

**Law 16/2014, of 4 December, on external action and relations with the European Union**

Proceeding 200-00009/10

PREAMBLE

The Generalitat has always aimed to promote Catalonia as a country of prestige, excellence and quality, a motor in southern Europe, with the ability to interact with the other territories of Europe and the world.

Based on the Statute of Autonomy of Catalonia, the Generalitat carries out external action not only as a political practice but also as a compulsory field of action with a legal basis.

This law will strengthen relations with the European Union and will further progress towards a coherent and effective external action that is coordinated with all actors on the international stage. It will position the interests of Catalonia in the world and strengthen relations with other governments, multilateral organizations and cooperation networks in the European Union.

Currently, all plans for future growth necessarily involve the promotion of the external activity of the economy. Through exports, tourism and foreign investment, the external sector of Catalonia acts as a motor of productive activity in general and, when necessary, compensates for any shrinking of the Catalan economy. This law must therefore strengthen the international presence of the Catalan economy, to which the Government of Catalonia is committed and obliged.

The Statute of Autonomy approved in 2006 provided the cover of an organic law for external action carried out by the Catalan public administrations. And Catalonia, like other territorial entities of nearby States, has gradually increased its external actions and its actions within the European Union, with the clear support of the jurisprudence of the Spanish Constitutional Court, which has allowed major external actions by autonomous governments in the understanding that the exercise of some powers of autonomous governments requires this type of action, as established by Sentence 80/1993.

As the Constitutional Court Sentence 165/1994 stated, international relations cannot be identified with all types of external action or promotion abroad. This is seen in a literal interpretation of the Spanish Constitution, and in the interpretation made by the jurisprudence of the Constitutional Court when it declared that the external dimension of an issue may not be used to make an expansive interpretation of Article 149.1.3 of the Constitution, which gives the Spanish State powers regarding any measures with a certain external importance.

Political and economic globalization have led to great changes in the actors involved in international relations. The presence and influence of non-state actors and institutions of the economic world in international forums has increased, and non-state organizations and representatives of civil society are playing a stronger role in promotion abroad. Furthermore, the concept of sovereignty has been blurred and the rules of international relations have been implicitly changed. The constant changes in international relations have made public diplomacy, which has a long tradition in Catalonia, an increasingly recognized tool in the external action of countries because of its economic and cultural dimension.

Civil society with an international dimension must be recognized as a key ally in action outside Catalonia.

In accordance with Title V, Chapter II of the Statute of Autonomy of Catalonia, the Generalitat participates in affairs related to the European Union that affect the powers and interests of Catalonia, through participation in European institutions and bodies and the formation of positions of the Spanish State.

Moreover, European Union law is fully integrated into Catalan law. Since the adoption of the Statute of Autonomy, there has been a major development of legislation in Europe, particularly with the latest amendments to the Treaty on European Union and the Treaty on the Functioning of the European Union. The Generalitat must therefore continue to ensure the correct transposition and implementation of European legislation.

The regulatory development of the statutory provisions should also facilitate the establishment of guidelines and mechanisms for improving the internal coordination of departments and agencies in the field of external action, and for improving coordination with the external action of other administrations

and public entities in Catalonia. The final objective is thus to maximize the potential of tools for external action and the positioning of Catalonia internationally.

#### PRELIMINARY TITLE

#### ARTICLE 1. OBJECT OF THE LAW

1. The object of this law is to regulate the external action of Catalonia and the Generalitat's relations with the European Union in order to achieve the following, under the direction, coordination and guidance of the Government of Catalonia:

- a) The maximum possible promotion of Catalonia and its interests abroad.
- b) The positioning of Catalonia abroad as an international player that is active in matters that are the responsibility of the Generalitat or are of interest to Catalonia.
- c) The positioning of Catalonia in relation to the European Union and the participation of the Generalitat in European institutions, in accordance with current regulations.

2. For the purposes determined by Section 1, above, this law

- a) establishes the scope, general guidelines, organizational structures and mechanisms of planning, participation, management and monitoring regarding the external action of Catalonia and the Generalitat's relations with the European Union;
- b) establishes the type and structure of a sufficient and effective network of units representing the Generalitat abroad; and
- c) recognizes the need to promote and encourage civil society initiatives that help to create a positive public opinion towards Catalonia abroad and to boost its international prestige and influence.

3. The external action must also consider the externalities of internal policies that have an impact abroad.

#### ARTICLE 2. DEFINITIONS

For the purposes of this law, the following definitions are applicable:

a) *External action*: the policies, actions, activities and initiatives carried out outside the European Union for the promotion of Catalonia in line with the principles and objectives of this Law by the Parliament of Catalonia, the Presidency of the Generalitat, the Government and Administration of the Generalitat, the other institutions of the Generalitat, the local authorities and other public authorities of Catalonia, and the organizations, bodies and entities that depend on, or are linked to, any of these authorities.

