

## **Agreement for the normalisation and Pacification of the Basque Country, 1998**

January 12, 1998

Almost eleven years after the first democratic elections, the phenomenon of terrorism remains with us. So, clearly, eradicating terrorism continues to be a major objective for all our institutions and democratic agents. The fight against terrorism is, above all, the struggle of right against wrong, of life against death, of freedom against imposition. It is the effort made to ensure that the ethical principles on which coexistence in a civilised society is based prevail over those who deny them.

The recovery of democratic freedoms and, in particular, the approval via referendum of the Statute of Gernika, were two decisive events that brought about a radical change in the political situation in the Autonomous Community of the Basque Country.

From this perspective, the political parties signing this agreement wish to stress the fact that any reference made in the AGREEMENT to the political problems in the Basque Country, to the development of the Statute, or to the relations the Autonomous Community of the Basque Country may have with the Community of Navarra, may in no case be understood as an attempt to justify terrorism nor as a condition, compensation or exchange for the ending of terrorist violence, which lacks any kind of justification in this society. The Basque political parties' condemnation and rejection of ETA is based on the legitimacy conferred on them by their democratic, peaceful defence of the principle of self-government for our people.

Because the Statute of Gernika - itself the result of long and, at times, arduous negotiations, which eventually led to a genuine pact between the representatives of the Assembly of Basque Parliamentarians and those from the Constitutional Commission of the Spanish Parliament - is the focal point of the will of the majority of the Basques and the legal framework which Basque society, at a particular historical juncture, provided itself with to gain access to self-government and to regulate its peaceful coexistence. It therefore represents the legitimately endorsed expression of the will of the Basques and is also an unprecedented achievement in their contemporary history, despite the fact that it does not satisfy each and every one of the claims made by a number of different sectors representing the broad range of society's interests.

The text of the Statute also contains the mechanisms, duly endorsed by the democratic expression of the people's will, required for its reform. Further, as an expression of the respect for and acknowledgement of the aspirations to self-government the Basques have held throughout their history, in an Additional Disposition, the Statute expressly reserves the rights to which the Basques might have been entitled to by virtue of their history. The Additional Disposition also states that the acceptance by the Basques of the present system of autonomy does not mean that they thereby relinquish their claim to have those rights updated, through the expression of their will at each moment and in accordance with the stipulations of the legal system.

Thanks to the positive dispositions it contained and these reservations, together with the First Additional Disposition and the possibilities offered by Article 150.2 of the Spanish Constitution, the Basques accepted that the Statute of Gernika was a valid instrument for the gradual satisfaction of

their aspirations and endorsed it by an ample majority.

Some sectors that had continued to use violence to achieve their political ends also understood the novelty of the situation created by the approval of the Statute and abandoned the use of violence and decided to go into normal political activity within the framework approved by the majority.

Today, however, eight years after the approval of the Statute, certain sectors continue to use violence against the will of the majority - clearly and repeatedly expressed by the Basques - as a means of imposing alternative political models that have still not been given coherent political form and which have won no more than minority support in all elections held.

Besides being a particularly dramatic expression of intolerance and sectarianism, besides being a demonstration of unacceptable contempt for the will of the majority and an attack on the fundamental rights of the individual, the illegitimate and reprehensible use of violence continues to have disastrous consequences for Basque society in moral, social, political and economic terms. The substantial distortion and deterioration of these aspects of our civil society is the only practical result of such violence.