
OPINION: EU MUST SUPPORT ALL OF SPAIN

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Could the EU have mediated in the conflict? Yes, if it had been allowed to do so. Now, though, it must look to the future. There is no alternative to supporting the government in Madrid, writes DW's Bernd Riegert.

In practical terms, the unilateral declaration of independence by the Catalan parliament changes nothing for the European Union. There will be no border between Spain or France and Catalonia, no customs, no vehicle checks, no limit on the movement of goods and capital.

From the EU's point of view, Catalonia remains part of Spain and therefore is still an EU territory. Everyone living in Catalonia retains their EU citizenship, the legal guarantee of free movement, and their basic rights within the EU, which supersede national law. In the case of Catalonia, the EU's position is uncharacteristically clear and unequivocal.

The declaration of independence is not validated by the Spanish constitution. The deposed Catalan government is endangering the Spanish constitutional state. The EU Commission, the European Parliament and all 28 member states refuse to recognize the "Republic of Catalonia."

EU Commission President Jean-Claude Juncker says there are quite enough cracks in the European Union already, and he is right. The Luxembourger □ himself a citizen of a confident, historically mature microstate □ knows that if the EU were to end up consisting of 95 mini-states, the system would definitely collapse.

EU mediation could have helped

The question of whether the EU should have intervened earlier and mediated has been asked repeatedly, and the answer is yes. However, it was not the EU's fault that this didn't happen. Mediation requires the participation of both sides. The Spanish central government did not want a negotiated dialogue.

The EU cannot force it to take part in one. Jean-Claude Juncker and EU president Donald Tusk probably should have been more active in offering to mediate, but ultimately the clear and hardline position of the Rajoy government in Madrid left the EU no choice.

In Madrid and in Brussels the legal interpretation of the situation is identical. According to both European treaties and international law, the integrity of member state Spain takes precedence.

No right of secession

The Catalan region cannot construe a right to independence on the basis of international law. The right to self-determination does not include the right of secession against the will of the state from which the region wishes to secede.

On Sunday, hundreds of thousands demonstrated for Spanish unity

From the EU's point of view, there can be no talk of oppression or massive human rights abuses in Catalonia. Spain is a functioning democracy. It is utterly absurd that Brexiteers and other nationalist forces in Europe, of all people, should be accusing the EU of failing to help the Catalans.

Haven't these forces always complained about diktats from Brussels, and that the EU always interferes in everything? And now it thinks that Brussels, despite having no authority or responsibility in the matter, should interfere?

Comparisons with Poland or Hungary don't hold up, either. There, the EU is checking the constitutionality of the state as a whole. The issues in Poland and Hungary are not separatism and secession but violations of the principles of the separation of powers as laid down in the EU treaties.

Looking to the future: enabling peaceful elections

Incidentally, the vice-president of the EU Commission, Frans Timmermans, has also justified the use of proportionate violence by the Spanish state in response to the separatists' activities. Over the coming weeks the Spanish government will have to employ careful judgment in dealing with potential resistance to the administration of Catalonia by Madrid.

Images of police violence, like those that circulated during the illegal referendum on October 1, would only play into the hands of agitators. Here, the EU must be a moderating influence on the parties, insofar as this is possible, to ensure that the regional elections due to take place in Catalonia shortly before Christmas will be fair.

The EU should also seek an active role in subsequent discussions about a functioning autonomous state and the reconciliation of the deeply divided region.

That would also be very much in the interest of all citizens of the Union, because no one can afford the Catalan crisis to lead to the economic weakening of Spain, a renewed debt and financial crisis, and the resultant threat to the euro common currency.

And the remark by the Belgian state secretary for migration, Theo Francken, that the deposed Catalan president might be able to apply for asylum in Belgium should be treated as what it is: a Flemish folk tale from a right-wing populist.