

UN BRIEFING NOTE:

Scotland's Path to Self-Determination through the UN Process under International Law

12 June 2025

JPTi AND LIBERATION SCOTLAND'S DECOLONISATION PETITION TO THE UNITED NATIONS: A TURNING POINT FOR SCOTTISH INDEPENDENCE

Justice pour Tous Internationale (JPTi), together with Liberation Scotland, have initiated a historic step towards achieving Scottish independence through their formal submission of an Advance Notice of Petition to the United Nations Special Committee on Decolonization (C-24) on 7 March 2025. This landmark action represents a pivotal moment for the campaign to restore Scotland's sovereignty, fundamentally reshaping the discourse around Scotland's constitutional and international status.

Liberation Scotland is deeply embedded in the independence movement, its 20,000 members forming an integral part of grassroots efforts that have sustained momentum since the 2014 Independence Referendum. Popular support for independence remains consistently strong, currently at around 54%, according to recent opinion polls. Nevertheless, despite enduring support, optimism had significantly waned due to Westminster's persistent refusal to respect Scotland's democratic mandates. Successive mandates secured by the Scottish National Party (SNP), which has governed Scotland's devolved administration at Holyrood since 2007, have repeatedly been disregarded by Westminster. The UK Supreme Court's 2022 ruling conclusively denied Scotland's right to hold a legally binding independence referendum without Westminster's consent, leaving many Scots disillusioned about achieving self-determination in their lifetime.

However, the submission of the Advance Notice of Petition to the United Nations has dramatically changed this landscape, revitalizing optimism and determination within the independence movement. This shift has been significantly reinforced by the landmark declaration on 17 May 2025 by esteemed legal expert Professor Robert Black KC. His comprehensive legal analysis conclusively established that Scotland's incorporation into the United Kingdom in 1707 was not the outcome of a voluntary union, as traditionally portrayed by Westminster, but rather constituted a coercive annexation by England under the pretense of political partnership. This revelation was described by *The National* newspaper as "the most significant event in Scottish history for over 300 years."

Although mainstream Scottish media, largely externally controlled and managed, have offered limited coverage of these groundbreaking developments, informed social and political commentators have keenly observed their significance. Increasing awareness has galvanized the independence movement, profoundly reshaping domestic debate regarding Scotland's history, constitutional reality, and future pathways to self-determination.

These developments have resulted in a noticeable divergence in public sentiment regarding the SNP. Electoral support for the SNP has declined to approximately 30%, whereas support for independence itself remains above 50%. This divergence highlights a growing recognition among Scots that reliance on Westminster's consent—long favored by the SNP—is fundamentally untenable and incompatible with genuine self-determination.

In response to restricted media coverage, Liberation Scotland's grassroots campaign arm, Salvo, has vigorously promoted these developments across Scotland via social media, public gatherings, and extensive community outreach. This concerted effort has significantly informed public discourse and heightened societal awareness of the urgency and legitimacy of pursuing international decolonization.

Furthermore, Liberation Scotland is actively shaping Scotland's political landscape ahead of the 2026 elections to the Edinburgh Parliament. It proactively engages independence-supporting organizations and political parties, offering formal affiliation to entities unequivocally committed to Scottish sovereignty and decolonization under international law.

On 9 June 2025, a delegation from JPTi and Liberation Scotland, strategically supported by the International Probono Legal Services Association (IPLSA), attended sessions of the UN Special Committee on Decolonization (C-24) at UN Headquarters in New York. The delegation delivered detailed oral interventions as expert contributors on colonial governance and self-determination issues, focusing specifically on ongoing colonial situations in French Polynesia and New Caledonia. While recognizing procedural constraints preventing formal discussions of Scotland's case—since Scotland is not yet formally listed as a Non-Self-Governing Territory—the delegation informally highlighted parallels between Scotland's structural denial of sovereignty by Westminster and the colonial conditions prevalent in these Pacific territories, notably regarding control over defence, foreign policy, constitutional law, and natural resources.

