

CHART OF RIGHTS OF EUSKAL HERRIA

Udalbiltza's proposal

Whereas:

Euskal Herria, the Basque people, is a nation that has forged its History in a small territory located in Western Europe, on both sides of the Pyrenees and open to the Bay of Biscay. Its identifying marks, acquired in a long historical process, have euskara, the national language, as their mainstay.

Euskal Herria, land of passage because of its geographical situation, has been capable of incorporating to its heritage the contributions of all those peoples that have passed through its territory. Euskal Herria has been and is a nation open to the world. The phenomenon of migration has been permanently part of the reality of Euskal Herria; because of poverty or persecution, Basques have experienced the need to look for a future far from their land, and have also experienced the arrival of other peoples to their territory. Just like it resisted those who tried to subjugate and assimilate it, Euskal Herria has always maintained its doors open to those who have respected its identity.

Euskal Herria is a people that, except for limited historical periods during the existence of the Kingdom of Navarra, has had to develop its culture and collective project without its own political structures, compelled by administrative division and the imposition of political, judiciary and military powers. The configuration of European states in Modern Ages, as a result of conquests, prevented the recognition of Euskal Herria and of its people as holders of rights.

Euskal Herria has been and is a nation that has not had the possibility of exercising its right to live in peace. Disregarding the will of its citizenry, with its contradictions and conflicting political projects, the Spanish and French State systems have constantly interfered in Euskal Herria's way of life. Both States regard the disappearance of its nation-consciousness and the denial of its right to decide for itself as their permanent goal and a major State question.

In face of that denial, Euskal Herria, aware that its main patrimony is in the people that make it up, is a nation determined to go forward into the future, determined to become master of its destiny and of the rights it is entitled to.

Acknowledging and making ours

Rights recognised in international Law, in the United Nations Chart, the Universal Declaration of Human Right, the International Convention for the elimination of all forms of race discrimination, International Agreements PACTS for civil and political rights, as well as for cultural, social and economic rights; and the European Convention for the Protection of Human Rights and Basic Liberties,

The bases, ideas and directions contained in a broad range of international declarations such as the Algiers Charter, the Universal Declaration of the Collective Rights of Peoples, The Universal Declaration of Linguistic Rights, the European Social Charter, the Draft Declaration of the Rights of Indigenous Nations and the Charter of the Earth, among others.

Whereas the references found in Euskal Herria's own History, such as

The formation of the Kingdom of Navarra as the Basque State, that implied, as well as the international endorsement of its sovereignty, the setting up of its own juridical system for the articulation of its political rights.

The Fueros, that, after a protracted process of conquest and partition, stand out as expression of the original sovereignty and make possible the existence, during a long lapse of time, Basque customs and non conscription to military service.

The suppression by the Spanish and French States, between the late XVIII Century and the XIX Century, of any form of sovereignty and institutional structuring, which opens up a long period of demand for the restoration of those rights that as such are due to the whole of Basque citizenry.

Hence,

In updating this claim, in the historical legacy of our people we come across such important documents as the Draft Basque Statute drawn up on 31st May 1931 by the Society for Basque Studies, passed by the Assembly of Basque Municipalities convened in Lizarra on the 14th of June, 1931, or the drafts for Basque Constitutions dated 30th November 1940, in London; as well as Itsasuko Agiria, of Aberri Eguna Day of the Basque Nation, 1963; and Lizarra Garazi Akordioa, Pact of Lizarra Garazi, 1998.

All of which have put forward the recognition of Euskal Herria as a differentiated nation, free and master of its own future, holder of rights, in order to build a project based on Democracy and respect for all rights.

Whereas

Euskal Herria is a nation that pressingly needs to build a democratic framework to enable its citizens to freely decide their future,

Therefore,

Because, in spite of being an unrecognised, divided nation, Euskal Herria wishes to reaffirm and renew its determination to be a free and open nation, in order to speak with its own voice, from equality of rights and liberties for each and every one of its inhabitants.

Because we want to construct Euskal Herria as a place for coexistence where free men and women, as Basques, will partake in the construction of a nation and a world ruled by equality, liberty, peace and solidarity.

By virtue of our condition as elected representatives, and as a contribution to the citizens of Euskal Herria, we, mayors and town councillors who constitute Udalbiltza, the first nation-wide Basque institution in modern times, make public this proposal for a Charter of Rights of Euskal Herria. So that it may be known by our nation's citizenry and all nations of the world.

