



## **The United Nations World Conference on Human Rights**

**Vienna, 14-25 June 1993**

*The right to self-determination by distinctive nations like the Scots is a fundamental collective human right, one that has been stressed and re-emphasised by the United Nations General Assembly on innumerable occasions. It was therefore self-evident that the Scotland-UN Committee should target the World Conference on Human Rights in Vienna. This Conference, the first one for 25 years, was called to review the progress in implementing international standards of human rights worldwide since the last meeting in Teheran in 1968, and to consider what further action would be necessary to ensure universal observance of these norms.*

*The Scotland-UN Committee considered making a formal submission to the Conference. However, during the preparatory period it became clear that this was pointless, due to the logistics of the situation. This was to be the largest international conference ever held, with sizeable delegations from 166 states members of the United Nations, over 900 non-governmental organisations (Amnesty International, etc.), and a large number of prominent individuals active in the field of human rights, as well as the media and other observers. The total number of people attending the Conference was in excess of 10,000. A draft final statement had been prepared before the Conference even met, and a huge number of activists were clamouring to be heard on situations in which lives were in acute danger. And the event was overshadowed by the shocking atrocities taking place not far to the south of the Austrian border in the former Yugoslavia.*

*It was clear that the Scottish case, albeit clearly falling within the scope of the Conference, would simply be swamped by the mass of more dramatic situations that called for immediate attention. This was underlined when not even the Dalai Lama was enabled to address the Conference on the Chinese repression in Tibet. And so, while the Committee was not prepared to let the event pass without a Scottish presence in some form, it was decided to restrict this to a simple public relations exercise, specifically a printed leaflet setting out the essence of the Scottish case that could be handed over by the S-UN representative in Vienna. The target readers were not merely the government delegations, but also human rights activists who had come from all round the world, many of them campaigning against repressions of civil and political rights with strong similarities to the Scottish situation. This was not a case of a pinpoint attack with "smart bombs", but rather of sowing seeds that might germinate in the most unexpected places.*

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The Scotland-UN Committee wish to inform the governmental and non-governmental delegations attending the World Conference on Human Rights of the political situation presently prevailing in Scotland. This situation is one of the most barefaced violations of collective human rights in the world, and is certainly the worst surviving example in Europe of the political repression of an entire people.

Scotland is presently ruled by a government consisting of a Secretary of State and four ministers. The Scots do not elect this government. It is appointed over their heads by the British Prime Minister without reference to the outcome of the elections in Scotland.

These five individuals are enabled to carry through the most extreme ideological measures. Not even their own political party conferences are allowed a say in the formulation of Scottish governmental policy. The votes of the Scottish members of Parliament on purely Scottish measures have no influence on policy, and the total opposition of the Scottish people to particular items of legislation is simply ignored. Scotland - a country with one of the oldest parliamentary traditions in the world - is governed as a colonial province.

This situation has its roots in a dynastic marriage between the Scottish and English royal families. In the course of time the Scottish king inherited the throne of England – the Scots took over England, not the reverse – although both countries remained otherwise independent. A century later the two monarchies were united to form a single United Kingdom of Great Britain.

A new parliament was set up to administer the affairs of the new political union - the present United Kingdom legislature at Westminster. The national parliaments of Scotland and England were not abolished, and in fact the Scottish Parliament was due to reconvene the following year, but neither this session nor any succeeding one was ever permitted.

The union legislation, however, contains no provisions of any kind for winding up the national Parliament. That means that it can be recalled at any time to deal with national matters, as distinct from those of the Union.

Since then, England has grown to have ten times the population of Scotland, and the affairs of the smaller partner in the Union are constantly subordinated to the interests of the larger one. Furthermore, the affairs of state have reached a degree of complexity never before seen in history, and the functions of government have expanded to cover almost every aspect of people's lives. The necessity of decentralised regional government is now accepted the length and breadth of Europe, with the single exception of the United Kingdom. And it is precisely there, where the need is greatest, that the most barefaced attempts are being made by central government to whittle down the functions of local authorities in order to eliminate alternative sources of democratic power.