External action covers all policies, actions, activities and initiatives of the Generalitat arising from its powers and competencies and from the exercise of functions related to the fields of external relations, the promotion of Catalonia and its interests, and the promotion of its solidarity policies. These policies include cooperation and development aid, promotion of peace, defence of human rights and environmental responsibility in the international community.

b) *The Generalitat's relations with the European Union*: the policies, actions, activities and initiatives of the Generalitat in relation to the European Union, including participation in the European institutions in accordance with the constitutive Treaties of the Union and Spanish law.

c) *International organization*: a functional entity that is created by subjects of international law through an international treaty to achieve specific objectives and is endowed with powers of attribution, a permanent institutional structure and an international legal status.

d) *Collaboration agreements*: agreements subject to public law that are not bound by international law or its legal effects and only impose legal obligations on the parties that enter into them.

e) *The Government's delegations abroad*: the units of institutional representation of the Government of Catalonia abroad whose aim is to defend the interests of Catalonia and to promote the country abroad.

f) *The Government's Delegation to the European Union*: a unit of institutional representation of the Government of Catalonia before the European Union whose aim is to defend the interests of Catalonia and to promote the country abroad.

- g) *The Government's sectoral offices abroad*: the units of sectoral representation of the Government of Catalonia abroad corresponding to a ministry; these units belong organically and functionally to the ministry responsible for the sectoral field or to bodies or entities that depend on it.
- h) *Territorial cooperation networks*: networks of governments of various territories whose aim is to defend common interests before national, European and international institutions.
- i) *Public diplomacy of Catalonia*: any action by a public or private actor that has an effective and positive impact on public opinion abroad with the aim of enhancing the image, influence and prestige of Catalonia abroad.
- j) *Cultural diplomacy of Catalonia*: activities of public diplomacy of Catalonia consisting of international promotion of Catalan creation, industry and language, support to training of creators abroad and participation in international cultural organizations in accordance with current regulations.
- k) *Economic diplomacy of Catalonia*: public diplomacy activities of Catalonia aimed at promoting international recognition of Catalonia as a destination for investment and a source of top-quality exports, a reference as a tourist destination, and a prestigious country in the field of research and innovation.
- l) *Sports diplomacy of Catalonia*: public diplomacy activities of Catalonia aimed at promoting international recognition of Catalan sports.

### ARTICLE 3. GUIDING PRINCIPLES OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION

The external action of Catalonia and the Generalitat's relations with the European Union are governed by the following principles:

- a) The commitment that the fully European and Mediterranean spirit of Catalonia will govern the implementation of the objectives of external action and relations with the European Union.
- b) Pursuance of political consensus on the general guidelines and strategies of external action and relations with the European Union in order to achieve the continuity and stability required by medium- and long-term policies.
- c) A guarantee that the external actions and relations with the European Union will be consistent, coordinated, cross-cutting and effective.
- d) Transparency in actions by public authorities.
- e) Recognition of the right of individuals and peoples to the defence and promotion of their culture, language and identity, the promotion of the values of multicultural coexistence, recognition of the right to decide of peoples, recognition of social, educational and health rights, and support for the most vulnerable sectors of society.
- f) The promotion of peace, non-violence, human safety, solidarity, cooperation and development aid, sustainable development, food sovereignty, the fight against climate change, mutual respect between peoples, the eradication of poverty and the protection of human rights, based on respect for the purposes and principles of the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the European Convention on Human Rights and Fundamental Freedoms, and the Charter of Fundamental Rights of the European Union.
- g) Non-discrimination on grounds of gender, origin, nationality, race, age, sexual orientation, gender identity, disability, religion or political convictions.
- h) Compliance with the principle of mutual institutional loyalty and the pursuance of synergies with the Spanish Government and other public administrations, in accordance with the guiding principles of public policy established by the Statute of Autonomy.
- i) Respect for diversity, variety and richness of the territory of Catalonia, recognition of the potential of Barcelona as a capital, and protection of territorial balance.
- j) Respect for international law and guaranteed compliance with the rights and obligations arising from international treaties and customs, the general principles of international law and the resolutions of international organizations affecting Catalonia.

k) The incorporation of a gender perspective in policy development and in the development of projects and programmes.

#### ARTICLE 4. AIMS OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION

The external action of Catalonia and the Generalitat's relations with the European Union are governed by the following aims:

- a) Promotion of Catalonia as a committed, supportive and responsible international actor.
- b) Promotion abroad of the interests of the whole of Catalonia, with internationalization as a guiding principle for the balanced development of territories.
- c) Promotion abroad of the Catalan language and culture.
- d) Promotion of Catalonia as a location for international organizations.
- e) Support for Catalan communities abroad and supportive relationships with Catalan citizens abroad.
- f) The defence of peace, human rights and sustainable human development.
- g) Promotion of the economic internationalization of Catalonia and support for Catalan companies headquartered abroad.
- h) Strengthening of cooperation with institutions and groups that are active in external action of Catalonia.