Simultaneously, the delegation engaged informally with UN member states during the margins of the C-24 sessions to secure diplomatic support. Their aim is to encourage at least one country to sponsor a formal resolution within the UN Fourth Committee, an essential step towards Scotland's inclusion on the UN list of Non-Self-Governing Territories. Crucially, this UN process does not require consent from Westminster, relying solely on sponsorship by one UN member state. Through these proactive diplomatic interactions and expert presentations, the delegation has substantially advanced groundwork toward international recognition of Scotland's rightful status under international law.

At its core, Liberation Scotland directly challenges Westminster's narrative that Scotland voluntarily entered into a union as an equal partner. By meticulously presenting evidence to the United Nations, Liberation Scotland seeks formal recognition of Scotland's true status as a territory annexed and held within the United Kingdom against its will. The goal is Scotland's addition to the UN list of Non-Self-Governing Territories, initiating a formal, UN-sanctioned decolonization process and affirming Scotland's sovereign right to self-determination under international law.

Every effort by the Scottish people to seek meaningful redress through domestic UK channels has unequivocally failed, demonstrating conclusively that the UK is not—as frequently asserted internationally—a voluntary union of nations. Instead, Scotland remains bound within the UK solely through legal compulsion enforced by Westminster. This

involuntary status can only be rectified through acknowledgment and intervention by the international community. In this context, Liberation Scotland offers a beacon of hope, poignantly encapsulated by one supporter's heartfelt statement:

"It is a matter of life and death for the ancient nation of Scotland. Our wealth is being systematically asset-stripped by the so-called United Kingdom. We are underrepresented at Westminster, and our parliament at Holyrood is rendered powerless to resist their policies. There is no real democracy in Scotland, and without achieving independence, we will remain deprived of all hope."

Through the compelling legal foundation provided by JPTi's submission, impactful engagement of expert delegations, and rapidly growing popular and political awareness domestically, the campaign has entered a critical phase, decisively affirming the sovereign and human rights of the Scottish people within the framework of international law.

INDEX OF DOCUMENTS IN SUPPORT OF SCOTLAND'S PETITION FOR DECOLONIZATION

The following documents are submitted by Justice pour Tous Internationale (JPTi) and Liberation Scotland in support of their formal petition for the recognition of Scotland as a Non-Self-Governing Territory, in accordance with United Nations General Assembly Resolutions 1514 (XV) and 1541 (XV). This submission outlines the legal, historical, and contemporary evidence that Scotland satisfies the criteria established under international law for a territory subject to decolonisation. This dossier demonstrates Scotland's continued subjugation by the United Kingdom as a non-sovereign territory. It argues that Scotland did not voluntarily join a new state in 1707 but was annexed by the pre-existing English state under the guise of union. The evidence further establishes that Scotland has been denied access to any legitimate or effective domestic route to self-determination, thereby necessitating international recognition and action by the United Nations.

1. Advance Notice of Petition to the United Nations

This document constitutes the official advance notice submitted by JPTi to the United Nations Secretary-General and the Chair of the Special Committee on Decolonization (C-24) on behalf of Liberation Scotland. It outlines the legal and political basis for listing Scotland as a Non-Self-Governing Territory and summarises the principal arguments and evidentiary claims underpinning the petition.

2. Legal Foundation Documents

(a) A Dependency by Definition

This foundational legal document sets out Liberation Scotland's core thesis: that Scotland did not enter a consensual union in 1707 to form a new sovereign state called 'Great Britain.' Instead, it was annexed by the state of England, which merely adopted a new name while continuing its institutional and constitutional existence uninterrupted. The paper traces the continuity of English state structures and the extinguishment of Scotland's sovereign institutions, arguing that Scotland became, by definition, a dependency.

(b) For England, Nothing Changed – Legal Analysis by Professor Robert Black KC

In this authoritative legal opinion, Professor Robert Black KC affirms that the state of England persisted after 1707 without alteration, while Scotland's institutions and sovereignty were wholly dismantled. He demonstrates that no new sovereign state emerged from the 1707 Treaty of Union, but that England

simply subsumed Scotland under a legal fiction of ‘union,’ thus constituting annexation rather than unification.

3. Evidence of Scotland’s Colonial Status

(a) Scotland’s Colonial Markers – An Executive Summary by Professor Alf Baird

This document identifies and summarises internationally recognised indicators of colonial subjugation and applies them to Scotland’s contemporary reality. Professor Baird catalogues a range of characteristics—political, economic, cultural, and linguistic—which, taken together, demonstrate Scotland’s status as a colonised territory.

