

Il Presidente

D 313535 07.09.2017

Ms. Beatriz Becerra Basterrechea, MEP

Dear Member, *Dear Beatriz,*

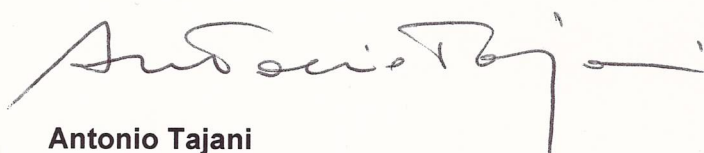
Thank you for your letter of 19 June 2017 addressed to Presidents Juncker, Tusk and myself, on an issue that concerns the constitutional arrangements of the Member States and, as such, is an internal matter of the Member state concerned. In the words of my predecessor, "the constitutional arrangements of Spain are an issue for the Spanish authorities and the Spanish people".

The Commission has already stated in response to several parliamentary questions that "if part of the territory of a Member State would cease to be part of that state because it would become a new independent state, the Treaties would no longer apply to that territory. In other words, a new independent state would, by the fact of its independence, become a third country with respect to the EU and the Treaties would no longer apply on its territory."

From my part, I have already publicly stated that the constitutional framework of individual Member states are part of the legal framework of the European Union. Their respect must be guaranteed at all times. They are a fundamental pillar of our system of liberties and the values upon which the Union is founded, as listed in article 2 of the TEU. Any action against the constitution of a Member State is an action against the European Union's legal framework. This is precisely because the rule of law is the backbone of modern, pluralist societies and constitutional democracies. Respecting the rule of law and the limits it imposes on those in government is not a choice but an obligation.

As for the European Union, the Treaties are clear, it must respect the constitutional arrangements of the Member States and the essential State functions deriving from them.

Yours sincerely,



Antonio Tajani