#### TITLE I. ACTORS, FIELDS AND INSTRUMENTS OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION

##### CHAPTER I. ACTORS

#### ARTICLE 5. THE PARLIAMENT OF CATALONIA

The Parliament, in accordance with the Statute of Autonomy and the principle of self-regulation, has the following functions:

- a) To promote and control the external action of the Generalitat and, to this end, to be aware of the policy and activity of the Government of Catalonia in the field of external action, and to discuss and control this matter.
- b) To promote the participation of citizens in the public debate and in the control of political and government action in this field.
- c) To discuss the Strategic Plan of External Action and Relations with the European Union and to monitor it in accordance with Article 15.
- d) To participate, as appropriate, in international organizations and conferences of inter-parliamentary cooperation.
- e) To maintain bilateral relations with other parliaments when appropriate.
- f) To maintain relations with civil society organizations that are active in external action, cooperation and development aid.
- g) To promote cooperative relationships and mechanisms of mutual information with the Government of Catalonia, with the other institutions of the Generalitat, and with the organizations, bodies and entities attached to the Parliament in the field of external action.
- h) To monitor the subsidiarity principle in legislative actions of the European Union.
- i) To conduct early legislative monitoring of legislative initiatives of the European Union that affect powers or interests of the Generalitat, and to monitor the work programme of the European Commission.

#### ARTICLE 6. PRESIDENCY OF THE GENERALITAT

The president of the Generalitat, exercising the highest representation of the Generalitat, is responsible for promoting and maintaining relations with international authorities.

#### ARTICLE 7. THE GOVERNMENT

1. The Government of Catalonia, through the ministry responsible for external action, directs, executes and coordinates external action of the Generalitat for the promotion of Catalonia and its interests in the framework of the general guidelines of government action established by the president of the Generalitat.

2. The Government of Catalonia, in accordance with the Statute of Autonomy, has the following functions:

a) To take the necessary measures for the implementation of international treaties concluded by the Spanish State regarding matters that are the responsibility of the Generalitat.

b) To submit to the Spanish Government any observations and proposals that it considers relevant in relation to the initiatives and treaties amending the constitutive treaties of the European Union, in relation to other initiatives and proposals that the Spanish Government submits to the European Union, and in relation to the conclusion of treaties affecting powers or interests of the Generalitat.

c) To participate in the appointment, at the proposal of the ministry responsible in this matter, of the people who are to represent the Generalitat in the negotiating delegations of the Spanish State to the European Union and the Permanent Representation of the Spanish State to the European Union.

d) To urge the Spanish Government to bring actions before the Court of Justice of the European Union and to reach suitable agreements, in accordance with European legislation, to allow the actions of the Generalitat before the Court.

e) To approve the conclusion of partnership agreements of the Government of Catalonia or the Administration of the Generalitat with public bodies of other States or with international organizations, and to previously authorize similar agreements by public organizations, bodies or entities that depend on, or are linked to, the Administration of the Generalitat.

#### ARTICLE 8. THE ADMINISTRATION OF THE GENERALITAT

1. The ministry or ministries that are responsible for external action and relations with the European Union have the following functions:

a) To manage and promote policies and actions of the Government of Catalonia in relation to the European Union in the field of external relations.

b) To promote Catalonia and its interests abroad, the representation and presence of Catalonia abroad, and cooperation and development aid.

c) To manage and coordinate action in these fields by the Administration of the Generalitat and the organizations, bodies or entities that are dependent on or linked to it.

d) To coordinate the promotion of sectoral policies of the ministries and entities of the Government of Catalonia and the organizations, bodies and entities that depend on, or are linked to, the Administration of the Generalitat, in order to ensure that this promotion is appropriate and consistent with the objectives and priorities laid down in the Strategic Plan of External Action and Relations with the European Union.

2. For the purposes of paragraph *d* of Section 1, the ministries of the Government of Catalonia and the organizations, bodies and entities that depend on, or are linked to, the Administration of the Generalitat must inform the ministry or ministries responsible for external action and relations with the European Union, according to their respective field of competence, of any of their policies, actions and projects whose scope is international or related to the European Union.

#### ARTICLE 9. OTHER INSTITUTIONS OF THE GENERALITAT

The Council for Statutory Guarantees, the Síndic de Greuges (Ombudsman), the Public Audit Office and the Anti-Fraud Office of Catalonia maintain cooperative relationships and mechanisms of mutual information with the Government of Catalonia regarding external action and relations with the European Union, and they may establish relations of collaboration and exchange of best practices with their European and international counterparts.

#### ARTICLE 10. LOCAL AUTHORITIES

1. The Government of Catalonia, within its framework of competence, and respecting the principle of local autonomy, coordinates the actions of local authorities involving external action and relations with the European Union, and lends support to carry them out.

2. The Government of Catalonia and the Administration of the Generalitat shall draw on the experience derived from external actions by other public authorities of Catalonia and, consequently, shall promote cooperation with local authorities to generate positive synergies and organize opportunities for exchanging information with a view to establishing common strategies, avoiding duplication or contradictory actions, and using the available resources with the greatest efficiency to improve the effectiveness of external action and relations with the European Union.

#### ARTICLE 11. CONSORTIA, FOUNDATIONS AND OTHER PUBLIC AND CORPORATE ENTITIES

With the aim of achieving consistency and efficiency in the external action of Catalonia and in the Generalitat's relations with the European Union,

a) the Government of Catalonia and the Administration of the Generalitat shall, with the degree of participation, collaboration and dialogue that they deem most appropriate in each case, promote relations in this matter with consortia, foundations and other public and corporate entities acting in this field;

b) under the legislation of the Official Chambers of Commerce, Industry and Navigation of Catalonia, the Government of Catalonia shall coordinate any actions of these corporations aimed at promoting internationalization and boosting exports of Catalan companies; and

c) the Government of Catalonia and the Administration of the Generalitat shall promote cooperative relations in this field with universities and other academic institutions, with professional associations, and with the other corporate bodies in Catalonia, in accordance with the specific respective legislation.

