

The Catalan Declaration of Independence

Unofficial English Translation

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It's been a huge day in Catalonia, but it's also a day of immense uncertainty. Rather than pontificate about a situation which is changing rapidly, and which is likely to have seen further developments by the time I got to the end of whatever it was I was writing, a more useful and informative contribution to events in Catalonia for people in Scotland would be to provide an English translation of today's declaration of independence. This is the full text of the declaration of independence approved today (Friday 27 October) by the Catalan Parliament. The declaration is fairly lengthy and couched in legalese, but I've done my best to provide as literal a translation as possible. The original Catalan language text was taken from an article in the Catalan digital newspaper Vilaweb. If you speak Catalan, you can read it [HERE](#). All translation errors are of course my own.

To the Bureau of Parliament

Lluís M. Corominas i Díaz, president of the Parliamentary Group of Together for Yes, Marta Rovira i Vergés, spokesperson of the Parliamentary Group of Together for Yes, Mireia Boya e Busquet, president of the Parliamentary Group of the Popular Unity Candidacy – Constituent Call, Anna Gabriel i Sabaté, spokesperson of the Parliamentary Group of the Popular Unity Candidacy – Constituent Call, in agreement with that which is established in articles 151 and 152 of the rules of the parliament, present the following motions for resolution subsequent to the general debate on the application of Article 155 of the Spanish Constitution to Catalonia, and its possible effects.

Motions for Resolution

Motion for resolution 1

Declaration of the representatives of Catalonia

The deputies of the Parliamentary groups of Together for Yes and the Popular Unity Candidacy – Constituent Call signed the previous 10 of October the following:

Declaration of the representatives of Catalonia

To the people of Catalonia and to all the peoples of the world.

Justice and individual, collective and intrinsic human rights, fundamental and unrenouncable, which give sense to the historical legitimacy and the juridical and institutional tradition of Catalonia, are the basis of the constitution of the Catalan Republic.

The Catalan nation, its language and its culture have one thousand years of history. For centuries, Catalonia has endowed and enjoyed its own institutions which have exercised

self-government in full, with the Generalitat as the maximum expression of the historic rights of Catalonia. Parliamentarianism has been, during periods of liberty, the pillar upon which these institutions have sustained themselves, have been channelled through the Cortes Catalanes, and which have been crystalised in the Constitutions of Catalonia.

Catalonia restores today its full sovereignty, lost and long yearned for, after decades of trying, honestly and loyally, institutional coexistence with the peoples of the Iberian peninsula.

Since the approval of the Spanish Constitution of 1978, Catalan politics has had a key role with an exemplary attitude, loyal and democratic towards Spain, and with a profound sense of statehood.

The Spanish state has responded to that loyalty with the denial of the recognition of Catalonia as a nation, and has conceded a limited autonomy, more administrative than political, and which is in the process of recentralisation, a profoundly unjust economic treatment, and linguistic and cultural discrimination.

The Statute of Autonomy, approved by the Parliament and Congress, and by the Catalan people in a referendum, would have been the new stable and lasting marker of a bilateral relationship between Catalonia and Spain. But it was a political agreement halted by the ruling of the [Spanish] Constitutional Court, and caused the emergence of new demands by the citizens.

Gathering the demands of a large majority of the citizens of Catalonia, the Parliament, the Government, and civil society have repeatedly demanded to agree [with Spain] the holding of a referendum on self-determination.

In the face of the affirmation the institutions of the [Spanish] State have rebuffed all negotiations, have violated the principle of democracy and autonomy, and have ignored the legal mechanisms available to the Constitution, the Generalitat of Catalonia has convoked a referendum in order to exercise the right to self-determination recognised in international law.

The organisation and the celebration of the referendum has brought about the suspension of Catalan self-government and the de facto application of a state of emergency.

The brutal police operation of a military nature and style orchestrated by the Spanish state against Catalan citizens has infringed, on many and repeated occasions, their civil and political rights and the principles of Human Rights, and has contravened the international agreements signed and ratified by the Spanish State.

Thousands of people, amongst whom there have been hundreds of those in elected, institutional, and professional positions linked to the communication sector, administration, and civil society, have been investigated, detained, had complaints filed against, interrogated and threatened with harsh punishment or prison.

Spanish institutions, which should have remained neutral, protected fundamental rights and arbitrated in the face of political conflict, have turned into a part and an instrument of those attacks and have left the Catalan citizenry defenceless.

Despite the violence and the repression with the intent to impede the celebration of a

peaceful and democratic process, the citizens of Catalonia have voted by a majority in favour of the constitution of the Catalan Republic.

