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European Union (EU)

THE QUESTION OF CATALONIA

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**International
Community**

**Memorable
Experience**

**Challenges
Skills**



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PERSONAL INTRODUCTION

Dear Delegates,

My name is Argyro Dimaki and it is my immense pleasure to welcome you to the European Union Committee of the 6th annual session of the Campion School Model United Nations. Currently, I am in the 2nd year of high-school at Moraitis School.

This is my third year of being involved in Model United Nations and as an extra-curricular activity, it has become an essential part of my life. I believe that MUN conferences make it possible for the participant to be not just a citizen of his country but a citizen of the whole world. CSMUN will be my 9th conference and I hope it can be a fruitful conference and a helpful experience which will make all delegates continue their journey with the activity.

The first step in order for this to happen is to make sure that every one of you has gathered enough information on each topic in order to enable himself to present feasible solutions in the resolutions which are going to be debated. In this study guide you will find the key facts and information that will make you familiar with the issue of Catalonia. Nevertheless, this study guide is just a guideline and therefore I strongly encourage you to do conduct your own research so as to find information concerning the stances of your countries on the question at hand. Additionally, it is highly advisable for you to draft clauses with proposals that represent your country's position on the issue and can contribute in finding a solution.

I am really excited to work with all of you and, should any questions arise and need any help prior to the beginning of the conference, please do not hesitate to contact me on my email, argyrodimaki@gmail.com . I will answer you and assist you the best I can. I wish you a pleasant and unforgettable conference!

Sincerely yours,

Argyro Dimaki



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EU: *The Question of Catalonia*

INTRODUCTION

The issue of autonomy, as well as of independence of Catalonia has always been present in Spanish life and has continuously provoked conflicts between Catalans and the central government, be it a democratic one or a dictatorship.

Throughout Spain's history, Catalonia was always struggling for more autonomy within the Spanish State and succeeded to gain the status of an autonomous community during the 20th century. This status was finally regulated by the Statute of Autonomy of Catalonia, adopted by the Catalans in 2006.

In 2010 the Constitutional Court of Spain declared as non-valid some of the articles of the 2006 Statute of Autonomy of Catalonia that established new powers of self-rule to the region and, thus, triggered the increase of the support for Catalan independence.



Figure 1: massive protest in Catalonia

This led to the organization of a Referendum for Independence by the Catalan Government, which took place in 2017. Although the Referendum had been declared as illegal by the Constitutional Court of Spain and regardless of the efforts of the Spanish Government and Spanish Police Forces to impede its conduct, it took place on October the 1st, in 2017 and led to the adoption of a pro-independence decision by 91.6% of the voters.

The Spanish Government's reaction on the declaration of independence achieved by the Referendum was the enacting of article 155 of the Spanish Constitution, which allowed the Central Government to take over the running of the autonomous region, thus suspending Catalonia's autonomy.

Spanish Justice accused the President and the Ministers of the Catalan Government of serious criminal offences. The Referendum divided Spain and preoccupied all Europeans, raising two questions to the international community at the same time:



A. Whether a region can become independent from a country, although this is prohibited by its Constitution and rejected by the government of such country. The Spanish Government and the International Community have already given a negative answer to this question.

B. Whether a region with a small surface and population can become independent and can survive financially and politically as an independent country in the current world.



DEFINITIONS 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”.¹ An example of a referendum is the one that took place in Catalonia in 2017.

- **Autonomy**

The right of a political, ethnic or social group to be self-governed and to regulate by itself the rules of its operation and its activity.

- **Independence**

It is the freedom from being governed or ruled by another country. Independence is the state of not being dependent on another.

The difference between autonomy and independence can be understood as follows: The concept of independence implies a total rejection of rules and regulations of another state, whereas in the case of autonomy there can be an intervention from another state when it comes to important issues, such as foreign policy, financial contribution to this state and defense.

Catalonia is a typical example of an autonomous ethnic group, as it forms part of a state (of Spain) which has the power to decide upon the aforementioned issues. The question in the referendum of 2017 was whether Catalonia would become an independent state or stay autonomous.