#### CHAPTER II. SECTORAL FIELDS OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION

##### ARTICLE 12. FIELDS OF ACTION

1. Each ministry of the Government of Catalonia is responsible for developing the dimension for the promotion abroad and in the European Union of policies, actions, activities and initiatives carried out at their sectoral level, through mechanisms that meet the priorities set by the Government of Catalonia.

2. In the economic field, the Government of Catalonia

a) shall promote the economic internationalization of Catalonia as a motor of economic development that is environmentally and socially responsible;

b) shall promote Catalonia as a centre of excellence in innovation and knowledge, as a tourist destination, and as a logistics hub in the Mediterranean and southern Europe;

c) shall promote the international potential and innovative capacity of the Catalan economy;

d) shall actively promote the attraction of new investments and strategic business investment projects; and

e) shall ensure that actions aimed at promoting the economic internationalization of Catalonia are consistent with the United Nations Guiding Principles on Business and Human Rights, ensuring respect for human rights in any action that is taken.

3. In the field of language and culture, the Government of Catalonia

a) shall promote the language and culture of Catalonia inside and outside the European Union and shall position the country's cultural and linguistic model as an international benchmark;

b) shall promote the Ramon Llull Institute as an agent for international promotion of the Catalan language and of culture expressed in Catalan, and shall coordinate actions with those of the Government's delegations abroad and in the European Union and with the Government's sectoral offices abroad; and

c) shall ensure that Aranese, as an official language in Catalonia and proper to Aran, is disseminated abroad, especially in the areas neighbouring on the border.



**ARTICLE 13. COOPERATION AND DEVELOPMENT AID, PROMOTION OF PEACE AND DEFENCE OF HUMAN RIGHTS**

1. The Government of Catalonia is responsible for formulating, directing and evaluating the Generalitat's policy in the field of cooperation and development aid, promotion of peace and defence of human rights.
2. The ministry responsible for external action coordinates the actions of cooperation and development aid, promotion of peace and defence of human rights carried out by the corresponding entity or body and by the various ministries of the Government, and ensures consistency in policies of cooperation and development aid.
3. The Government of Catalonia establishes the principles, the cross-cutting guidelines, the strategic goals and the geographical and sectoral priorities of cooperation and development aid, in accordance with the Catalan legislation on development cooperation and the international agenda on cooperation and development aid, and sets them out in the long-term and annual development aid plans.

**ARTICLE 14. INSTRUMENTS OF SECTORAL FIELDS**

The action of the ministries of the Government of Catalonia in the sectoral fields of external action and relations with the European Union is carried out through the following instruments and mechanisms:

- a) Funding programmes.
- b) Technical assistance, advice, and exchange of information and good practices.
- c) Cooperation agreements.
- d) Participation in international organizations and European and international cooperation networks.
- e) Conferences, forums and seminars.
- f) Technical consultations, studies, surveys and publications.
- g) Education and professional training programmes.
- h) Any other action related to the implementation of the statutory powers of the Generalitat in this matter.

**CHAPTER III. INSTRUMENTS OF PLANNING, COORDINATION AND MONITORING OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION**

**ARTICLE 15. THE STRATEGIC PLAN OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION**

1. Every four years, the Government of Catalonia shall approve the Strategic Plan of External Action and Relations with the European Union, which must establish sectorally, geographically and institutionally the medium-term priorities and objectives of external action of Catalonia. The Strategic Plan will be debated and monitored by the Parliament of Catalonia.
2. The ministry responsible for external action draws up the Strategic Plan of External Action and Relations with the European Union with the participation of the other ministries, incorporating the proposals that they make in the framework of the External Action and Relations with the European Union Interdepartmental Commission. The other actors in external action of Catalonia, especially the local authorities and civil society competent in this matter, must be informed, consulted and allowed to participate, so that the plan is the result of a broad process of study, information, consultation, participation and evaluation of previous experience.
3. The minister responsible for external action submits the draft Strategic Plan for External Action and Relations with the European Union to the Government of Catalonia for approval. When it has been approved, the Government of Catalonia presents it to the Parliament so that it is informed and can debate and monitor it. The Government shall take the necessary measures to disseminate and publicize the content of the Plan.
4. The ministries of the Government of Catalonia may draw up, together with the ministry responsible for external action, annual international work plans that develop and facilitate the monitoring of the Strategic Plan of External Action and Relations with the European Union. The sectoral plans of external action must be consistent with the Strategic Plan.

5. In setting four-year priorities, the Strategic Plan of External Action and Relations with the European Union must take into account the following:

- a) The principles and objectives established by this law.
- b) The material, human, financial and managerial resources required, and the existing capabilities in Catalonia.

ARTICLE 16. THE EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION INTERDEPARTMENTAL COMMISSION

1. The External Action and Relations with the European Union Interdepartmental Commission is created as a body coordinating the action of the ministries of the Government in the field of external action and relations with the European Union, attached to the ministry responsible for the matter.