The constitution of the Catalan Republic is founded in the necessity of protecting liberty, the security and coexistence of all the citizens of Catalonia, and of advancing towards a State of law and a democracy of greater quality, and in response to the obstacle on the part of the Spanish state of making the right to self-determination of peoples effective.

The people of Catalonia are lovers of law, and the respect for the law is and shall be one of the keystones of the Republic. The Catalan state will comply with and will fulfil legally all the dispositions which make up this declaration and guarantees legal security and the maintenance of subscribed agreements will form part of the foundational spirit of the Catalan Republic.

The constitution of the Republic is a hand held out to dialogue. Doing honour to the Catalan tradition of the pact, we maintain our commitment with agreement as a form of resolving political conflicts. At the same time, we reaffirm our fraternity and solidarity with the rest of the peoples of the world, and in particular, with those with whom we share a language and culture and with the euromediterranean region, in defence of individual and collective liberties.

The Catalan Republic is an opportunity to correct the current democratic and social deficits, and to build a more prosperous, more just, more secure, more sustainable society with greater solidarity.

In virtue of all that has just been set out, we, the democratic representatives of the Catalan people, in the free exercise of the right to self-determination, and in agreement with the mandate received from the citizenry of Catalonia:

WE CONSTITUTE the Catalan Republic, as an independent and sovereign state, a state of law, democratic, and social.

WE PREPARE the entrance into law of the Law of Juridical and Foundational Transition of the Republic.

WE INICIATE the constituent, democratic process, based in the citizenry, transversal, participative, and binding.

WE AFFIRM the will to open negotiations with the Spanish State, without preconditions, addressed to establish a regime of collaboration in the benefit of both parties. The negotiations must be, necessarily, on an equal footing.

WE MAKE AWARE the international community and the authorities of the European Union, of the establishment of the Catalan Republic, and the proposal for negotiations with the Spanish State.

WE URGE the international community and the authorities of the European Union to intervene in order to prevent the violation of civil and political rights currently in course, and to follow and to make themselves witnesses to the negotiating process with the Spanish State.

WE DEMONSTRATE the will to construct a European project which reinforces the social and democratic rights of the citizenry, as well as the commitment to continue applying, without solution of continuity and in a unilateral manner, the norms of the legal system of the European Union and those of the Spanish State and the Catalan autonomy into which this normative is transposed.

WE AFFIRM that Catalonia has the unequivocal will to integrate itself as quickly as it may be possible into the international community. The new state is committed to respecting the international obligations which are currently applied in its territory and to continuing to be part of the international treaties to which the Kingdom of Spain belongs.

WE CALL ON states and international organisations to recognise the Catalan Republic as an independent and sovereign state.

WE URGE the Government of Catalonia to adopt the necessary measures in order to make possible the full effectiveness of this Declaration of Independence and of the provisions of the Law of Juridical and Foundational Transition of the Republic.

WE MAKE a call to each and every citizen of the Catalan Republic to make ourselves worthy of the liberty which we have given ourselves and to construct a state which translates into action and conduct the collective inspiration.

WE ASSUME the mandate of the people of Catalonia expressed in the Referendum of Self-Determination of 1 October and we declare that Catalonia becomes an independent state in the form of a Republic.

Motion for resolution

The Parliament of Catalonia expresses its rejection of the agreement of the Council of Ministers of the Spanish State proposing to the Senate of the Spanish State measures in order to put into effect that which is set out in Article 155 of the Spanish Constitution. The proposed measures, on the margin of the current juridical establishment, suppose the elimination of Catalan self-government. At the same time they situate the Government of the Spanish State as a substitute for the Government of the Generalitat of Catalonia and censor the Parliament of Catalonia, a measure which not only is not acceptable but which is an attack on democracy without precedent in the past 40 years.

We have offered negotiation and dialogue and they have answered us with Article 155 of the Constitution and the elimination of self-government; the response has been of a political firmness similar to the use of force on the 1 October.

The Parliament agrees, to urge the Government to dictate all the necessary resolutions for the development of the Law of Juridical and Foundational Transition of the Republic and in particular:

- To promulgate the necessary Decrees, giving staff and materiality to the seized administrative services for the provision to citizens of the accredited documents of Catalan nationality.
- To establish the regulation for procedures for the acquisition of Catalan nationality, by reason of what is set out in article 8 and in the final latter disposition.