We PROCLAIM that

Euskal Herria has the right to exist as a nation, to be recognised as holder of the rights it is entitled to as such, and to have its territory respected.

Euskal Herria has shaped itself as a nation from its tongue, its culture, relationship among its peoples, consciousness of its identity and the determination to develop as a community.

Therefore, Euskal Herria is a holder of rights. Through declarations and international treaties peoples have such status recognised. Whatever political and administrative structures have been constituted, it by no means invalidates the right of Euskal Herria, of all its citizenry, to give itself its own social and institutional expression in order to decide its future without external interference or constriction.

All citizens of Euskal Herria are holders of rights in equality, without discrimination or previous exclusion of any kind and processes of minorisation of their national or identity consciousness can not be cause for their exclusion in the shaping of Basque will.

Euskal Herria belongs to all women and men that live therein, without distinction because of ethnic group, colour, sex, language, religion, political opinion or of any other nature.

They and they alone are entitled to decide on their political status, regulation of relationships and internal and external organisation, and to democratically give themselves the political, social and economic structures they deem most convenient, with the participation of each and every citizen without exclusion or external interference.

No government can claim authority over Euskal Herria as long as it does not base its legitimacy on the clear and expressly declared will of the Basque people as a whole.

Euskal Herria has the right to decide, develop and implement its own structures and institutional representation, necessary condition for its existence and democratic expression.

The decision over the forms and models of articulation of their democratic representation and the structuring of the different territories is a responsibility that appertains exclusively to the citizens of Euskal Herria.

Beyond present-day administrative frontiers and the institutional or administrative representations constituted therein, the possibility of developing a democratic national institutional representation is a right of Basque citizenry as a whole.

Euskal Herria has the right to live in peace and security, to freely decide.

Without the imposition of unwanted situations, without suffering attacks on its integrity and liberty; being able to defend itself in face of any imposition coming from another people or State.

Euskal Herria recognises all nations of the world that same right. It therefore renounces any kind of interference or strategic interest regarding other nations, and advocates for the negotiated resolution of all conflicts.

To freely decide, without the imposition of determining factors or interference, is a basic right that should be protected by demilitarisation of the

country and withdrawal of the State's armed and security forces present today in Basque territory.

All Basques have the right to their nationality.

They have the right to freely proclaim it, and to have their nationality recognised and respected in all realms.

Basque citizenship appertains to all persons born or settled in Euskal Herria, that freely and willingly want to take part in its decision taking, and to share its future with those who constitute this political body. It is not possible to impose Basque nationality on anyone, just as nobody can be compelled to renounce any other nationality she or he previously held.

Access to Basque citizenship will be guaranteed without distinction of any kind, such as origin, ethnic group or any other status.

Those persons living in Euskal Herria will have their rights, identity marks, and culture ensured, with special respect to their right to work and to a fitting life, and no discrimination shall be made on the basis of origin, ethnic group or other status.

Euskal Herria has the right to freely decide its relationship with all other nations.

That very right entitles it with regard to its relationship with the States and other political entities existent in the international community.

It has the right to participate in equal conditions and with its own voice in international forums and organisations, exercising the rights and duties it may have, in order to contribute to agreement and respect among all peoples, nations and states.

All women and men who live in Euskal Herria have the right to the full and effective benefit of all Human rights and basic liberties.

Through this Charter we proclaim our adherence to the rights and liberties compiled in international charters, pacts, treaties, conventions or declarations, with special reference to all persons' rights to life and integrity, to freedom of expression of ideas; equality without discrimination by sex, sexual option or orientation; freedom of religion or thought, of beliefs and creeds, and freedom to participate in politics, promoting equal representation of men and women.

All men and women of Euskal Herria will be protected in the exercise of these rights, whose development and concretion demand the effective participation of Basque citizenry.

Women's right to real equality of opportunities shall be guaranteed.

We believe equality of opportunity and non-discrimination of women is a fundamental element for our future as a nation. It is essential to guarantee equality of rights for all persons in the different social realms, thus overcoming the deep social and cultural consequences that have taken root in our society over centuries of exclusion of women.

Thus, among other realities, violence against women is very present in our society. The necessary measures shall be taken to stand up to these facts,

favouring egalitarian education and the development of equality of opportunities policies in all realms of life, so as to eradicate such an unjustifiable situation.