2. The External Affairs and Relations with the European Union Interdepartmental Commission is responsible for promoting and coordinating the policies and actions of the ministries of the Government of Catalonia in the field of external action and relations with the European Union, and for monitoring and evaluating this action, particularly with regard to the functions of proposing, monitoring and evaluating in relation to the Strategic Plan of External Action and Relations with the European Union.

3. In order to foster collaboration, cooperation, mutual assistance and information exchange in the field of external action of Catalonia with local authorities and other entities of public interest that carry out major international activities, and especially to guarantee the participation of these entities in the process of informing, consulting and proposing prior to the preparation and approval of the Strategic Plan of External Action and Relations with the European Union, the Government of Catalonia, in accordance with the External Affairs and Relations with the European Union Interdepartmental Commission, shall establish by regulation the direct participation of representatives of these entities at the meetings of the Commission, with the minimum frequency determined by the regulations.

4. The composition, functions, organization and operation of the External Affairs and Relations with the European Union Interdepartmental Commission will be determined by regulation.

ARTICLE 17. COUNCIL OF EXTERNAL ACTION AND RELATIONS WITH THE EUROPEAN UNION

1. The Council of External Action and Relations with the European Union is created as an advisory body of consultation and external participation in matters of external action and the Generalitat's relations with the European Union, and is attached to the ministry or ministries that are responsible for this matter.

2. The Council of External Action and Relations with the European Union is composed of representatives of the Administration of the Generalitat, representatives of organizations and entities that are active in external action of Catalonia, and individuals of recognized prestige as outstanding members of Catalan communities abroad.

3. In the field of external relations of Catalonia and the Generalitat's relations with the European Union, the Council of External Action and Relations with the European Union has the following functions:

- a) Designing and proposing policies in this field.
- b) Submitting to the Government of Catalonia initiatives and proposals that it considers appropriate to improve actions in this field.
- c) Participating in the drafting of regulations and general provisions of the Administration of the Generalitat on this matter, including the Strategic Plan of External Action and Relations with the European Union and the annual sectoral plans.
- d) Promoting collaboration, cooperation and mutual assistance in this matter between the Government of Catalonia and local authorities and other bodies of public interest that carry out significant international activities, especially with a view to ensuring their participation in the process of gathering information, consulting and making proposals prior to the drafting and approval of the Strategic Plan of External Action and Relations with the European Union.
- e) Understanding and monitoring political and government action in this matter, and contributing their expertise to the fulfilment of commitments and agreements of the Generalitat in this field.



f) Any other functions assigned by the minister responsible for this matter or expressly assigned by specific regulations.

4. The composition, organization and functioning of the Council of External Action and Relations with the European Union will be established by regulation.

#### ARTICLE 18. PARTICIPATION IN THE NEGOTIATION OF INTERNATIONAL TREATIES

1. In accordance with the Statute of Autonomy, the Generalitat may ask the Spanish Government to provide all information on the negotiation of international treaties dealing with matters that are the responsibility of the Generalitat or of interest to Catalonia. In response to this information, the Generalitat may submit to the Spanish Government any observations on the negotiation that it deems pertinent.

2. The Generalitat may ask the Spanish Government to open negotiations for the conclusion of international treaties in fields of its competence and may make to it any observations that it deems appropriate.

3. The Generalitat may ask the Spanish Government to include representatives of the Generalitat in delegations that negotiate international treaties dealing with matters that are the responsibility of the Generalitat or of interest to Catalonia.

### TITLE II. INSTITUTIONAL RELATIONS OF THE GENERALITAT ABROAD AND WITHIN THE EUROPEAN UNION

#### CHAPTER I. RELATIONS WITH THE EUROPEAN UNION

##### ARTICLE 19. GENERAL PROVISION

In the terms laid down in the Statute of Autonomy, and in accordance with this law, the Generalitat participates in matters related to the European Union that affect the powers of the Generalitat or the interests of Catalonia.

##### ARTICLE 20. PARTICIPATION IN THE INSTITUTIONS AND BODIES OF THE EUROPEAN UNION

1. The Generalitat participates in the delegations of the Spanish State to the European Union that deal with matters in which the Generalitat has legislative powers, and especially the delegations to the Council and the consultative and drafting bodies of the Council and the Commission.

2. The Generalitat may participate in the Committee of the Regions.

##### ARTICLE 21. PARTICIPATION IN THE FORMATION OF THE POSITION OF THE SPANISH STATE BEFORE THE EUROPEAN UNION

The Generalitat participates in the formation of the position of the Spanish State before the European Union, especially before the Council, in matters concerning the powers of the Generalitat or the interests of Catalonia in the terms established by the Statute of Autonomy and the legislation on this matter.

##### ARTICLE 22. DEVELOPMENT AND APPLICATION OF EUROPEAN UNION LAW

The Generalitat applies and implements the law of the European Union within the scope of its powers. The existence of a European regulation does not modify the internal distribution of powers established by the Spanish Constitution and the Statute of Autonomy.