- **Statute of Autonomy of Catalonia**

The constitution of Catalonia which consists of 224 articles, the law which regulates Catalonia's basic institutions. It defines the rights and obligations of the citizens of Catalonia, the political institutions of the

¹ Cambridge Dictionary



Catalan region, their competences and relations with the rest of Spain, and the financing of the Government of Catalonia.

- **Generalitat de Catalunya**

The institution under which the community of Catalonia is politically organized. It consists of the Parliament of Catalonia, the President of the Generalitat de Catalunya and the Executive Council of Catalonia.



TIMELINE

Date	Description of Event
1137	The Catalan counties are united under the county of Barcelona into a <u>principality</u> of the Aragonese Crown.
1283	Formation of the <u>General Court of Catalonia</u>
1359	Catalonia establishes a permanent representative of deputies position, called the Deputation of the General (later to be called <u>Generalitat</u>).
1469	Marriage of <u>Ferdinand II of Aragon</u> and Queen <u>Isabella I of Castile</u> : first step of Spain's unification.
1516	<u>Charles I of Spain</u> becomes the first king to rule the Crowns of Castile and Aragon simultaneously by his own right.
1716	Catalonia is incorporated as province under the Crown of Castile, within a united kingdom of Spain. Its separate institutions, laws and rights are terminated.
1914	The four Catalan provinces are authorized to create a Commonwealth (<u>Mancomunitat</u>), without any legislative power or specific autonomy.
1925	Dictator Primo de Rivera disbands the Mancomunitat
1931	Establishment of the Generalitat of Catalonia.
1936-1939	Spanish Civil War – Dictator Franco rules to his death in 1975
1939	The Generalitat in exile
1975	Death of Franco – Restoration of Democracy in Spain
1977	Restoration of the Generalitat
1978	Adoption of the Constitution of Spain
1979	Adoption of the Statute of Autonomy of Catalonia
2006	Referendum on the adoption of a new Statute of Autonomy of Catalonia



2010	The Constitutional Court of Spain declares non-valid some of the articles of Statute of Autonomy.
6.9.2017	Catalan Parliament approves an <u>independence referendum</u> to be held on October the 1 st 2017.
7.9.2017	Catalan Parliament approves the <u>Law of juridical transition and foundation of the Republic of Catalonia</u> .
7.9.2017	The Constitutional Court of Spain declares that the Independence Referendum to be organized breaches the Constitution and, thus, is illegal.
1.10.2017	Independence Referendum organized by the Catalan Government.
2.10.2017	EU declares that the Referendum was illegal.
5.10.2017	The <u>Constitutional Court of Spain</u> suspends the Catalan parliamentary session on Monday 9 October.
10.10.2017	Catalonia's regional president, <u>Carles Puigdemont</u> , signs a declaration of independence.
27.10.2017	The Catalan parliament votes and declares independence.
27.10.2017	The <u>Spanish Senate</u> gives the Spanish government permission to trigger Article 155 of the <u>Spanish Constitution of 1978</u> .
27.10.2017	Prime Minister <u>Mariano Rajoy</u> dismisses the <u>Executive Council of Catalonia</u> , dissolves the Parliament of Catalonia and calls a <u>snap regional election</u> for 21 December 2017.
30.10.2017	<u>Carles Puigdemont</u> and 13 other sacked Catalan cabinet ministers are charged with rebellion, sedition, and <u>embezzlement</u> .
30.10.2017	<u>Carles Puigdemont</u> and 5 cabinet ministers flee to Brussels. <u>European Arrest Warrants</u> are issued for them.
31.10.2017	The independence declaration is suspended by the <u>Constitutional Court of Spain</u>
2.11.2017	Nine members of the Catalan cabinet are jailed after appearing in court in <u>Madrid</u> .



