



## PARLAMENT DE CATALUNYA

### **Resolution 5/X of the Parliament of Catalonia, adopting the Declaration of sovereignty and right to decide of the people of Catalonia**

Proc. 250-00059/10 and 250-00060/10

The Parliament in Plenary session

The Parliament, meeting in Plenary session on 23 January 2013, has discussed the text of the motion for a resolution of declaration of sovereignty of the Catalan people (proc. 250-00058/10) presented by the Mixed Group (reg. 856), and the amendments tabled by the Parliamentary Group of the Partit Popular de Catalunya (reg. 1010); of the motion for a resolution of declaration on the sovereignty and the right to decide of the people of Catalonia (proc. 250-00059/10), presented by the Parliamentary Group of Iniciativa per Catalunya Verds – Esquerra Unida i Alternativa (reg. 857), and the amendments tabled by the Parliamentary Group of the Partit Popular de Catalunya (reg. 1010) and by the Parliamentary Group of Convergència i Unió, the Parliamentary Group of Esquerra Republicana de Catalunya and the Parliamentary Group of Iniciativa per Catalunya Verds – Esquerra Unida i Alternativa (reg. 1011); of the motion for a resolution adopting the declaration of sovereignty and of the right to decide of the people of Catalonia (proc. 250-00060/10), presented by the Parliamentary Group of Convergència i Unió and by the Parliamentary Group of Esquerra Republicana de Catalunya (reg. 858), and the amendments tabled by the Parliamentary Group of the Partit Popular de Catalunya (reg. 1010), by the Parliamentary Group of Convergència i Unió, the Parliamentary Group of Esquerra Republicana de Catalunya and the Parliamentary Group of Iniciativa per Catalunya Verds – Esquerra Unida i Alternativa (reg. 1011) and by the Socialist Parliamentary Group (reg. 1012), and the motion for a resolution on the right to decide and the constitutional reform (proc. 250-00062/10), presented by the Socialist Parliamentary Group (reg. 856), and the amendments tabled by the Parliamentary Group of the Partit Popular de Catalunya (reg. 1010).

Finally, in accordance with Article 146 of the Rules of Procedure, the Parliament has adopted the following

### **Resolution**

#### Preamble

The people of Catalonia, throughout its history, has democratically expressed its commitment to self-government, in order to strive for more progress, welfare and equal opportunities for all its citizens, and to reinforce its own culture and its own collective identity.

Catalonia's self-government is also based on the historical rights of the Catalan people, on its centuries-old institutions and on the Catalan legal tradition. Catalan parliamentarism has its origin in the Middle Ages, with the Assemblies of Peace and Truce (*assemblees de Pau i Treva*) and the Count's Court (*Cort Comtal*).

The 14th century saw the creation of the *Diputació del General* or *Generalitat*, which progressively gained more autonomy and eventually developed into the government of the Principality of Catalonia during the 16th and 17th centuries. The fall of Barcelona in



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1714, following the War of Succession, lead to the Decree of *Nova Planta* of King Philip V, which abolished Catalan public law and the Catalan institutions of self-government.

This historical path has been shared with other territories, thereby creating a common linguistic, cultural, social and economic area, which is destined to be reinforced and promoted on the basis of mutual recognition.

Throughout the 20th century, Catalans were consistently committed to self-government. The creation of the *Mancomunitat de Catalunya* in 1914 was the first step in the recovery of self-government, later abolished under the dictatorship of Primo de Rivera. With the proclamation of the Second Spanish Republic in 1931, a Catalan government was formed under the name of *Generalitat of Catalonia*, with a Statute of Autonomy.

The Generalitat was abolished in 1939 by General Franco, who established a dictatorship that lasted until 1975. This dictatorship faced an active resistance of the people and the Government of Catalonia. One of the highlights of the struggle for freedom was the creation of the Assembly of Catalonia (*Assemblea de Catalunya*) in 1971, before the reestablishment of the Generalitat in 1977, on a provisional basis, with the return of its president-in-exile. During the transition to democracy, and in the framework of the new system of autonomous communities defined by the Spanish Constitution of 1978, the people of Catalonia approved the Statute of Autonomy of Catalonia by referendum in 1979 and held its first elections to the Parliament of Catalonia in 1980.