##### ARTICLE 23. EUROPEAN FUNDS

1. The Generalitat is responsible for managing European funds in matters within its competence under the terms established by Articles 114 and 210 of the Statute of Autonomy of Catalonia.

2. Within the scope of its powers, the Administration of the Generalitat shall actively participate in the calls and funding programmes promoted by the European Union that are of interest to it.

3. The Generalitat shall promote mechanisms for information, advice and support to facilitate the access and maximum participation of individuals and legal entities of Catalonia, public and private, in the calls and funding programmes promoted by the European Union.

ARTICLE 24. LEGAL STATUS OF CATALAN IN THE EUROPEAN UNION

The Generalitat shall take action and measures to guarantee the use of Catalan in European institutions and to obtain official recognition of the Catalan language in the European Union.

ARTICLE 25. HEADQUARTERS OF AGENCIES AND BODIES OF THE EUROPEAN UNION

The Generalitat shall promote the establishment in Catalonia of headquarters of agencies and bodies of the European Union.

CHAPTER II. RELATIONS WITH OTHER GOVERNMENTS, INTERNATIONAL ORGANIZATIONS AND TERRITORIAL COOPERATION NETWORKS

ARTICLE 26. RELATIONS BETWEEN THE GOVERNMENT OF CATALONIA AND OTHER GOVERNMENTS

1. The Government of Catalonia, in the exercise of its relations with the governments of other territories, pursues the following objectives:

- a) To promote the international potential of the Catalan economy, to stimulate the growth of exports of Catalan companies, especially in markets that are difficult to access, and to attract investments and new strategic and innovative business projects that are of interest to Catalonia.
- b) To encourage institutional cooperation and the exchange of best practices with other territories, and especially with territories that have historical, political, linguistic, cultural, economic and social ties with Catalonia.
- c) To promote sustainable human development, the promotion of peace and human rights and social cohesion in the priority countries for the Government of Catalonia, and especially those in which the volume of emigration to Catalonia is significant.
- d) To work to strengthen contacts and facilitate the presence and the economic, cultural and social promotion of organizations, businesses and representatives of Catalan civil society abroad.
- e) To establish smooth institutional relationships with the consular corps in Catalonia, especially with legations of countries that have strong interests and socioeconomic and cultural ties with Catalonia, and to promote the establishment of new consulates in other countries as a means to enhance bilateral relations with territories that may be interested in Catalonia.

ARTICLE 27. RELATIONS AND COLLABORATION WITH INTERNATIONAL ORGANIZATIONS

1. The Government of Catalonia shall strengthen cooperative relationships with international organizations, prioritizing relationships with organizations that belong to the United Nations Organization, in relation to matters which are of interest to Catalonia, especially in the fields of economic development, innovation and research, social services, health, cooperation and development aid, the promotion of peace and human rights, immigration, childhood, youth, sports, education, culture, sustainable development, food, agriculture, fisheries, and security and police.

To these ends, in accordance with the treaties establishing the United Nations Organization and Spanish law, the Government of Catalonia develops the necessary tools to facilitate relations and cooperation with international organizations, in accordance with the procedures and characteristics of these organizations and the mechanisms of the Spanish State.

The Government of Catalonia shall strengthen these relationships and its collaboration with international organizations, in accordance with the guiding principles of external action established by this law.

2. The Government of Catalonia shall promote multilateral collaboration with public and private actors in Catalonia.

3. The Government of Catalonia shall encourage the staff of the Administration of the Generalitat to hold key positions in international organizations with the aim of improving their knowledge of the functioning of these organizations so that this experience has a positive impact on their later work in the Administration.

4. The Generalitat shall take the necessary action, as laid down in the Statute of Autonomy, to foster the presence and use of the Catalan language in international organizations and in international treaties with a cultural or linguistic content.

5. The Government of Catalonia and the Administration of the Generalitat shall promote Catalonia as a reference location for establishing the headquarters of international organizations and for holding the meetings and conferences of such organizations.

#### ARTICLE 28. PARTICIPATION IN TERRITORIAL COOPERATION NETWORKS

1. The Government of Catalonia, through the ministry or ministries responsible for external action and relations with the European Union, promotes the participation of Catalonia in territorial cooperation networks in order to facilitate the promotion of Catalonia abroad, disseminate the Government's initiatives regarding this matter, and defend its interests and those shared with other members of the network.

2. The Government of Catalonia participates in cross-border territorial cooperation networks in order to enhance the cohesion of territories with which Catalonia shares ties of geographical, historical, political, cultural or socioeconomic proximity.

3. The Government of Catalonia shall strengthen the European Groupings of Territorial Cooperation, especially the Euroregion.

4. The Government of Catalonia, respecting the principle of subsidiarity and local autonomy, shall facilitate and promote, in the field of external action and relations with the European Union, the participation of local governments in territorial cooperation networks that act in fields that are of interest to them, and shall also facilitate and promote cooperation relations between cross-border local authorities.

#### TITLE III. THE GENERALITAT'S REPRESENTATION ABROAD

##### ARTICLE 29. NATURE OF THE GENERALITAT'S REPRESENTATION ABROAD

1. For the purposes of this law and the corresponding implementing regulations, the Generalitat's representation abroad is composed of the Government's delegations abroad and to the European Union and the Government's sectoral offices abroad that promote and defend the interests of Catalonia coherently and effectively, in line with the Strategic Plan of External Action and Relations with the European Union. The representation also includes people whom the Government of Catalonia appoints as representatives abroad to manage specific cooperation projects or programmes.

