



國際公益法律服務協會
International Pro Bono Legal Services Association



JUSTICE FOR ALL
INTERNATIONAL

Scotland's Right to Self-Determination under International Law

Date: 18 September 2025

Time: 10:00–15:00

Venue: Room S4, Palais des Nations, Geneva, Switzerland & Online

Format: Hybrid (in-person and virtual) | English



CONCEPT NOTE

Organisers

This event is organised by the International Pro Bono Legal Services Association (IPLSA), in special consultative status with the United Nations Economic and Social Council (ECOSOC) since 2022, in cooperation with Justice pour Tous Internationale (JPTi), Liberation Scotland, and Salvo. Together, these organisations form a coalition actively pursuing international legal and procedural avenues to advance Scotland's right to self-determination under established international law.

The coalition's principal objective is to secure recognition of Scotland as a Non-Self-Governing Territory (NSGT) under Chapter XI of the Charter of the United Nations and the relevant General Assembly resolutions, particularly resolution 1514 (XV) and resolution 1541 (XV). Such recognition would place Scotland within a clearly defined legal framework under international law, enabling it to progress toward independence through a democratic process in conformity with decolonization principles.

Background and Rationale

On 7 March 2025, JPTi and Liberation Scotland submitted an Advance Notice of Petition to the UN Special Committee on Decolonisation (C-24), asserting that Scotland meets the established international legal criteria for recognition as an NSGT under the Charter of the United Nations and General Assembly resolutions 1514 (XV) and 1541 (XV).

Resolution 1514 (XV) affirms the inalienable right of all peoples to self-determination and the obligation to bring colonial situations to a speedy and unconditional end. Resolution 1541 (XV) identifies the operative criteria for achieving a "full measure of self-government," recognizing only three lawful outcomes: independence, free association, or integration — each to be freely determined through the genuine and informed will of the people, with full respect for their distinct identity and interests. Read together with Chapter XI of the Charter and reaffirmed in General Assembly resolution 2625 (XXV) (*Friendly Relations Declaration*), these principles establish the internationally accepted standards for self-government. The International Court of Justice's *Western Sahara* Advisory Opinion further confirms that the free and

genuine expression of the will of the people is the essential test for the exercise of self-determination.

Successive British governments have claimed that, through the Treaty of Union in 1707, Scotland was voluntarily incorporated into one, new Kingdom of Great Britain – now, the United Kingdom of Great Britain and Northern Ireland. In fact, this treaty was effected through military and economic duress, political manipulation, and legislative pressure and was followed, not by the merging of the two kingdoms, but by annexation. England's Coronation Oath was extended to Scotland, rendering it a subject of the English Crown, in effect, an English Crown dependency while Scotland's sovereign institutions, including its Parliament, were dismantled or abolished and its governance subsumed into the apparatus of the pre-existing and continuing, English state.

The United Kingdom Supreme Court's ruling of 23 November 2022 confirmed that Scotland cannot lawfully hold a referendum to determine whether the population even wishes to pursue independence without Westminster's consent, despite repeated electoral mandates in favour of such a vote. This legal and constitutional reality underscores the incompatibility of Scotland's current status with the standards of genuine self-government under international law.

Objective

The event will:

- Present historical and legal evidence that Scotland's incorporation into the UK constituted a *coercive annexation* and that the Treaty of Union and subsequent Acts of Union amounted to a *legal fiction*, lacking genuine sovereign consent and meeting the UN's criteria for decolonization.
- Highlight the absence of constitutional entrenchment and the revocability of devolved powers as central to Scotland's classification as a Non-Self-Governing Territory.
- Examine the exhaustion of domestic legal and political remedies for self-determination.
- Explore international legal and procedural pathways for advancing Scotland's recognition within the UN system.
- Connect Scotland's case to wider UN principles, including the right to development, equitable international order, and the indivisibility of human rights.

Tentative Programme Overview

10:00 – 10:15 | Opening Remarks by Junius Ho (Founder & CEO, IPLSA) and Sharof Azizov (Executive Director, JPTi)

10:15 – 10:45 | Scotland's as Dependency, the UK's Legal Personality and the Foundations of the UN Petition – Prof. Robert Black KC (Emeritus Professor of Scots Law, University of Edinburgh), Ailsa Gray (Scottish lawyer, formerly specializing in corporate governance – TBC)

10:45 – 11:15 | Political Testimony: Realities on the Ground – Prof. Alf Baird (Co-Convenor, Liberation Scotland), Sara Salyers (Director, Salvo)

11:15 – 11:45 | International Legal Context, Comparative Cases – Craig Murray (Former UK Ambassador, Author, Journalist, Human Rights Defender and Scotland Independence Activist)

11:45 – 12:15 | Human Rights Dimensions of the Petition – Alex Thorburn (Human Rights Defender, Activist and Advocate) and Sharof Azizov (Executive Director, JPTi).

12:15 – 12:45 | The Colonial Legacy, Development & Equitable International Order – Mr. George Katrougalos (UN Independent Expert on Equitable International Order) and Prof. Surya Deva (UN Special Rapporteur on the Right to Development)

12:45 – 13:30 | Open Floor – Moderated Q&A and Diplomatic Dialogue

13:30 – 15:00 | Diplomatic Networking Reception – Light refreshments provided at Bar Serpent, Bld. E

Participation

The event will be open to the public and accessible both in person and online, ensuring participation from diplomatic missions, legal and academic institutions, civil society organisations, and the media. Proceedings will be conducted in English, with attendance expected to exceed 50 participants.

All participants are required to submit their request for registration via the following link:

<https://indico.un.org/event/1019338/overview>