All men and women of Euskal Herria, as well as future generations, have the right to live and develop in euskara, without any limitations.

Euskara, Euskal Herria's own and national language, suffers, even today, from persecution and minorisation. This historical grievance, still in force, must be amended, and to do so, all necessary juridical, economic and social means should be established and arranged for.

Euskal Herria has the right to the setting up of a linguistic policy capable of guaranteeing the language rights of citizens. A sovereign and national linguistic policy that will produce the juridical instruments necessary for the recuperation of euskara and to ensure all its social functions, as well as the official status and preference the national language is entitled to.

Euskara, a modern tongue, vehicle of transmission and cohesion in education, culture and leisure, has its own institutions, of which Euskaltzaindia, the Academy of the Basque Language, is the highest exponent, leading and guiding its rules and internal development.

Euskal Herria defines itself as the nation of the Basque tongue. From this specific and enriching outlook, and assuming its environment's and the world's linguistic diversity, Euskal Herria's education system must ensure the population completing compulsory schooling the capacity to live in euskara, together with the teaching of Spanish, French and English as languages of communication and interchange.

All citizens of Euskal Herria have the right to education.

Personal development, an essential condition for personal autonomy in social participation and decision making, demands the guaranteeing of the right to education and universal and egalitarian accessibility.

Education should permit the community as a whole, particularly youth, to take active part in its development, sharing its cultural wealth and having the possibility of becoming integrated in community life, without restrictions of any kind.

Guaranteeing the right to education in Euskal Herria means, therefore, the transmission of our cultural heritage, the setting up of our own curriculum and the promotion of coeducation, to destroy the assignation of roles according to sex.

Euskal Herria has the right to express its culture and identity signs.

Euskal Herria has the right to express and transmit its art, History and culture, thus contributing to Human Heritage, without any kind of imposition or censorship.

Each and every person living in Euskal Herria has the right to cultural creation, to artistic expression and the free diffusion of her or his work, in a framework open to interchange and communication with all other peoples of the world.

Euskal Herria and all its men and women have the right to participate, as a people and from their national identity, in all cultural, artistic and sports performances that take place in the world.

All persons living in Euskal Herria have the right to an adequate standard of living and to social equality that will guarantee their integral development.

The universality of the right to housing and to free education and medical care will be guaranteed.

The right to work in appropriate and egalitarian conditions, without discrimination because of sex, origin or age, will be guaranteed, as well as the right to a universal minimum income, sufficient for a living fully integrated in society. Such an income will be granted to all persons, women and men, that cannot obtain a suitable job, without distinction because of ethnic group or national origin.

The sharing by men and women of domestic chores and care for persons will be promoted, together with the creation of community services that will take on these tasks in a collective manner, thus facilitating the egalitarian access of women to remunerated jobs.

All disabled or handicapped persons have these same rights, that shall be guaranteed through the appropriate rules and compensating mechanisms.

Euskal Herria has the right to develop and control its scientific and technical progress, as well as its own natural resources.

Control over natural as well as economic and scientific resources, access to information and knowledge, are rights to which Basque citizenry as a whole is entitled.

The democratisation of the use of those resources for the development, progress and well-being of men and women of Euskal Herria, and of the Planet itself, without causing its destruction or endangering the environment's ecological equilibrium, is an essential principle.

Scientific progress and technology will serve society, and will not be used in such a way that they give rise to social differences or discrimination in access to work or to benefiting from collective wealth.

Euskal Herria makes a commitment not to base its prosperity on the exploitation of other peoples.

The situation of many peoples today is not unrelated to the unjust and domineering relationship that Euskal Herria, although subordinate to State structures and decisions, has had with them.

We therefore recognise the debt we have contracted as part of the so-called First World with the exploited peoples of the Earth.

Finally, and to put these rights on record, as well as the pressing need for their observance, only real foundation to build a future in peace and liberty,

We DECLARE that:

This Draft Charter of the Rights of Euskal Herria is open to the participation of all social, trade union and political actors, to claim and defend the rights of this nation, its peoples, and each and every person living in its territory.

The elected persons that form Udalbiltza undertake the commitment to work together to defend these principles, so that Euskal Herria may achieve the recognition it is entitled to among the peoples and nations of the world.

We undertake the solemn commitment to construct Euskal Herria as a plural, open and deserving community, from the Aturri river to the Ebro river, a community that will exercise its sovereignty in democracy, peace and liberty.