(b) Colonial Markers Illustrated

This concise companion piece presents a visual and accessible overview of the structural and lived realities of Scotland’s colonial experience. It illustrates, through documented examples and historical practices, the systemic marginalisation and disempowerment of the Scottish people by the state apparatus of England, now operating under the name of the United Kingdom.

4. Exhaustion of Domestic Democratic and Legal Routes

(a) Overview: Exhaustion of Domestic Democratic and Legal Routes

This document explains that every constitutional and democratic pathway available to the Scottish people to exercise their right to self-determination has been deliberately obstructed by the administering Power, Westminster. It presents a clear chronology and legal analysis of this systemic denial.

(b) No Secession Route to Self-Determination

Here, the legal impossibility of secession under the UK’s constitutional framework is examined. It argues that the United Kingdom is not a voluntary union of equal partners but the prolonged and uninterrupted continuation of the English state, rendering Scotland’s legal exit from the ‘union’ structurally impossible under domestic law.

(c) On the 2014 Scottish Referendum – A Critical Analysis

This critique contests the legitimacy of the 2014 independence referendum as a genuine act of self-determination. It highlights the degree to which the process was controlled by the administering Power and failed to meet international and domestic standards for constitutional referenda, both in terms of fairness and legal standing.

5. Scotland and Colonialism – A Rebuttal

This document addresses and rebuts the widespread misconception that Scotland, as a participant in the British Empire, cannot itself be classified as a colonised nation. It distinguishes between the role of individual Scots within the imperial structure and the status of Scotland as a subjugated territory. It challenges the dominant narrative of partnership in empire and affirms Scotland’s distinct and subordinate constitutional position within the UK.

6. A Nation Again

The political impacts of the Liberation campaign in Scotland.

KEY MEDIA COVERAGE AND PUBLIC ENGAGEMENT

- **YouTube Conference Livestream Replay (17 May 2025)** — *Decolonisation & Self-Determination*
<https://www.youtube.com/watch?app=desktop&v=Z2IVgoA6UHQ>
- **The National (19 May 2025)** — “*Scotland Was ‘Absorbed’ Into England*”
<https://www.thenational.scot/news/25175433.scotland-absorbed-england-acts-union-says-legal-expert/>
- **The National (20 May 2025)** — “*Scotland Is Not a Partner in a Union*”
<https://www.thenational.scot/news/25179000.tory-msp-fumes-expert-says-scotland-not-partner-union/>
- **Pressat (20 May 2025)** — *Liberation Scotland Press Release: “Scotland’s Constitutional Status Revealed as Legal Fiction”*
<https://pressat.co.uk/releases/scotlands-constitutional-status-revealed-as-legal-fiction-experts-confirm-basis-for-un-decolonisation-42f633b081aa0d4e5f7864d894690bc8/>
- **BusinessMole / Jeff Newmond (20 May 2025)** — “*Experts Confirm UN Decolonisation Grounds for Scotland’s Constitutional Status, Debunking Legal Fiction*”
<https://www.businessmole.com/experts-confirm-un-decolonisation-grounds-for-scotlands-constitutional-status-debunking-legal-fiction/>
- **The National (21 May 2025)** — “*Scotland Not Truly a Partner in Union*”
<https://www.thenational.scot/politics/25182427.scotland-truly-partner-union-merely-absorbed/>
- **The Scotland Channel (22 May 2025)** — “*UNION MYTH SHATTERED*” — *Full Interviews*
<https://youtu.be/aVQJUmJ4G28>
- **The National (26 May 2025)** — “*Inside the Conference that Exploded the Legal Bombshell About Scotland and Union*”
<https://www.thenational.scot/politics/25190086.inside-conference-exploded-legal-bombshell-union/>
- **JPTi Official Blog (9 June 2025)** — “*From the Pacific to the Highlands: Advancing the Global Right to Self-Determination at the UN HQ*”
<https://www.jpti.ch/post/jpti-at-the-united-nations-speaking-out-for-decolonization-and-human-rights>