21.12.2017	Regional election is held to elect the 12th <u>Parliament</u> of the <u>Autonomous Community of Catalonia</u> .
25.3.2018	<u>Carles Puigdemont</u> is detained by a highway patrol in Germany. He is released on bail, with the court deciding he cannot be extradited for "rebellion".
14.5.2018	<u>Quim Torra</u> is elected President of the Generalitat of Catalonia.

Background Information

The issue of Catalonia has its roots back in the 15th century during the period of unification of Spain. At that time, Catalonia belonged to the Kingdom of Aragón, which, along with other Kingdoms, formed part of the United Spain. Since then, the issue of autonomy, as well as of independence of Catalonia has been continuously a current affair in Spanish life and has always provoked conflicts between Catalans and the Central government.

The special industrial and financial development of Catalonia resulted in the gradual recognition of a developed autonomy in Catalonia by the Central Spanish Authority. It strengthened the feeling of diversity of the Catalans towards the end of the 19th century and in the beginning of the 20th century and led to the intellectual renaissance, as well as the conflicts and oppositions, which took place in that region upon the rise of the Anarchists at the outset of the 20th century, during the dictatorship of Primo de Rivera and, mainly, throughout the Spanish Civil War.

During the first half of the 20th century, the first foundations of Catalonia's autonomy were laid. The creation of the *Mancomunitat* in 1914, a Commonwealth to be disbanded by the Dictator Primo de Rivera in 1925, was followed in 1931 by the Establishment of the Generalitat of Catalonia, an autonomous body which included a parliament, a government and a court of appeal.

During the years of Francisco Franco's dictatorship (1939-1975) the regime banned the use of Catalan in government-run institutions and during public events, and the Catalan institutions of self-government were abolished. Finally, the Generalitat was exiled all over the period of Franco's rule.

It is only after Franco's death and the restoration of the Democracy in Spain under King Juan Carlos that Catalonia recovered its political and cultural autonomy. The Generalitat was restored in 1977 and a Statute of Autonomy was adopted in 1979. This was later followed by the adoption of a new Statute of Autonomy that introduced increased powers for the local Institutions, after a referendum held in 2006.

Catalonia turned out to contribute to the Spanish budget by 20% approximately. The powers granted within the framework of this autonomy, the recognition of the Catalans as a separate ethnic group and the



enormous financial development after the fall of the dictatorship, boosted the feeling of superiority of the Catalans and reinforced the movement of their independence from the Central Spanish Authority.

In 2010, the Court declared non-valid some of the articles of the Statute that established an autonomous Catalan system of Justice, better aspects of the financing, a new territorial division, the status of Catalan language or the symbolical declaration of Catalonia as a nation. This decision triggered an empowerment of the will for independence.

In the 2015 Election for the 11th Parliament of the Autonomous Community of Catalonia pro-Catalan independence parties gained the majority of votes and on 10.1.2016 the Major of Girona, Carles Puigdemont, was elected President of Catalonia. He was the first President of Catalonia to refuse to take the oath of loyalty to the Spanish constitution and the Spanish monarch and, since his election, he had worked hard on the scope of the independence of Catalonia.

In June 2017 Puigdemont announced that the Catalan independence referendum would be held on the 1st of October 2017. On 6.9.2017 the Catalan Parliament approved the organization of the referendum and on the next day it approved the Law of juridical transition and foundation of the Republic of Catalonia, which stated that independence would be binding with a simple majority, without requiring a minimum turnout.

Immediately the Constitutional Court of Spain suspended the aforementioned legislation, blocking the referendum and declaring it as illegal due to the fact that it breached the 1978 Constitution of Spain.

The Spanish government put into effect a special operation in order to disrupt the organization of the referendum, but the referendum took place on the 1st of October 2017. The government's operation against the referendum and a crackdown by the police resulted in a turnout of 43,03% with more than 2,020,000 voters (91.96%) answering YES to the question: "Do you want Catalonia to become an independent state in the form of a republic?".

Although on the 2nd of October 2017 the EU declared that the referendum was illegal, a week later (10.10.2017) Puigdemont signed a declaration of independence and on the 27th of October 2017 the Catalan Parliament declared independence. A motion declaring independence was approved with 70 in favor, 10 against, and two abstentions in the 135-seat chamber.