2. The units of institutional representation abroad of the Government of Catalonia are the following:

a) The Government's Delegation to the European Union.

b) The Government's delegations abroad.

c) The Government's sectoral offices abroad, with sectoral responsibilities corresponding to a ministry of the Government of Catalonia.

3. The Government of Catalonia may create delegations abroad and sectoral offices abroad in countries and geographical areas that are deemed priority areas to promote the interests of Catalonia, considering the real needs of the country and in line with the Strategic Plan of External Action and Relations with the European Union.

4. The network of units representing the Generalitat abroad is based on the principles of efficiency, effectiveness and accountability.

5. The Government of Catalonia shall establish mechanisms for coordination and communication between the units of institutional representation of the Generalitat abroad and Catalan civil society operating abroad.

ARTICLE 30. THE GOVERNMENT'S DELEGATION TO THE EUROPEAN UNION

1. The Government's Delegation to the European Union is responsible for the institutional representation of the Generalitat before the institutions and bodies of the European Union, and defends the interests of the Generalitat.
2. The Government's Delegation to the European Union is created by decree and organically assigned to the ministry responsible for relations with the European Union.

ARTICLE 31. THE GOVERNMENT'S DELEGATIONS ABROAD

1. The Government's delegations abroad are units of institutional representation of the Government whose aim is to defend all the interests of Catalonia and to promote the country abroad.
2. The Government's delegations abroad are created and dissolved by Government decree and are organically assigned to the ministry responsible for external action. The decrees that create them determine their geographical area of influence.

ARTICLE 32. THE GOVERNMENT'S SECTORAL OFFICES ABROAD

1. The Government's sectoral offices abroad are the Government's units of territorial representation abroad whose scope of action is sectoral, corresponding to that of a ministry of the Generalitat, and they are assigned organically and functionally to the ministry responsible for the sectoral field or to one of the bodies or entities that depend on it.
2. The Government of Catalonia shall guarantee a network of sectoral offices abroad that is suitable for promoting the interests of Catalonia, especially in the fields of economic promotion, research and innovation, attracting investment, promoting tourism, internationalization of cultural enterprises, international promotion of the Catalan language and culture, and cooperation and development aid.
3. The creation and dissolution of a sectoral office abroad by a ministry require prior authorization of the Government of Catalonia, after approval by the ministry to which it is attached and the ministry responsible for external action.

ARTICLE 33. COORDINATION OF THE GENERALITAT'S REPRESENTATION ABROAD

1. The Government of Catalonia, through the ministry or ministries responsible for external action and relations with the European Union, guarantees coordinated, effective and efficient action by all members of the Generalitat's representation abroad.
2. The Government's delegate to the European Union and the Government's delegates abroad are responsible for coordinating the Government's sectoral offices abroad that act in their sphere of influence.
3. The ministry responsible for external action shall foster the coordination of the Generalitat's representation abroad with other public administrations and other public bodies of Catalonia and with Catalan civil society organized abroad.
4. The Government's sectoral offices abroad must be integrated, whenever possible, in the premises of the Government's delegations in the territorial areas in which they coincide. The Government shall also ensure that the representatives abroad of other public administrations of Catalonia are integrated in these premises.
5. The Government's sectoral offices abroad prioritize the defence of the sectoral interests that led to their creation. However, in countries where there is no Government's delegation, the sectoral offices can provide the support considered necessary for the proper representation of the Generalitat abroad, after consultation with the ministry responsible for external action.

TITLE IV. THE GENERALITAT'S RELATIONS WITH CITIZENS AND CIVIL SOCIETY IN THE FIELD OF EXTERNAL ACTION

CHAPTER I. PUBLIC DIPLOMACY OF CATALONIA

ARTICLE 34. SUPPORT TO THE INTERNATIONALIZATION OF CIVIL SOCIETY

1. The Generalitat carries out the promotion abroad of civil society entities and organizations in the fields of business, trade unions, social matters, communication, cooperation and development aid, culture, sport, and promotion of peace and human rights that can actively participate in related international organizations, in order to maximize the presence and influence of Catalonia abroad.

2. The Government of Catalonia shall maintain a continuous dialogue with centres of study, training and research in Catalonia dedicated to the field of international relations, and with universities and business schools that have extensive, internationally recognized geographic and sectoral expertise regarding this matter. The Government of Catalonia shall involve these institutions in its external action and associate them as channels of transmission to civil society in Catalonia and abroad.

ARTICLE 35. INTERNATIONAL PROMOTION OF CATALAN CITIZENS

1. The Government of Catalonia supports actions by individuals, groups and associations that are promoted by Catalan citizens abroad and actions by other citizens abroad related to Catalonia that are consistent with the country's strategic objectives of external action and public interests.

2. The Government of Catalonia shall ensure that it mentions the presence of renowned Catalan citizens abroad and that it offers them its cooperation, with the aim of promoting their work, career, excellence and potential abroad.

