

IN ENGLISH

CATALAN INDEPENDENCE BID

An independent Catalonia would not be able to rejoin EU, says report

Experts warn it would also leave euro zone and all bodies of which Spain is a member

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Catalan regional premier Artur Mas during a speech on Wednesday. / ALBERTO ESTÉVEZ (EFE)

If Catalonia were to declare unilateral independence, not only would it be immediately expelled from the European Union, it would also be banned from rejoining, according to a new report.

Such a secession declaration would openly violate Spanish and European legislation, says a study by Fundación Alternativas, a progressive think tank whose board includes former Socialist Party (PSOE) prime minister Felipe González and current Madrid mayor Manuela Carmena.

An independence declaration would be “manifestly unconstitutional” because the Constitution guarantees the integrity of Spanish territory, says the report

The study, headed by former PSOE official Diego López Garrido, warns that Catalonia would also be left out of the euro zone and out of the Schengen Area, as well as all the international organizations to which Spain belongs.

Other European experts have recently voiced similar opinions about Catalonia and its place in the EU if it secedes from Spain.

In Spain, both main parties – the ruling Popular Party (PP) and the PSOE – oppose Catalan independence. But while the former wants to keep state structures intact, the Socialists have been pushing for reforms that would make Spain a more decentralized nation with greater regional self-rule. Catalan business leaders have also been supportive of a “third way” out of the union-or-secession conundrum.

On September 27, Catalonia will hold regional elections that premier Artur Mas is casting as a *de facto* plebiscite on independence. If his secessionist Junts pel Sí (Together for Yes) bloc wins an absolute majority of seats in the Catalan parliament, he says he will feel legitimized to carry on with his plans for secession.

The basic premise of *Cataluña ante la Unión Europea. Las consecuencias jurídicas de la independencia* (or, Catalonia and the European Union. The legal consequences of independence) is that a unilateral declaration of independence would be “manifestly unconstitutional” because the integrity of the Spanish territory is guaranteed by articles 1.2 and 2 of the 1978 Constitution.

The study, drafted by three law professors, notes that secession would also violate European legislation, since article 4.2 of the 1992 Maastricht Treaty states that “the Union shall respect the equality of Member States before the Treaties as well as their national identities [...] It shall respect

their essential State functions, including ensuring the territorial integrity of the State, maintaining law and order and safeguarding national security.”

The Treaty furthermore states that borders can only be changed by common agreement, and that the constitutional rule of law must be absolutely respected.

“It is not realistic to think that EU countries, considering the unanimity required by the Treaties, would willingly agree to even initiate the integration process of this ‘new state’ within the Union,” reads the report. “The destabilizing effects would be tremendous. It would encourage fragmentation of EU states and of the Union itself. Very few governments, if any, would accept that.”

The report also warns that a hypothetically independent Catalonia would be ejected from the European Central Bank and thus “from the entire euro system.” It would also have to leave the Schengen Area, which has abolished internal border controls.

English version by [Susana Urrea](#).