemont omits counting the votes received by the candidate "Catalonia Sí Que Es Pot", which expressly stated that it would vote against a Declaration of Independence in the Parliament of Catalonia

<http://www.naciodigital.cat/noticia/94637/catalunya/si/es/pot/votara/bloc/contra/declaracio/independencia>) Obviously, in plebiscitary code, the one intended by Mr. Puigdemont's party, the

results can only be read one way: 47.74% in favor of Independence and 52.26% who are not in favor of Independence. The reality, however, is obviously more complicated, because we did not encounter a plebiscite, but rather with regional elections in which a regional parliament is chosen, thus any extrapolation of the results in the sense of justifying the independence of Catalonia has no basis.]

A majority of Catalans adopted a position in favour of Independence,

As we have just seen, this is not true, the votes obtained by the separatists did not reach 48% of the votes cast, less than 39% of votes cast by eligible voters.]

of embarking on their own way forward, to uphold who we are but, above all, as I mentioned earlier, to progress and to enjoy greater wellbeing. It is true that the result of the vote is quite tight and does not give us the margin we would have liked, but independence is the option that won the elections. We believe we enjoy majority support to instigate a process towards independence, but to get there we need to achieve an even larger majority. This is a task that needs to be addressed over the coming period. This is something that makes us even more motivated, and we are confident we will achieve it.

In short, there is not enough support for independence, but we are confident that there will be in the future. Obviously, we other Catalans are confident that this support will decrease rather than increase. With regard to the legitimacy the results give that, as Mr. Puigdemont says, begin the process towards independence, we will discuss that a bit further on.]

We stood in the elections with the promise of completing the step towards independence within approximately 18 months. During this time, our commitment is to prepare and have the state structures available that do not currently exist and which are necessary for us to operate as an independent state. Once this process has been completed, it will once again be the turn of our citizens, who will need to decide at the ballot box whether they want to choose a new constituent parliament and move towards a definitive proclamation of independence. We will not take this definitive step without democratic validation.

To finish, I would like to explain how we are undertaking this process and how we hope it will culminate. In short, to explain what this 'Via Catalana' consists of.

First of all, it is a process based at all times of the exercise of democracy. It is a people's movement that has been the main driving force behind this road to independence. At all times it will be the people of Catalonia who express themselves and who decide. In this respect, it is worth asking: who is frightened of democracy? Who is afraid of citizens expressing themselves and deciding for themselves? Is someone who opposes this exercise of basic democracy truly a democrat? I should note here that the legal framework is, of course, fundamental for coexistence and for the exercise of democracy itself. Having said that, the legal framework must be at the service of democracy, and not the other way round.

One of the topics of independence is the opposition between legality and democratic principle. In a constitutional state such as Spain, opposed this is a contradiction/ oposition/ comparison/ inconsistency is a fallacy, as the TS recently reminded in its judgment of 28 April in relation to the use of party symbols by public administrations. Democracy cannot exist outside of the law and therefore any claim to legitimacy outside the provisions of the Constitution and the rest of the system is meaningless.]

Secondly, this is a process that has taken place peacefully and with full respect for coexistence and harmony. In Catalonia there are clashes of ideas and political projects, but these are always accompanied by a level of respect and harmony that is exemplary. The cohesion of the country remains intact and, indeed, is one of the most prized assets of our society.

A blatant falsehood. There are several examples that we can give of coercion and even violence in relation to the process. Thus, it should be noted the pressure exerted on parents requesting the application of the law with respect to the presence of Castilian Spanish in teaching (<http://www.cronicaglobal.com/es/notices/2015/09/familias-que-pidieron-educacion-bilingue-seven-obligadas-a-cambiar-a-sus-hijos-de-colegio-o-a-no-em-25177.php>) or the duress suffered by students identified with SCC at the UAB (<https://www.youtube.com/watch?v=2m5w7ECnLZI>). The "harmonious" nature of the process, one of the mantras of separatism, disappears when opposition to it is raised. At that point they begin to implement the techniques of demobilization and stigmatization that have characterized the separatists for decades.]

Thirdly, we have always championed dialogue and we will continue to champion it during every stage of the process. We have never renounced it and we will never get up from the negotiating table. We intend to implement this transitional phase through dialogue with the Spanish State, with the European Union and with the international community.

Mr. Puigdemont does not seem to be aware that a dialogue within the framework of the international community requires being regarded as a subject of international law. As president of an autonomous region Mr. Puigdemont lacks this requirement. The aim of the secession process is precisely to achieve that his status mutate from Spanish constitutional body to president of a sovereign state; but such a change can not be obtained without breaking with the Spanish law from which they currently derive their powers and which radically denies that Mr. Puigdemont has that international qualification. Expressly declaring that the intention is to maintain a dialogue within the international framework represents an institutionally disloyal attitude, contrary to Spanish law and contrary to the overall interests of Spain.]