On the same day the Spanish Senate enabled the Central Government to trigger article 155 of the Spanish Constitution of 1978, according to which:

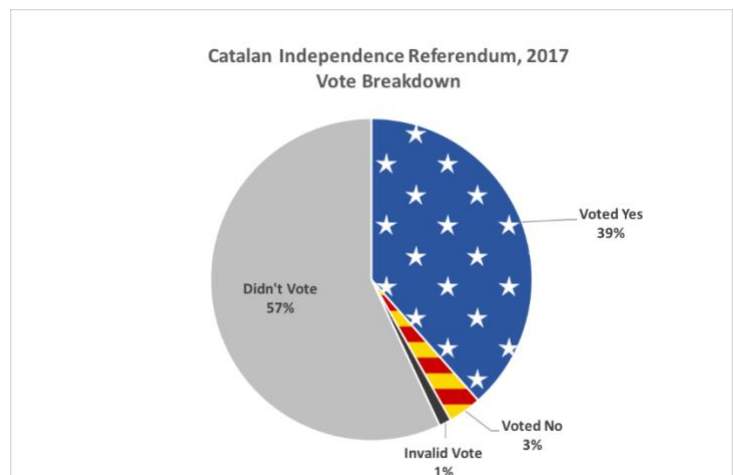


Figure 2: 1.10.17 referendum results



"If an Autonomous Community does not fulfill the obligations imposed upon it by the Constitution or other laws, or acts in a way seriously prejudicing the general interests of Spain, the Government, after lodging a complaint with the President of the Autonomous Community and failing to receive satisfaction therefore, may, following approval granted by an absolute majority of the Senate, take the 47 Control of the bodies of the Autonomous Communities Government Delegate in the Autonomous Communities measures necessary in order to compel the latter forcibly to meet said obligations, or in order to protect the above-mentioned general interests. 2. With a view to implementing the measures provided in the foregoing clause, the Government may issue instructions to all the authorities of the Autonomous Communities."

Following this, Spain's Prime Minister Mariano Rajoy dismissed the Executive Council of Catalonia, dissolved the Parliament of Catalonia and empowered the Spanish Government to undertake direct rule over Catalonia. Finally, M. Rajoy called a snap regional election of the 12th Parliament of the Autonomous Community of Catalonia for 21 December 2017.

Reaction from Central regime went further as Spain's Attorney General announced that Carles Puigdemont and 13 other sacked Catalan cabinet ministers were being charged with rebellion, sedition, and embezzlement. Puigdemont and 5 cabinet ministers fled to Brussels but the rest who stayed in Spain were jailed after appearing in court in Madrid.

Finally, regional election was held to elect the 12th Parliament of the Autonomous Community of Catalonia on December the 21st, 2017. The three pro-Catalan independence parties won a slim majority of parliamentary seats, claiming 70 out of 135, but fell short of a majority in the popular vote by securing just 47.5%. A new President of the Generalitat of Catalonia had not been elected until May 2018, when Quim Torra, a member of the pro-Catalan independence Òmnium Cultural party was elected in the second round of vote.

Spanish government's reaction

Prior to the referendum, UN experts called on the Spanish authorities to ensure that measures taken ahead of the Catalan referendum do not interfere with the fundamental rights to freedom of expression, assembly and association, and public participation. The experts said that regardless of the lawfulness of the referendum, the Spanish authorities have a responsibility to respect these rights which are essential to democratic societies.

Despite this consultation, on the day of the referendum the Spanish National Police Corps and the Guardia Civil intervened and raided several polling stations after they opened and mounted operations to close the polling stations. They also used force to try to reach the voting tables, in some cases using batons against firefighters and civilians, and dragged some of them away. As a result, a large number of civilians was injured on that day because of the Spanish police's effort to impede the referendum.

Afterwards, these events of violence draw many international organizations and countries' attention since many political leaders condemned the reaction of the Spanish government to the referendum as it can be concerned as a violation of human rights, and in particular as a hindering of expression of political view.