- To promote the subscription of a treaty of dual nationality with the government of the Kingdom of Spain, in conformity with article 9.
- To dictate, in conformity with article 12.1, the necessary dispositions for the adaptation, modification, and inapplication of local, autonomous, and state law current before the entrance into effect of the Law of Juridical and Foundational Transition of the Republic.
- To dictate, with the basis in that which is set out in article 12.3 the precise Decrees for the recovery and efficiency of the previous norms and the succession of legal systems, annulled or suspended by the [Spanish] Constitutional Court and by the remainder of the courts, laying special attention to all those regulations of taxation and other imposition, as well as those which develop tools for the struggle against poverty and social inequality.
- To promote to all states and institutions the recognition of the Catalan Republic.
- To establish the corresponding procedure and in conformity with that which is set out in article 15, the relation of international treaties which have to be kept in force, as well as those which to be found inapplicable.
- To establish, in accordance with Article 17, the regime of integration to the administration of the Generalitat of Catalonia, excepting the express renunciation of the same, of all those officials and staff of the Spanish State, who up until now have given their services to the general administration of Catalonia, to the local administration of Catalonia, Catalan universities, the administration of justice, the institutional administration of the Catalan state, or of the official and staff of the Spanish State, of Catalan nationality, who render their services outwith Catalonia.
- To make Parliament aware, of the relation of contracts, agreements and accords object of subrogation on the part of the Catalan Republic, in accordance with what is set out in article 19.
- To promote an agreement with the Spanish State for the integration of staff and the subrogation of contracts foreseen in sections IV and V, in conformity with that which is set out in Article 20.
- To agree all that which may be preceding, as well as adopting the necessary measures for the exercise of fiscal authority, the social security, customs, and land registry in accordance with what is set out in Articles 80, 81, 82, and 83, establishing if it is the case, the periods of tranfer between administrations necessary for an adequate public service.
- To promote the necessary legislative actions and measures for the creation of a public development bank in the service of a productive economy.
- To promote the necessary legislative actions and measures for the creation of the Bank of Catalonia, with the functions of a central bank, which must oversee the establishment of the financial system.
- To promote the necessary legislative actions and measures for the creation of the remaining regulatory authorities, with the functions which are inherent to them.
- To open a period of negotiations with the Spanish State, according to that which is set out in Article 82, in order to determine, if such is the case, and to which degree, the succession

of the Catalan state through an agreement, to the rights and obligations of an economic and financial character assumed by the Kingdom of Spain.

- To elaborate an inventory of the goods in title of the Spanish State, pertaining to the national territory of Catalonia, to the end of making effective the succession of title on the part of the Catalan state, in conformity with that which is set out in Article 20.

- To elaborate a proposal of division of assets and liabilities between the Kingdom of Spain and the Catalan Republic, on the basis of standardised international criteria, opening a period of negotiation between the representatives of both state, subjecting the achieved agreement, if such is the case, for the approval of the Parliament of Catalonia.

The Parliament opens an investigation in order to determine the responsibilities of the Government of the Spanish State, its institutions and dependent organs in the commission of crimes relating to the violation of fundamental, individual and collective rights in order to avoid the exercise of the right to vote of the people of Catalonia the past 1 October.

This investigatory commission will be comprised of deputies from parliamentary groups and of expert persons in the national and international arenas, of the Anti-Fraud office, the Office of the Ombudsman, and the Catalan legal profession and in representation entities defending human rights, ensuring that there may be representative of international organisations.

Motion for resolution 2

Constituent process

The Parliament of Catalonia agrees:

To declare the inciation and the opening of the constituent process

To urge the government of the Generalitat to:

- a) Activate in an immediate manner all the human, public and social resources as well material media at its disposal, in order to make effective the democratic constituent process, based in the citizenry, participative and binding, which must culminate with the redaction and approval of the constitution of the Republic on the part of the Parliament constituted in the Consituent Assembly which results from the constituent elections.

- b) To constitute within the term of fifteen days the assessory council of the constituent process in order to advise in the deliberative constituent phase led by organised civil society.

- c) To convene, diffuse, and execute the decision phase of the constituent process, gathering together the sistematised proposals to the Constituent Social Forum, submitting them to the consultation of the citizenry, which will constitute a binding mandate for the constituted Parliament in the Constituent Assembly which results from the constituent elections.

- d) To convene constituent elections once all the phases of the constituent process have culminated.

To encourage all civic and social agents, within the term of one month, to constitute a promotional platform for the constitutional process or national agreement for the

constitutional process.

To constitute, within the term of fifteen days, the Parliamentary Commission to follow the constituent process, with the aim of protecting but not interfering in, the task of the promotional platform, guaranteeing the deployment of its work as well as the fulfilment of the six month term legally defined for its development and conclusions.

To encourage the municipal authorities to promote constituent debates in the local sphere promoting the participation of civil society, facilitating the resources and public spaces necessary for the correct development of citizens' debate.

Palace of Parliament 27 October 2017

signed

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