

**Question for written answer E-008133/2012
to the Commission**

Rule 117

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Subject: Secession within the Union and European citizenship

According to reports in the Spanish media, the Commission, in the person of an official representative, said on 11 September 2012 that, 'there is no provision in the European treaties for the secession of a region from an existing Member State'. He went on to say that any secession process would have to 'be dealt with according to international law'. Lastly he said that should secession occur, the new country must fulfil the conditions for EU membership, adding, 'In the meantime, of course, this new territory is not part of the EU since it has to make a request for accession'. These statements were made in response to various questions asked concerning the demonstration held that day in Catalonia to celebrate the Catalan national day.

However, other legal interpretations, such as the so-called 'internal enlargement' state that it is the people and not the Member States who enjoy the rights of identity and nationality. Consequently, in the event of the democratic secession of a region by European citizens, the latter would retain their status since there is no provision to the contrary in the treaties. The paradox could become even greater if the new States meet the economic conditions to remain in the Union better than the Member States they have separated from.

1. Does the Commission believe that it is citizens and not Member States who enjoy the right of identity or citizenship?
2. If so and if new States are created as a result of democratic processes within the Union, what provision of the treaties could serve to expel from the EU people who are EU citizens and clearly state their wish to continue being so, albeit in the context of a new country?
3. What will be the Commission's reaction to any such secession when the citizens affected clearly state their wish to remain in the EU?