RBC MUN

Background Guide

General Assembly Forth Committee

AGENDA ITEM

The Question of Catalonia

Chairing Panel

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UWC ROBERT BOSCH COLLEGE

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Welcome

Forum: General Assembly Fourth Committee (Special Political and Decolonization)
Topic: The Question of Catalonia
Chair: Yuyang Hong

It is a distinct honor to welcome all of you to the General Assembly Fourth Committee, RBCMUN, the place in which you would be tremendously enriched. On behalf of the chair team, I am thrilled to be a part of the committee and work with such distinguished youth as you.

When established along at the start of the United Nations, the Fourth Committee was responsible for trusteeship and decolonization-related matters. After the dismantling of the trusteeship system — resulting from independence being granted to all the trust territories and the sharp reduction in the number of non-self-governing territories — the Fourth Committee's workload decreased. Consequently, the Fourth Committee was merged with the Special Political Committee, which had been created as a seventh committee of the whole to deal with certain political issues after the General Assembly found that the First Committee (originally the Political and Security Committee) was too busy. The Special Political and Decolonization Committee (Fourth Committee) considers a broad range of issues covering a cluster of five decolonization-related agenda items, the effects of atomic radiation, questions relating to information, a comprehensive review of the question of peacekeeping operations as well as a review of special political missions, the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), the Report of the Special Committee on Israeli Practices and International cooperation in the peaceful uses of outer space. In addition to these annual items, the Committee also considers the items on Assistance in mine action, and University for peace biennially and triennially respectively.

In this committee, let’s direct our attention to one of the most essential issues recently—the question of Catalonia—as it pulls our attention to the deeper problem of independence and resembles situations in many other parts of the world. Whether Catalonia’s referendum should be recognized, how to perceive Spain’s action of ending its autonomy, how other countries should or should not be involved, and etc. are all issues that should be considered and discussed in this conference by our delegates.

It is undeniable that this topic would be challenging and complex for the delegates as it is still an ongoing issue that is not yet solved by all the standing governments themselves, and the situation might change at any second before, during or after our discussion. However, at the same time, it is this unique time point that allows our delegates to be creative, to collaborate and to solve real problems. We cannot wait to see the wonderful collision of ideas at the conference, and if you have any questions, feel free to contact us!

Sincerely,
Yuyang Hong

Introduction

After hundreds of years of struggle and conflicts, on October 2017, Catalonia passed a referendum and declared its independence from Spain. Claiming the result of the referendum to be illegal, the Spain central government along with the dominant international voice denied recognition to Catalonia's declare of independence. As the first case of a European Union region claiming independence from its original country, the development of the issue of Catalonia has left a string hanging in millions of people's hearts. As an ongoing issue, the debate of whether Catalonia's referendum should be recognized, how to perceive Spain's action of ending its autonomy, how other countries should or should not be involved, and etc. are left open.

Definition of Key Terms

Referendum: a vote in which all the people in a country or an area are asked to give their opinion about or decide an important political or social question. Referendums are legal mechanisms for voters to repeal or accept a law passed by the state legislature. An example of a referendum was Washington Referendum 74. In this referendum, voters were asked if a state law calling for the legalization of same-sex marriages should be validated. Voters approved the measure by a vote of 54-46%.

Self-Determination: the process by which a group of people, usually possessing a certain degree of national consciousness, form their own state and choose their own government. The UN Charter clarifies two meanings of the term self-determination. First, a state is said to have the right of self-determination in the sense of having the right to choose freely its political, economic, social, and cultural systems. Second, the right to self-determination is defined as the right of a people to constitute itself in a state or otherwise freely determine the form of its association with an existing state.

Sovereignty: The authority of a state to govern itself or another state, also known as the right to rule.

Spain and Catalonia

Spain has about 500,000 square kilometers and 46.5 million inhabitants, located in southern Europe. It has a GDP per capita of 24,100 euros (Italy 30,000 and France 36,000) in 2016. The Spanish language is spoken throughout the country, but several regions of Spain have their own official languages. Catalonia is a region in the northeast of Spain, which has 32,100 square kilometers and a population of 7.5 million (16% of the total), with a per capita GDP of around 28,590 euros in 2016 (19% of the national total). In other words, Catalonia is relatively small and rich.

Figure 1. Catalonia in Spain and in Europe

The Spain we know now was born after the defeat of Valencia in 1707, of Catalonia in 1714, and finally with the last of the islands in 1715, during the War of the Spanish Succession. Since then, Catalonia, which has its own language, laws, and customs, has regularly tussled over autonomy with the central government in Madrid.

