

THE PRESIDENT OF THE GOVERNMENT

Madrid, 16 October 2017

Molt Honorable Mr Carles Puigdemont i Casamajó
President
Regional Government of Catalonia
Palau de la Generalitat
Plaça de Sant Jaume, 4
08002 Barcelona

Dear President,

I am profoundly sorry that as President of the Regional Government of Catalonia and as legal representative of the State in Catalonia, you have decided not to answer the formal demand submitted to you on 11 October, and thus not to clarify whether any authority in the Regional Government has declared the independence of Catalonia.

This clarification is absolutely necessary. Not only the Government of Spain, but all the Catalan people, have the right to know for sure whether your declaration of 10 October 2017 before the plenary session of the Regional Parliament, or the subsequent signing of a document drafted in unambiguous terms, imply a declaration of independence, regardless of whether or not this has entered into force.

I hope that in the hours that remain until the second deadline of the aforementioned formal demand expires you answer with the clarity that all the citizens demand and that is required by law. Prolonging this situation of uncertainty only favours those who aim to do away with civic harmony and to impose a radical project that will impoverish Catalonia.

Certainly, the formal demand that I sent you represents a prior step in the procedure established by Article 155 of the Constitution, which unlike you state, does not involve the suspension of self-government, but rather the restoration of legality to the autonomous region. But, above all, the formal demand is an opportunity to recover from the serious deterioration of co-existence experienced in Catalonia, so that the Regional Government of Catalonia can return to the rule of law; and based on that, recover institutional normality between public authorities. The return to legality, which is a prior step to any democratic dialogue, refers to the constitutional order, but also to the Statute of Autonomy of Catalonia and its regulatory implementation, which have been seriously harmed by the actions of your regional government in recent weeks.

The formal demand submitted represents a call to political clarity, so that all the citizens of Catalonia and of the rest of Spain can know for sure what the institutional situation between the Regional Government of Catalonia and the State institutions is. The

THE PRESIDENT OF THE GOVERNMENT

President of the Regional Government may not treat citizens this way on an issue of such importance. You have the obligation to explain to them what has happened and whether or not you wish to comply with prevailing legislation.

I can in no way accept the existence of what you call the “historical conflict between the Spanish State and Catalonia”. Never in all its history have the citizens of Catalonia enjoyed greater freedom, more political and financial autonomy than during this democratic period. The only conflict that exists at this time in Catalonia is a legal conflict; and only by putting an end to it can we tackle the questions that really affect and concern the Catalan people as a whole.

It is not my desire to generate new situations of controversy, so I am not going to comment on the supposed results of a poll that has never been valid; nor can I as President of the Government of Spain intercede in, or even value, the actions of other State authorities. I remind you that we are all subject to the rule of law and obliged to respect and comply with court judgements. That is our obligation as political leaders in a democratic regime based on the supremacy of the law and the separation of powers.

I would, however, like to take the opportunity of your reference to the European Union to recall that both the EU institutions and the governments of the different Member States have clearly expressed their position against independence and the destruction of the principle of legality. Do not forget that democracy and the rule of law are foundational principles of the European Union, as is respect for the territorial integrity of the States that make it up.

The latest actions adopted by you and your government are generating a significant rift in Catalan society, as well as enormous economic uncertainty that endangers the welfare of the citizens. I would remind you that some rating agencies have raised the possibility that Catalonia could slip into recession if this situation of instability continues.

THE PRESIDENT OF THE GOVERNMENT

Your calls to dialogue in the name of Catalonia as a whole are not credible, given that you refuse to talk to a significant part of this society through its legitimate representatives, who as you say, have fewer seats, but as you do not say, represent a greater number of citizens in terms of votes. At any event, I would remind you that beyond percentages, one of the indicators that define the quality of a democracy is respect for the opposition.

For my part, I believe that I can speak not only in the name of the government and the party that supports it, but also of a great majority of representatives of the Spanish people, as was made clear at the plenary session of the Lower House of Parliament on 11 October, as you are no doubt aware. That session confirmed the support for the government's actions in defence of legality. In addition, it provided a parliamentary space for dialogue between all the political parties, including yours of course. This framework, which has majority support, is the best and most effective framework for the dialogue that you call for. It can deal with some of the demands that you have raised and that, as I explained whenever you have wanted to talk to me, go far beyond my powers. I would invite you once more to appear before Parliament and pass on your demands to the legitimate representatives of national sovereignty, who are the only ones who can decide on them.

I would once more recall that you still have time to provide a clear and simple answer to the formal demand I sent you on Wednesday. It is still in your hands to embark on a new period of normality and institutional loyalty that everyone is asking you for. If not, you will be the sole person responsible for the application of the Constitution.

Yours faithfully,

Mariano Rajoy Brey