Figure 3: police crackdown on 1.10.17



Similar situations examination

European countries have faced a lot of regions like Catalonia that were struggling for independence or much greater autonomy. Most of them seem to have been weakened, but some of them are still concerning European residents.

Bavaria (Germany)

Germany is facing the rise of nationalism in the state of Bavaria in recent years. Bavaria's leverage as the country's richest region — similar to the economic weight of Catalonia in Spain — has given it an advantage on the political stage.

Religiously and culturally speaking, Bavaria actually does not share similarities with the rest of Germany. These days, unlike in the past, what gives rise to the resurrection of nationalism in the German state is no longer cultural or religious factors but rather economic concerns.

In the eyes of many Bavarian nationalists, they don't see any reason why they should continue to share their wealth with other poorer German states. Nevertheless, even though the idea of seeking independence is gaining ground again in Bavaria, technically speaking it is not going to work (at least for now) because the current German constitution forbids unilateral secession of any state from the federation. Today the Bavaria Party (BP) is spearheading the nationalist movement in Bavaria and unless it expresses any formal request against the German government i.e. any proposals for an alternation in the constitution, nothing can change.

Scotland (United Kingdom)

A characteristic example of a region that wants to become independent is Scotland. A Scottish independence referendum took place in 2014, with Scotland voting against self-determination. The pro-independence Scottish National Party (SNP), led by Nicola Sturgeon, has since reemphasized its commitment to launch a second referendum after Britain's vote to leave the European Union, since Scotland clearly wants to be a member of the EU. However, the case of Scotland differs from Catalonia's due to the fact that, unlike Catalonia, the referendum took place with the agreement of the British government and without the interference of security forces.



Flanders – Wallonia (Belgium)

Belgium is divided between the French-speaking Walloons and the Flemish. In addition to not sharing a language, the two communities are split along historic and socio-economic lines. Despite the fact that the history of the relationship between these two regions is long, the case of Catalonia does not seem to have a great impact on Belgium. Furthermore, after Catalonia's referendum, no old conflicts were revived between Flanders and Wallonia. The desire for separation of the country into two (since the case is about a separation of the country and not about the independence of a small region) seems to have faded. Besides, the N-VA (the Flemish party that used to support the division of the country) participates in the Government with a Walloon Prime Minister.



POSSIBLE SOLUTIONS

First of all, the Spanish government could make the first move by promising the Catalans a legal referendum. Namely, given that the recent independence referendum was illegal as being in breach of the Spanish Constitution, Spain could envisage the possibility of making the necessary changes to such rigid Constitution, in order to allow the conduct of such a referendum.

In this respect, it could be provided for that the electorate should include not only people residing in Catalonia, but also others having an attachment to Catalonia, e.g. growing up there or being educated or having lived there during the last ten years. All these people could be able to register to vote and, therefore, the electorate would be broader.

Also, certain conditions could be introduced, which should be met in order for the referendum to be binding. In particular, a quorum of at least 50% of the Catalan voters should be required, reflecting a wide participation of the people in this crucial procedure. Further, supermajority clauses should be needed, namely the vote on independence adopted by two-thirds of Catalonia's parliament, as well as by two-thirds of Catalonia's electorate. This would mean that the will of the Catalans is strong enough to be respected by Spain.

In addition, the Spanish government and Catalonia could negotiate in advance and agree on the terms and the repercussions of Catalonia's independence. In this way, Catalans would know exactly what they are voting for. Such negotiation could be achieved with the aid of an international mediator.

Furthermore, the Spanish government could offer an alternative to Catalans, i.e. make clear in advance the terms that would apply in case Catalonia stayed part of Spain. Perhaps, the prospect of an agreed long-term settlement if Catalonia "remains" in Spain would appear to be attractive and to the benefit of the Catalans. This might include the delegation of a wider array of powers to Catalonia, so that it will have a full control over certain important sectors, such as its own markets, energy, healthcare etc.