We believe that dialogue is the best solution for everyone. I should point out here that there are only two peaceful ways of achieving independence: the unilateral route and the negotiated route. We have opted from the outset for dialogue, negotiation and consensus. This is the most beneficial for everyone, whereas the unilateral option entails negative and inconvenient aspects for all concerned. For this reason, over the last few weeks I have met with the Acting President of the Spanish Government, Mariano Rajoy, and with the leaders of the main Spanish political parties: Pedro Sánchez, Pablo Iglesias and Albert Rivera.

As I explained earlier, the Government I preside over, to which I was elected four months ago, along with its Parliament, have started preparing the State structures and designing all the aspects necessary to be able to declare independence in approximately 18 months.

This assertion is extremely serious. Mr. Puigdemont makes explicit that he, as President of the Generalitat, along with his government and state structures will develop and prepare whatever necessary for independence. These are actions which clearly fall outside of the autonomous powers they enjoy and involve using public power for purposes other than legal ones and contrary to the basic rules of our legal system. It would be illogical that an explicit challenge of this magnitude not have consequences from the perspective of relations between state bodies. The rule of law should

be protected from attempts to use public power beyond what the law permits and inaction before such an explicit statement of institutional rebellion, would be irresponsible.]

This does not mean that if the Spanish State were to offer us a referendum, we in Catalonia wouldn't accept it. It's not that we are afraid of voting and or accepting the outcome. We are not pushing for it because it makes no sense to go on repeating indefinitely something we have tried to do actively and passively without success, but in any event we are certain that this offer will never be extended. In short, dialogue, however much is necessary. Not inaction while waiting for the impossible to happen, no.

I should emphasise that we are not asking the Spanish State to come out in favour of independence; we fully understand that this will never happen. We have no fear of opposing ideas. What we are demanding is that the State allow the Catalan people to vote and that afterwards it respect the outcome and do everything necessary to implement it.

Catalans are integrated into a wider political community, which is the Spanish one. Only the whole of the Spanish can change this situation, therefore, the claim that residents of Catalonia decide their political future outside the will of the rest of the Spanish constitutes a breach of the rules that bind us all that it is not covered by international law or any other standard. It is an aspiration, but it cannot expect to be unilaterally imposed on the whole of the Spanish.]

At present, what we are seeing is that not only is the Spanish State frightened of the outcome, it is even frightened of asking the question.

As just indicated, the problem is that the secessionists expect it to be accepted that all the residents of Catalonia are an integrated group with the legitimacy to break the State's borders and fracture the political community which we now make up. This claim does not have the support of the majority of residents of Catalonia and purports to do so outside of the rules common to all of the Spanish as well. The question is why don't the separatists raise these claims in accordance with the means offered by Spanish law, but instead, threaten with unilateral actions outside the law.]

Having said that, it is logical to think that if the State wanted Catalonia to continue to form part of Spain, then it would make an attractive proposition and do its very best to win us over. This is what we witnessed the British government doing. In the case of Spain, its inability to manage this political conflict and its modus operandi simply motivates us and gives us even more incentive to seek independence.

In the case of Scotland, the response to the political conflict that opened up came from London, from the United Kingdom itself. Regrettably, I very much fear that in the Catalan case we will not be seeing this kind of response. The reaction will not come from Madrid but will need to come from Europe, due to the Spanish State's failure to act. The only response we receive from the Spanish State is a constant legislative invasion of our legal framework by the Constitutional Court, which acts on the orders of the Spanish Government,

Once again we are facing a gratuitous delegitimization of the Constitutional Court. Suggesting it acts on the orders of the Spanish Government is grotesque. The decisions taken by the Constitutional Court regarding the separatist challenge have been adopted unanimously by the members of the Court and judges with a solid legal argument. Failure to accept the authority of arbitrator provided by our Constitution for this type of conflict is a sign of unjustifiable institutional disloyalty.]

violating the most elemental separation of powers, which is consubstantial for all democracies. A Court presided over by a former member of the PP, consisting mainly of magistrates with affinities with that party and a minority associated with the PSOE. Catalonia is legally defenceless.

Again, a gratuitous affirmation/assertion. The confusion between Catalonia and the separatists is again declared/expressed here and forgetting that two magistrates of the Constitutional Court are Catalan and, as already indicated, in the decisions taken in relation to the secessionist conflict unanimously voted with the majority of the Court.]