For hundreds of years, various Spanish leaders tried to outlaw the Catalan language and play down other aspects of the region's culture. Official autonomy within Spain was granted to the Catalan government, known as the Generalitat, in the early 20th century, interrupted by a brutal crackdown under dictator Francisco Franco, and then restored a few years after his death in 1975.

These historical grievances were exacerbated by economic hardship from 2008 onwards, as Spain's severe credit crisis, billion-euro bank bailout, and soaring unemployment catalyzed the desire to seek independence once again. Back in 2014, around 80% of people in the region opted for independence in an informal vote (a "participation process"), although turnout was low.

Timeline of Key Events

2006: Spain's central government and Catalan authorities agree to devolve more powers to the northeastern region.

2008: Spain enters a five-year financial crisis that prompts harsh austerity measures and economic recession. Many Catalans begin to believe their wealthy region would be better off on its own.

2010: The Spanish Constitutional Court in Madrid strikes down key parts of the 2006 agreement, unintentionally reigniting the Catalan independence movement. About 1 million Catalans protest the court's actions in a march through Barcelona, and pro-independence parties win a regional election.

2014: Spain's Constitutional Court rules that Catalonia cannot proceed with a planned Nov. 9 independence referendum, claiming that all Spaniards must be allowed to vote. On Nov. 9, the Catalan government scraps the referendum, instead describing the vote as an unofficial opportunity for locals to voice their opinion about the region's future. Less than half of eligible voters cast ballots, and more than 80 percent favored secession. The national government rejects the vote as propaganda.

2015: In September, U.S. President Barack Obama says the U.S. wants a united Spain, and European Union officials say they would not welcome an independent Catalonia as a member. Catalonia's pro-independence parties narrowly win most seats in another regional election. In December, Spain's Constitutional Court rules that a pro-independence resolution from the Catalan Parliament is unconstitutional.

June 9, 2017: Catalan President Carlos Puigdemont announces a new independence referendum set for Oct. 1. Catalan officials say they will proclaim a new republic within 48 hours of the vote if a "yes" vote wins, regardless of turnout.

Sept. 7: Spain's Constitutional Court suspends the ballot after a legal challenge from the central government in Madrid.

Oct. 1: Hundreds of people are injured as armed police descend on polling locations in Catalonia while defiant voters cast ballots in the banned referendum. Catalan officials say about 90 percent voted for secession, with about 42 percent voter turnout. The officials vow to press on with independence.

Oct. 10-11: Puigdemont hesitates to make a formal declaration of independence during a highly anticipated speech to the Catalan Parliament. The next morning, Spanish Prime Minister Mariano Rajoy activates the Spanish constitution's so-called nuclear option to suspend Catalonia's political autonomy.

Oct. 21: Rajoy decides to fire Catalonia's government and force a new election. Catalan Parliament Speaker Carme Forcadell responds in a televised speech, denouncing Rajoy's actions as a "coup" and an "attack against democracy."

Oct. 27: Catalonia declares independence from Spain in defiance of Madrid's efforts to prevent secession. The declaration is deemed mostly symbolic because it is unlikely Spain or the international community will recognize an independent Catalonia. Spain fires Catalonia's regional government and dissolves its parliament after the Spanish Senate granted the government special constitutional powers to stop the region's move toward independence.

Oct. 28: Catalonia's ousted leader, Puigdemont, calls for peaceful opposition to Spain's decision to take direct control over the region. European Parliament President Antonio Tajani denounces the Catalan independence referendum as illegal, saying "No one will ever recognize Catalonia as an independent country." Spain takes direct control of Catalonia, and the region's new leader, Spanish Prime Minister Mariano Rajoy, calls for a new regional election on Dec. 21.

Oct. 30: Puigdemont arrives in Brussels, Belgium, after fleeing Spain. Spain's state prosecutor says he plans to seek charges of rebellion, sedition and embezzlement against members of Catalonia's ousted government.

Nov. 2: A Spanish judge jails nine former officials of Catalonia's separatist government.

Nov. 3: A Spanish judge issues an international arrest warrant for Puigdemont and four aides who were last seen in Brussels. The judge filed the request with the Belgian prosecutor to detain the five former Catalan officials, and issued separate international search and arrest warrants to alert Europol in case they attempt to flee Belgium. All five former officials are being sought for five different crimes, including rebellion, sedition and embezzlement, the judge says.

The Legal Aspect of the Issue

The politics of Spain is basically established by the constitution of 1978, which says Spain as an autonomous government, where the people have to elect the Prime Minister for the power of the country. The political form of the Government of Spain is parliamentary monarchy, according to the Spanish Constitution, Tribunal Constitucional de Espana (1978), "is a social representative, democratic, constitutional monarchy in which the Monarch is the head of state and the Prime Minister, whose official title is President of the Government, is the head of government."

