



# SCOTTISH DEMOCRATIC ALLIANCE

Dedicated to re-energising Scotland

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## MEMORANDUM

To the Committee of Ministers of the Council of Europe

To the Chairmanship-in-Office of the Organisation for Security and Cooperation  
in Europe

### **The present situation in Scotland**

You are doubtless aware that, in Scotland, consideration is presently being given to leaving the United Kingdom of Great Britain and Northern Ireland, and resuming Scotland's previous status as an independent kingdom.

The Scottish people have a perfect right to withdraw from that arrangement, the more so since the conditions under which it entered no longer prevail, and the present situation is becoming increasingly intolerable within the modern political structure of global interdependence.

We should make it clear that Scotland is not simply a province, but one of the world's oldest nation states, with more than 1,500 years of well-recorded written history as a political entity since Aedan mac Gabhran was crowned King of Scots in the year 574 AD. Scotland was a united kingdom by the early 9th century. A Scottish parliament was first mentioned in written records in the year 1174 under King William I. Scotland's membership of the present union occurred after the Scottish king inherited the throne of England in a personal union. Its participation in the United Kingdom rests on the basis of a treaty under international law that can be revoked at any time.

The Scottish Democratic Alliance is registered with the Electoral Commission as a political party

Board: Dr. J. Wilkie (Chair); R. Ingram (Trsr); A. Wilson (Lothian) D. Campbell (Inverness) R. Don (Caithness& Sutherland)

The present Scottish Government, elected in May 2011 with an unprecedented absolute majority on a programme of independence that clearly expresses the wishes of the people, proposes to hold a corresponding referendum in the autumn of 2014.

The Government of the United Kingdom, while unable to deny that the Scots have the right to make their own decision on the issue, is attempting to deny the legal right of the Scottish Government to hold the referendum, and insisting that it alone is entitled to undertake such a poll. It is also pressing for the earliest possible date for the referendum, because they estimate that there will be more chance of a negative vote if the poll is held as soon as possible. The situation is now wide open to the most blatant form of manipulation of the vote.

The Scottish electorate, at the moment, is completely unprepared for a decision of such magnitude. There is a widespread ignorance of basic constitutional principles which will have to be corrected before the vote is taken. It is essential that sufficient time is available before the vote, in order not only to allow the protagonists on both sides to make their cases, but also to increase the fund of constitutional literacy among the electorate in general.

The Scottish Democratic Alliance (SDA), as its title indicates, is interested in maintaining the highest standards of pluralist democracy. We are not impartial on the issue of independence, but we have every interest in ensuring that the result will be a conscious and informed decision by the Scottish people on the basis of factual evidence and rational aspirations. That will not be achieved by rushing the voters to the poll in order to obtain the result desired by a multitude of external vested interests.

Since the Scottish people are the supreme constitutional power in their land (the English principle of parliamentary sovereignty does not apply in Scotland), then who can organise the referendum if not their own delegated servants, the Scottish Government and Parliament? It is obvious that nobody in London was ever going to make such a move if there was no Scottish initiative on the issue. The present actions in London are simply an attempt to keep the matter out of the hands of the Scottish Government at all costs.

The UK Government is trying to prevent the Scottish Government from holding a referendum on its own terms, although the Scots have such a right under the relevant international law that is never quoted in the arguments by those opposed to holding the referendum. In January 1989, in Vienna, the Conference on Security and Cooperation in Europe restated the relevant international law in unmistakable terms:

*"[The participating states] confirm that, by virtue of the principle of equal rights and self determination of peoples, and in conformity with the relevant provisions of the [Helsinki] Final Act, all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic and cultural development. (Questions Relating to Security in Europe, No. 4)"*

We are therefore asking the Council of Europe and the OSCE to keep the political situation in Scotland under close scrutiny, and to intervene actively in the event that action is taken to contravene the rights of the Scottish people under Article 1 Par. 2 of the Charter of the United Nations and subsequent related instruments. We will, of course, keep you informed if any such situation arises.

In addition, we consider it to be absolutely essential that the CoE and the OSCE should monitor this referendum in order to ensure balance and fairness. We are not convinced that the largely foreign-controlled mainstream media in Scotland are capable of maintaining the degree of objectivity that this crucial question demands. There are many vested interests in play here, for instance in connection with Scotland's substantial oil, gas and other resources, and there is far too much scope for manipulation of a kind that Scotland has already experienced to its detriment. We doubt whether the UK Government will make any such request, and we would welcome any initiative to this end by the European organisations.

The Scottish Democratic Alliance, founded in July 2009, is operating for the moment as an independent think tank, but is registered with the Electoral Commission as a political party. That status can be activated at any time in the future. The SDA stood back from the 2011 parliamentary election, but intends to participate in future polls.

For and on behalf of the Scottish Democratic Alliance,

A handwritten signature in black ink, appearing to read 'Robert Ingram', with a long horizontal flourish extending to the right.

Robert Ingram, Administrator,

06 February 2012