Fourthly, we want to be a new State, and we want to do so within the framework of the European Union. We cannot imagine any other scenario than this in the future. Catalans are and will continue to be Europeans. The European Union is our political family, the place where we feel comfortable and with whom we share common references, values and principles. And looking towards the future, we want to participate first-hand in this project of European construction, from a Mediterranean viewpoint that brings added character. I

Everything that has been built in the last half-century in Europe is a success story with a highly positive outcome, even while we should not forget that there are still shortcomings and things that need to be improved. It is our task to move forward in the right direction to strengthen the project of European integration and create an environment for peaceful coexistence.

Going back to my previous explanation, I would like to make two brief points on the referendum that you will be holding on 23 June on whether to stay in the European Union or not, with all the due care and respect required from the observations of an outsider. First of all, once again it has been demonstrated that Europe is flexible enough to adapt to the political needs of the moment. It always values pragmatism and opportunity above orthodoxy and treaties. I say this because there are people in Spain who insist that an independent Catalonia would be left outside the EU.

As it is known, the claim that the secession of Catalonia would mean that the new State would not be a member of the EU has been made not in Spain, but by authorities of the European Union (http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/140072.pdf, <http://www.publico.es/politica/barroso-responde-mas-catalunya-queda.html>) and responds to the logic of the founding Treaties.]

In the event of a brand new and unprecedented situation, we are confident that a solution that is satisfactory for everyone concerned can be found. Secondly, in the face of those who want to leave the European Union, we would like to solemnly state that we want to stay. It's surprising to be encouraging a Member State to stay that is currently debating on whether it should leave – something I in no way criticise – while wanting to exclude a region that is firmly committed to staying. If the European Union has made reforms to stop the United Kingdom from leaving the EU, then surely it can manage to adapt to allow Catalonia to continue to form part of the EU as an independent state.

Fifthly, we aspire to very close and friendly relations with the Spanish State. The family, affective, social, historic, cultural and economic bonds between Catalonia and Spain are obvious right now and will continue to be in the future when we are independent.

The desire for freedom,

The freedom of the Catalans, like the rest of Spanish, is guaranteed by membership in a political community based on respect for the law and fundamental rights, integrated in the European Union and the Council of Europe, which applies the Treaty of Rome on the protection of human rights, in accordance with the jurisprudence emanating from the Strasbourg Court, and with respect to other

international rules on the matter. Pretending that the separatist process is aimed at seeking greater freedom for individuals is meaningless. Evidently however, the approach is carried out in separatist code, that is, not in the sense of seeking individual freedom, but of the collective of a group whose separatist approach defines and claims to be entitled to rights which, as we have seen, are not covered by any internal or international standard. In other words, the call to freedom is nothing more than a circular argument that makes no sense outside the separatist's frame of mind.]

to protect our people, to change for the better, to build, to hope, to have ambition, are some of the elements driving Catalonia's political project to become a state. It is a legitimate aspiration,

Obviously it is a legitimate political aspiration. What is not legitimate is the claim that that aspiration is a right, because as we have seen it is not; nor is it legitimate to use democratic institutions in a partisan way to achieve this goal which is not only outside the law, but against the law as well. Nor is it legitimate to use public media and schools to promote this legitimate claim or is it legitimate to use the threat of unilateral action by the authorities that would affect the rights of the Catalans and the whole of the Spanish, as a recourse to obtain it. The aspiration is legitimate, but being legitimate does not mean that it should be accepted by those who legitimately disagree and, above all, does not make it legitimate for public authorities to act outside the law.]

shared with many other countries that have become independent in the last few decades. None of them, incidentally, has wanted to go back to what they were. And now we, too, want our own opportunity and furthermore we want to do it our way, the Catalan way, in an exemplary manner, democratically, with a sense of public spirit and respect, approaching it not as a problem but as an opportunity.

For many years, Catalonia thought that by helping Spain to modernise, to democratise itself and to regenerate to be, in effect, Spain's spearhead, would be good for the country and help it prosper.

One of the essential features of separatism is supremacism, such as manifested here. Catalonia, as part of Spain, has fully participated in its history, with its light and dark, like all the other regions of our country. There have been Catalans who have contributed a great deal to cohabitation, science, politics, literature and economics; as it has been to leaving a negative legacy; as it happens with the Spanish from any other part of our country. Pretending in an expressly condescending manner that Catalonia has been the protagonist in a custody battle (or joint custody) over the whole of Spain would be absurd if not grotesque.]

This is an era that has now come to an end, and we want to start a new one. And we are convinced that this political process that our country has embarked upon will position Catalonia as an example of a modern democratic process at the heart of the European Union. Thank you all very much for coming today and for your kind attention.

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