

CATALONIA 1/10/17

ON EVENTS OCURRED ON OCTOBER 1ST 2017

- **Today, the necessary measures have been taken to prevent the holding of an illegal self-determination referendum¹, which according to reiterated Constitutional Court's decisions, is unlawful and openly contrary to the fundamental Spanish legal framework.** Articles 1 and 2 of the Spanish Constitution of 1978 enshrine the principles of **national sovereignty**, which resides in the Spanish people as a whole, and of **national unity**, as is the case in the fundamental norms of all advanced democracies.
- Despite the aforementioned Constitutional Court decisions, **on 6 and 7 September 2017, the Catalan Regional Parliament approved two Acts: the Self-Determination Referendum Act and the Act on Legal Transition and the Founding of the Republic of Catalonia.** This legislation openly contravenes the Constitution and Catalonia's Statute of Autonomy itself. Both laws were passed openly ignoring the legal procedures and disregarding its own parliamentary advisory bodies. On this basis, the President of the Generalitat (the regional Government of Catalonia) signed a decree convening a referendum on self-determination on 1st October and launched a series of actions for it to take effect. **Both the above-mentioned laws and this subsequent decree were suspended by the Constitutional Court, which reiterated its warnings to all public authorities concerned of its duty to "prevent or paralyse any initiative aimed at ignoring or evading the suspension that has been ordered".**
- **The Judiciary and the Public Prosecutor's Office have taken measures against the authorities and actions that may have contributed to the organisation and implementation of this referendum,** within the framework of judicial process.
- Measures have also been taken against **threats, aspersions and harassment** suffered by politicians, public officials, common citizens and even media, who have recently been subjected to pressure for refusing to participate in this illegal process, **which includes the unacceptable use of schools and minors to promote the purported consultation.**
- Today, the State Security forces, following orders from the judiciary, have acted prudently, appropriately and proportionately, **in order to ensure compliance with the law and to protect the rights and freedoms of all citizens.** Moreover, the actions taken in response have been motivated not only by the manifest illegality of the intended referendum, but also by the **absolute lack of respect for the basic democratic standards required of any such consultation, the first being that it should be situated within the bounds of democratic legality. It lacks the**

¹ The purported exercise of an alleged right of self-determination by a part of the territory is not allowed under the Spanish Constitution, as it is not allowed either in the Constitution by neighbouring countries. International law does not allow unilaterally invoking this principle in the case of Catalonia, nor for any territory of EU member states, given that absolutely none of the conditions that justify it are met.

This purported consultation tramples on the fundamental principles of freedom, democracy, the rule of law and territorial integrity, all of which are the basis of any advanced democracy and are enshrined as fundamental values of the European Union Treaties.

most elementary guarantees, under Spanish national law and the regional legislation applicable in Catalonia. Moreover, it clashes with international standards and norms, in particular those expressed by the **Venice Commission** (Council of Europe).

- Therefore, **in the context described and regarding any events that might be claimed to represent a vote, it should be noted this process has no validity whatsoever**. There is no independent electoral administration, nor is there a valid census, which has permitted the multiple vote; the electoral commissions have been established by secessionist volunteers; the polling stations could not be established; the institutions supposedly responsible for ensuring the neutrality of the process and for conducting the scrutiny has been concealed until the very day scheduled for the vote, which precludes any semblance of neutrality and impartiality; in fact, supposedly key facts for the voting, have been modified 45 minutes before its beginning.
- **The preventive actions undertaken have not been directed against citizens' or their ideas, nor their freedom of expression or of demonstration**. The full respect for these freedoms is manifest in the various gatherings that have taken place, with total normality, in different parts of Catalonia and in the information that the media has provided about these events. The actions taken are merely intended to **prevent the consultation from taking place, following the organisers' non-compliance with legality and judicial decisions, and to ensure the safety of all**.
- **The vast majority of Catalans have not wanted to participate in this illegal travesty**. The mass demonstrations called for and promoted by the secessionists are not supported by any of the groups of the broad opposition, or by the vast majority of Catalan society, which has preferred to demonstrate its **civic-mindedness and its respect for democracy** by not taking part in this purported consultation -which constitutes a democratic fraud and tramples on the rights of citizens- because they disagree. Those who have instigated this process have attributed to themselves the representation of all Catalans, **ignoring the plurality of Catalan society**, in an anti-democratic and partisan misuse of their responsibility. Moreover, they have abused the good faith of those who support their initiative, generating not only fracture, but also frustration. They have also used this call for mass mobilisation in order to manifest their **most radical and anti-system postures**.

Messages

- **Spain is a consolidated democracy**, governed by the rule of law, seeking always to defend the rights and freedoms of its citizens, applying all democratic safeguards. **Under the current Constitution, voted in 1978, Spain has enjoyed the longest period of concord, economic growth and well-being in its History!** Catalonia has participated in all of it, as a rich and prosperous region which enjoys, within a largely decentralized State, of a high degree of political autonomy and self-government.
- **In Spain, no-one is persecuted for his or her ideas. Any political aspiration can be expressed and harnessed through legal channels**. As a matter of fact, our Constitution allows for the reform of its most fundamental principles, including those of sovereignty and unity, subject, however, to a procedure with guarantees and qualified majorities that the secessionists have openly and deliberately ignored.

- **What happened today lacks any validity whatsoever.** The fact that the self-determination referendum has been **declared illegal** by the courts, and that it **totally lacks any democratic guarantees**, denies any value to any actions that might be claimed to represent a vote, besides from being **contrary to the Law and an attack upon the very basis of our coexistence framework.**
- **No consolidated democracy can accept a challenge to its constitutional order and territorial integrity** that seeks to impose through force a project of rupture. **An international community where the rule of law prevails cannot accept the anti-democratic contempt of a few**, who ignore the rights of others and who wish to **unilaterally subvert the principles and values which found the democratic coexistence in an advanced society.**