The same Spanish constitution, the democratic constitution of 1978, which was approved by more than 90% of Catalan voters, gave wide autonomy to the regions but affirmed “the indissoluble unity of the Spanish nation”. Only the Spanish parliament can change the constitution. Mr Puigdemont’s referendum is therefore illegal under the Spain constitution.

Since Catalonia’s referendum is not legal under the Spain law, is it possible that it is legal and justifiable under the international laws? However, the right of self-determination doesn’t apply to cases like Catalonia. The right to self-determination was born and evolved basically to be applied to former colonies, and that’s not the case with Catalonia.

However, supporters of Catalonia independence also claim that the people of Catalonia have the basic human right to decide the destiny of themselves and their region. And there are also examples of countries declaring independence unilaterally being recognized by the international community: South Sudan declared independence from Sudan with a referendum of 99% support rate that is illegal under the Sudan laws and does not fit the

case of self-determination but it was still swiftly added to the list of countries under the United Nations.

Current Situation

WILL BE UPDATED BEFORE THE CONFERENCE AS IT IS AN ONGOING ISSUE

After the referendum, the Spain government has taken forceful measurements to ensure the unity of Spain: it dissolved the Catalan parliament and the autonomy of the region is taken away. The Spain court has also imprisoned a number of former Catalan government officials and issued an international arrest warrant for the ex-Catalan Parliament leader Puigdemont and four other aides who were last seen in Brussels.

The Spain government has used violence against people who tried to vote for the referendum, and kept the police force involved after Catalonia's declare of independence. Those behavior has irritated Catalan people and a great number of people in the international community. The tension hangs in Catalonia continuously after the referendum with the forceful opposition between the officials from Spain government in Catalonia and the rather more and more radical Catalan citizens. Conflict is just around the corner.

International Voices

Right after the vote, European Council President Donald Tusk tweeted: "For EU nothing changes. Spain remains our only interlocutor. I hope the Spanish government favours force of argument, not argument of force." The UK and Germany, through government spokesmen, said they would not recognize Catalonia's independence declaration. French Foreign Minister Jean-Yves Le Drian said his nation does not recognize the declaration of independence. "France wishes Spain to be strong and united. It only maintains one partner, which is the Madrid government. The constitution of Spain must be respected," Le Drian said in a statement. The United States also voiced its support for the Madrid government. "Catalonia is an integral part of Spain, and the United States supports the Spanish government's constitutional measures to keep Spain strong and united," US State Department spokeswoman Heather Nauert said in a statement.

Following the Catalan Parliament's vote, besides the above-mentioned countries, the majority of the official voice still supported Spain's unity. One of the most essential reasons for this support is the fear that one region declaring independence could lend legitimacy to the claims of other secessionist movements. This might sound like a "slippery slope" argument – and an argument in hypotheticals, but a precedent like this has already caused international grief. One of the few exceptions to the border taboo described above is Kosovo. In 2008, the country, which used to be a part of Serbia made a unilateral declaration of independence (just as Catalonia is threatening to do). Since, it has been cited by other secessionist movements as evidence of their legitimacy. When Crimea declared independence from Ukraine, it literally cited the Kosovo precedent in its declaration of independence. While it is hard to not be sympathetic to Kosovo declaring independence (it

was in response to a potential genocide) – what's clear is that there can be second-order consequences to events in the international system.

To be clear, despite the above I'm not opposed to Catalonia becoming independent in principle – nor Kosovo, or even Crimea. In isolation, these may or may not be good outcomes. Independence for a given region could be the best outcome for that specific circumstance and there could be good reasons to break the no-border-redrawing taboo

The broadcaster RT (formerly Russia Today) has run a report on the countries which have given some kind of support to Catalonia and her independence movement, whether by passing motions, creating parliamentary subgroups or having officially received Catalan government representatives despite diplomatic pressure from Spain. There are 12: the United Kingdom, Denmark, Switzerland, Norway, Finland, Sweden, Latvia, Lithuania, Estonia, Ireland, Belgium and Slovenia.

According to RT, there is "important support" for Catalonia in the United Kingdom, despite London's official position, and certainly in Scotland. Support has also come from Ireland, with Sinn Féin's pro-Catalan position. The support of the Baltic states is also notable. "Latvia was the first European state to give support to the Catalan process, in statements by their prime minister," notes the broadcaster. The Swizz and Danish Parliaments have passed motions calling for a democratic, negotiated solution to the Catalan problem, whilst the Swedish and Finnish Parliaments have created multi-party groups in support of the independence process. "Recently, Finland's Foreign Affairs minister, Timo Soini, rejected the violence used by Spanish security forces against the referendum and urged for dialogue."

Figure 2. Map of all 12 countries supporting Catalonia

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