3. The Government of Catalonia supports the incorporation of Catalan citizens in international organizations, institutions and bodies of the European Union and in multinational companies that contribute to the qualification and training of Catalan citizens in the international sphere.

ARTICLE 36. CIVIL SOCIETY ORGANIZATIONS THAT ARE ACTIVE IN EXTERNAL ACTION

The Government of Catalonia and the Administration of the Generalitat maintain stable cooperative relations with social organizations working in fields such as cooperation and development aid, promotion of peace, promotion of human rights, culture, migration and environmental sustainability.

ARTICLE 37. THE GOVERNMENT'S EXTERNAL COMMUNICATION

1. The Government of Catalonia shall maintain smooth and permanent contacts with media from around the world and shall ensure an appropriate and continuous dialogue with international opinion makers.

2. The Government's communication strategy will ensure the dissemination of information and analytical materials that provide relevant, clear and trustworthy information, linked to the Strategic Plan of External Action and Relations with the European Union.

3. For the positioning of Catalonia abroad and for the promotion of the international brand of Catalonia, the Government of Catalonia shall take advantage of the established presence of the Barcelona brand, especially considering the central and leading role played by the capital in the Euro-Mediterranean region as the headquarters of the Union for the Mediterranean.

ARTICLE 38. COORDINATION

1. The Government of Catalonia, through the ministry or ministries responsible for external action and relations with the European Union, directs and coordinates the activities of public diplomacy undertaken by the Administration of the Generalitat to ensure that they are appropriate and consistent with the Strategic Plan of External Action and Relations with the European Union.

2. The Government of Catalonia shall foster the creation of a structure of opportunities for dialogue that are suitable for allowing civil society to participate in the public diplomacy of Catalonia.

## CHAPTER II. THE GENERALITAT'S RELATIONS WITH CITIZENS AND CATALAN COMMUNITIES ABROAD

### ARTICLE 39. RELATIONS WITH THE CATALANS LIVING ABROAD

The Government of Catalonia shall ensure that Catalan citizens living abroad can enforce their rights, and to this end shall promote the actions necessary for the current regulatory framework on this matter in Catalonia to consider the special circumstances of this group.

### ARTICLE 40. CATALAN COMMUNITIES ABROAD

1. The Government of Catalonia, through the ministry responsible for external action, is responsible for regulating the coordination and relations with Catalan communities abroad and with the Catalan clubs or centres established outside the territory of Catalonia, and for lending them support.
2. Catalan clubs or centres abroad are recognized as such by Government resolution, at the request of the interested parties, in accordance with the requirements and procedures to be established by decree of the Government of Catalonia.
3. According to budget availability, the Government of Catalonia supports the Catalan communities abroad, the Catalan clubs and centres established outside the territory of Catalonia, and their federations, insofar as they contribute to the promotion and dissemination abroad of the Catalan national reality.
4. With the aim of spreading awareness and recognition of the Catalan presence in the world and promoting relationships between the organizations and individuals that make up Catalonia abroad, and the relations between them and Catalonia, the Government of Catalonia may promote meetings of Catalan communities abroad and, subject to budget availability, may organize the Congress of Catalonia Abroad with a frequency to be determined.
5. The support for Catalan communities abroad and Catalan clubs and centres established outside the territory of Catalonia will ensure in particular that they can carry out actions related to the strengthening of exchange relationships with other peoples and countries of the world and that they can play an active role in the cultural, social and economic development of Catalonia.

### ADDITIONAL PROVISIONS

#### ONE. STAFFING IN THE FIELD OF EXTERNAL ACTION AND THE FIELD OF RELATIONS WITH THE EUROPEAN UNION

The Government of Catalonia shall carry out the necessary regulatory implementation and shall take appropriate measures to provide the Administration of the Generalitat with staff who have training and specific knowledge to perform the duties that correspond to them in the field of external action of Catalonia and in the field of the Generalitat's relations with the European Union.

#### TWO. REGULATIONS GOVERNING COOPERATION AND DEVELOPMENT AID AND INTERNATIONAL SOLIDARITY

The legal system, organization and mechanisms of planning, management, implementation, evaluation and coordination of the activity of the Administration of the Generalitat in the field of cooperation and development aid and international solidarity are subject to Law 26/2001, of 31 December, on development aid.

### REPEAL PROVISION

1. Article 6, concerning the official recognition of Catalan clubs, and Articles 19, 20 and 21, concerning the Meeting of Catalan Clubs, of Law 18/1996, of 27 December, on relations with Catalan communities abroad, are repealed.
2. All provisions of a rank equal to or lower than this law that oppose or contradict it are repealed.





## PARLAMENT DE CATALUNYA

### FINAL PROVISIONS

#### ONE. REGULATORY IMPLEMENTATION

The Government of Catalonia and, to the relevant effects, the minister responsible for the matter, are empowered to carry out the regulatory implementation of this Law.

#### TWO. ENTRY INTO FORCE

This law comes into force on the day after its publication in the *Diari Oficial de la Generalitat de Catalunya* (official journal of the Generalitat of Catalonia).

Palace of Parliament, 26 November 2014

The Fourth Secretary  
David Companyon i Costa

The President  
Núria de Gispert i Català