For more than a hundred years the Scottish people have been attempting to have their ancient national Parliament recalled. To date, no fewer than 34 bills and motions to this effect have been introduced in the Westminster Parliament. The overwhelming majority of the Scottish members supported these measures. Despite this fact, and in flagrant contempt of the international law governing the self-determination of peoples, every one of them was either killed by procedural chicanery, or simply voted down "democratically" by the huge English majority there.

The demand for the restoration of democracy to Scotland is overwhelming and long-standing. Since long before the Second World War opinion polls have with monotonous regularity reported majorities of the Scottish people, bordering on unanimity, to be in favour of having their own legislature again. In 1950 almost two and a half million out of three and a half million Scottish voters signed a National Covenant requesting the recall of the Scottish Parliament. Yet when the delegation arrived in London to present the petition all the government doors were contemptuously shut in their faces.

In March 1979 a national referendum was held in Scotland to decide whether a certain scheme to set up a Scottish legislature was to be implemented. Despite the obvious weaknesses of the plan in question, this Scotland Act was adopted for implementation by the Scottish electorate, with virtually the same support that was given to membership of the European Economic Communities. It was a clear and constitutionally valid decision by the country's highest constitutional authority that legislative facilities are to be restored to Scotland, and one that stands for all time.

The implementation of the Scotland Act was subsequently supported by an overwhelming majority of more than two thirds of the Scottish elected representatives in a vote in the House of Commons, the usual standard for the adoption of a constitutional law. Despite this, the present United Kingdom Government, which now has no mandate to govern in Scotland at all, pushed through a constitutionally meaningless "repeal" of the Scotland Act, with the use of their overwhelming English majority in the Westminster Parliament and against the bitter opposition of the Scottish Members of Parliament.

In spite of their own solemn promises to set up a Scottish legislature with even stronger powers than those contained in the Scotland Act, they now flatly refuse to do anything at all to rectify the situation, which is now blatantly unconstitutional.

We must point out that these are not mere regional demands. The Scots have occupied their national territory for at least 1,500 years. There has never been another occupant of the country since prehistoric times. Scotland is one of the world's oldest monarchies and reputedly the first nation state in Europe. The ancient Scottish Crown, Sceptre and Sword of State in Edinburgh Castle testify to this, while the Parliament House of Scotland, built in 1632, testifies to this day to the antiquity of Scotland's tradition of democracy in a national Assembly for which a chronicler used the Latin designation "parlamentum" as early as the year 1174. Quite apart from the centuries of democratic tradition, under no circumstances can a dynastic marriage in the late Middle Ages between the Scottish and English royal families be considered a basis for determining the country's legislative structure in the late 20th century.

**The Scotland-UN Committee do not expect any direct action on behalf of Scotland from the World Human Rights Conference. We realise only too well that priority must be given to situations all over the world where human lives are in danger, often under conditions of the utmost barbarity.**

**We do, however, wish to acquaint the members of the national government delegations and the non-governmental organisations of the situation we are attempting to combat. We are campaigning against centralisation, foreign rule and colonisation, foreign control of the media, political brainwashing, cold-blooded deliberate cultural genocide, autocracy, arbitrary rule, and above all contempt for the democratic processes and the rule of law, including systematic discrimination against "dissidents" - in this case known advocates of restoring democratic government in Scotland.**

**We are not attempting to overthrow the democratic order. That is already being done by those United Kingdom politicians who, in the face of overwhelming demand, flagrantly and illegally refuse to recall the Scottish Parliament - which, we would remind you, is a perfectly normal democratic institution.**

**We know we are not alone in such a situation. For this reason, we accept and campaign for the self-determination of peoples as an internationally guaranteed collective human right. And for the same reason we are confident that Scotland can expect to receive the vigorous support of all the peoples represented at this Conference, not least in their own interest.**