Following the recent developments, it is high time that the Spanish government and Catalonia came around the table and resolved their differences in a genuinely democratic and diplomatic way – for the sake of Catalonia and the rest of Spain.



MAJOR COUNTRIES & ORGANIZATIONS INVOLVED

European Union

Generally, the European Union believes that the issue of Catalonia is an internal matter for Spain that has to be dealt with in line with the constitutional order of Spain and, as a result, does not want to intervene deeply in the situation. Nevertheless, the European Union has shaped an opinion about it: it seems to be against the independence of Catalonia since the President of the European Commission, Mr. Juncker, has stated that “these are times for unity and stability, not divisiveness and fragmentation”. Furthermore, following the referendum of 2017, the EU stated that it was not legal, adding that, in case a referendum was organized in line with the Spanish Constitution, it would mean that “the territory leaving would find itself outside of the European Union”.²

Council of Europe

Prior to the referendum, Carles Puigdemont consulted the Council of Europe said that any referendum must be carried out “in full compliance with the constitution”.

Spain

Spain is the State directly involved in the issue of Catalonia as Catalonia is an autonomous territory belonging to Spain. Spain is the State deciding about Catalonia’s status since the adoption of the Statute of Autonomy of Catalonia in 1978. Catalonia is an important factor contributing in Spain’s economy, production, exports and population and therefore Spain would not want Catalonia to leave the country.

Belgium

On the 30th of October 2017, after the Spanish Senate suspended Catalonia’s autonomy with the application of Article 155 of the Spanish Constitution (a decision which implies the dismissal of the Catalan president and his government and the dissolution of the Catalan Parliament), Carles Puigdemont decided to abandon Spain to search for refuge in Brussels in order to avoid being arrested. In fact, The Catalan ex-president went to Brussels, as he knew that the day before, the Belgian State Secretary for asylum and migration, Theo Francken, had publicly declared that he could attempt to seek political asylum in Belgium. In other words, he had “invited” the Catalan separatists to seek refuge in Belgium

Belgium is now governed by the coalition of four political parties, one of which is Nieuw-Vlaamse Alliantie (N-VA), a party which supports the independence of Catalonia. A Catalan flag was hung in

² European Commission – Statement on the events of Catalonia

the halls of the Belgian Federal Parliament by the N-VA party. Hence, it is not surprising that Puigdemont has chosen refuge in a country partly governed by supporters of his cause.

Countries in favor of the independence of Catalonia

There are certain countries which have given some kind of support to Catalonia and its independence movement, whether by passing motions, creating parliamentary subgroups or having officially received Catalan government representatives despite diplomatic pressure from Spain. Some examples are: **The United Kingdom, Denmark, Switzerland, Norway, Finland, Sweden, Latvia, Estonia, Ireland, Belgium and Slovenia.** For instance, the Swedish and Finnish Parliaments have created multi-party groups in support of the independence process.

Countries against the independence of Catalonia

There are some other countries which believe that it should be better for the European Union and for the future of Spain's economy and development to stay united. Some typical examples are: **Germany, Italy, Iceland, France, the Netherlands and the United States.**

United Nations

As an international factor, the UN believes that the question of Catalonia must be solved within the framework of Spain and therefore has refused to intervene in the situation. Moreover, when informed about the referendum, it refused to participate in its monitoring.



Figure 4: map showing which countries support Catalonia's independence



Previous attempt to solve the issue

Due to the fact that the issue of Catalonia's independence never occurred in the past, there has never been a need to face it and resolve it. Furthermore, international organizations, such as the UN and the EU, believe that this is an internal matter of Spain and therefore never dealt with it. As a result, no resolutions have been passed regarding it.



Research Questions

The European Union should discuss some of the following points:

- How can a solution be found in order to benefit the interests of both Catalonia and Spain?
- Can Catalonia achieve political and economic stability or power if it becomes independent?
- If Catalonia becomes independent, how will this affect Spain economically? (Consider the fact that many Spanish exports come from Catalonia). How can Spain balance its budget without Catalonia's contribution?



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