In recent years, with a view to deepening democracy, a majority of Catalan political and social forces promoted actions to transform the political and legal framework. The most recent effort was the process of reform of the Statute of Autonomy of Catalonia initiated by the Catalan Parliament in 2005. The impediments and refusals by the institutions of the Spanish State, especially Sentence 31/2010 of the Spanish Constitutional Court, lead to a radical rejection of the democratic evolution of the collective will of the Catalan people within the Spanish State and lay the foundations for a retrogression in self-government, which is very apparent today in the political, jurisdictional, financial, social, cultural and linguistic fields.

The people of Catalonia has expressed in various ways its willingness to overcome the current impasse within the Spanish State. Mass demonstrations on 10 July 2010, under the slogan "We are a nation. We decide", and on 11 September 2012, under the slogan "Catalonia, new State in Europe", express the citizens' rejection of the lack of respect for the decisions of the people of Catalonia.

On 27 September 2012, by means of Resolution 742/IX, the Parliament of Catalonia noted the need for the people of Catalonia to be consulted in order to freely and democratically determine its collective future. The recent parliamentary elections in Catalonia, held on 25 November 2012, clearly and unambiguously expressed and confirmed this willingness.

With a view to carrying out this process, the Parliament of Catalonia, meeting at the beginning of the tenth parliamentary term, representing the will of the citizens of Catalonia as expressed democratically in the last election, adopts the following:

### DECLARATION OF SOVEREIGNTY AND OF THE RIGHT TO DECIDE OF THE PEOPLE OF CATALONIA

In accordance with the will democratically expressed by the majority of the people of Catalonia, the Parliament of Catalonia agrees to initiate the process to exercise the right to decide so that the citizens of Catalonia may decide their collective political future in accordance with the following principles:



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1. *Sovereignty.* The people of Catalonia has, for reasons of democratic legitimacy, the nature of a sovereign political and legal subject.
2. *Democratic legitimacy.* The process of exercising the right to decide shall be strictly democratic and it shall especially ensure pluralism and respect for all options, through debate and dialogue within Catalan society, so that the statement resulting therefrom shall be the expression of the majority will of the people, which shall be the fundamental guarantor of the right to decide.
3. *Transparency.* All necessary instruments shall be provided so that the Catalan people and civil society as a whole may have all relevant information and knowledge in order to exercise the right to decide and with a view to promoting their participation in the process.
4. *Dialogue.* Dialogue and negotiations shall be held with the Spanish State, with the European institutions and with the international community as a whole.
5. *Social cohesion.* The social and territorial cohesion of the country shall be assured, as well as the will expressed on many occasions by Catalan society to keep Catalonia united as one.
6. *Europeanism.* The founding principles of the European Union shall be defended and promoted, particularly the fundamental rights of citizens, democracy, the commitment to the welfare state and solidarity among the various peoples of Europe and the commitment to economic, social and cultural progress.
7. *Legality.* All existing legal frameworks shall be used to implement the reinforcement of democracy and to exercise the right to decide.
8. *Leading role of the Catalan Parliament.* The Catalan Parliament, as the institution representing the people of Catalonia, shall play a leading role in this process and, therefore, the working mechanisms and methods ensuring this principle must be decided and specified.
9. *Participation.* The Parliament of Catalonia and the Government of the Generalitat shall ensure the active participation in this process of the local sphere and of a maximum number of political forces, economic and social agents and cultural and civic entities of Catalonia, and they shall specify the mechanisms to ensure this principle.

The Parliament of Catalonia encourages all citizens to actively participate in the democratic process of exercising the right to decide of the people of Catalonia.

Palace of the Parliament, 23 January 2013

The fourth Secretary

David Companyon i Costa

The President of the Parliament

Núria de Gispert i Català