

The Pact of Ajuria Enea

The Ajuria Enea Pact, for the normalization and pacification of Euskadi, was signed on January 12, 1988 in Vitoria by Julen Guimón Ugartechea (Popular Alliance), Alfredo Marco Tabar (Democratic and Social Center), Kepa Aulestia Urrutia (Euskadiko Ezkerra), Xabier Arzalluz Antía (Basque Nationalist Party) José María Benegas Haddad (Socialist Party of Euskadi-PSOE) and by the Lehendakari of the Basque Government José Antonio Ardanza Garro.

«Almost eleven years after the first democratic elections, terrorism is a phenomenon that persists among us. Its eradication continues to be today, therefore, a fundamental common objective of the action of all democratic institutions and forces.

The fight against terrorism is, above all, the fight of reason against unreason, of life against death, of freedom against imposition. It is, consequently, the effort to make prevail the ethical principles on which coexistence is based in a civilized society against those who deny it.

The recovery of democratic freedoms and, specifically, the approval, by referendum, of the Gernika Statute, constitute the decisive events, which introduce a political situation radically different from the previous one in the Autonomous Community of the Basque Country.

From this perspective, the signatory parties want to insist that any reference made in the Agreement to political problems of the Basque people, statutory development or the relations that the Basque Autonomous Community is going to maintain with the Foral Community of Navarra cannot be understood in no case neither as a justification for terrorism nor as a condition, counterpart or currency for the case of terrorist violence, which has no justification in this society. This condemnation and rejection of ETA is made by the Basque parties from the legitimacy that the democratic and peaceful defense of self-government for our people confers on us.

Because the Gernika Statute - the result of a long and, at times, difficult negotiation process, which led to an authentic pact between the representatives of the Assembly of Basque Parliamentarians and those of the Constitutional Commission of Congress - constitutes a meeting point for the will of the majority of the Basques and the legal framework that Basque society endows itself with, at a certain historical moment, to access self-government and regulate peaceful coexistence, thus representing the legitimately endorsed expression of its own will and an achievement unprecedented in the contemporary history of the Basque people, even though it does not include, as is obvious, each and every one of the demands of the various representative sectors of the plurality of interests in society.

The same Statute also contains in its own text the necessary mechanisms, also endorsed by the popular will, to be able to access its eventual reform. Furthermore, as an expression of respect and recognition of the profound aspirations to self-government that the Basque people have shown throughout its history, the endorsed Statute itself, in its additional provision, expressly reserves the rights that said people could have correspond by virtue of its history and whose updating, through the expression of its will at all times and in accordance with what is established by the legal system, it does not renounce by accepting the current regime of autonomy.

Both the positive provisions it contains, as well as these precautionary reservations, together with the first additional provision and the possibilities offered by article 150.2 of the Constitution, made the Basque people see in the Gernika Statute a valid instrument for the progressive satisfaction of their aspirations and endorse it by a large majority.

Even some sectors, which had continued to use violence to achieve their political goals, were able to appreciate the novelty of the situation created as a result of its approval, abandoned violent activity and decided to join political activity within the framework that was mostly approved.

Today is the day. However, in that, eight years after the approval of the Statute, certain sectors, against the will of the majority clearly and repeatedly expressed by their people. They continue to use violence as a means of imposing alternative political models, which, in addition to not having been able to articulate up to now in a clear political offer, have always been a minority in all the electoral processes that have taken place.

On the other hand, the illegitimate and reprehensible use of terrorism, in addition to being the most dramatic expression of intolerance and exclusivism, an inadmissible disregard of the popular will and an attack against the fundamental rights of the person, continues to accumulate on Basque society disastrous consequences in the moral, social, political and economic aspects, which are substantially distorted and deteriorated because of it.

Moreover, the so-called political violence, whatever its usefulness with respect to the ends that the violent themselves claim to pursue, has already been shown in our country, endowed with democratic institutions, not only ineffective, but detrimental to the effective achievement of self-government through that the Basque people aspire to, thus becoming a major obstacle to the satisfaction of their aspirations.

Already in March 1985, the Basque Parliament adopted, in very specific circumstances, a decided position against the use of violence to achieve political ends, denying it any pretense of supplanting the popular will.

Today it can be verified with satisfaction that in Basque society the desire to reach its definitive pacification has spread and intensified. Calls for the abandonment of terrorism and the participation of all sectors, from their respective legitimately discrepant positions, in the progressive resolution, through democratic and institutional means, of the serious problems facing the country, are becoming more and more frequent.

Basque society, which has mostly opted for the statutory route, has already acquired a clear awareness that neither political violence nor the approaches of those who exculpate or justify it should condition its democratic and majority position, so that the persistence of the use

of force cannot serve as an argument to try to access higher levels of self-government than those democratically approved or as a brake on the full satisfaction of their majority aspirations, both attitudes that would result in the breakdown of their democratic confidence.

Convinced, therefore, that the only way to normalize and pacify society is the one that passes through strict respect for the popular will, we address an appeal to those who still continue to use or legitimize violence so that, out of respect for that same popular will, lay down their arms and join institutional activity, from which they will be legitimated to defend, through peaceful and democratic means, their own political approaches.

We also make such an appeal from the realization that these democratic channels are the only ones that can lead to the resolution of the problems that our society has raised. We must note, in this regard, the undoubted progress that has occurred in our country as a result of the approval and development of the Statute, which has been possible thanks to attitudes of dialogue and negotiation.

At the same time, we cannot fail to note the concern that has been arising in sectors of Basque society, who understand that neither the pace nor some of the contents of the statutory development have corresponded to what they could have expected when the Statute was approved.

This concern, which does not invalidate the achievements made in these eight years of statutory development, much less the democratic methods with which they have been achieved, should serve as a stimulus to intensify the willingness to dialogue and agreement as effective ways to resolve disputes. political conflicts and to maintain the trust placed in the Statute.

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Therefore, the undersigned parties approve the following

AGREEMENT FOR THE NORMALIZATION AND PACIFICATION OF EUSKADI

1. The democratic State of law has its basic pillar in the sovereignty of the popular will, expressed through the system of free suffrage. This Parliament rejects. consequently, the use of violence as it has been taking place in the Basque Country because it is understood that, in addition to constituting an ethically execrable practice and entailing disastrous consequences of all kinds for our people, it represents the most dramatic expression of intolerance, the utmost contempt of the popular will and a major obstacle to satisfying the aspirations of Basque citizens.

In this sense, we fully reaffirm ourselves in the unanimous Resolution on violence, approved by this Parliament on March 14, 1985, insisting once again on the lack of legitimacy of the violent to express the will of the Basque people, as well as on the rejection of its claim to negotiate political problems, a negotiation that should only take place between the legitimate representatives of the popular will.

2nd a). The Gernika Statute represents the expression of the will of the majority of the citizens of the Basque Country and, consequently, constitutes the basic institutional norm with which it has been endowed to access its self-government, for which its assumption or compliance is a necessary condition for achieve its definitive normalization and pacification.

2. b). The full and loyal development of each and every one of the contents of the Statute continues to be the valid framework for the progressive resolution of conflicts in Basque society and will decisively contribute to the reinforcement of democracy and peaceful coexistence, for which all the signatories of this Agreement undertake to fully develop it, in accordance with the principles that inspired it and respecting its uniqueness. To this end, through an Institutional Commission of the Basque Parliament, it will proceed, in a climate of basic understanding, to establish, with the greatest possible consensus, the Parliament's criteria on the scope of the full development of the Statute.

2 C). It is the will of the majority of the people, through their legitimate representatives, and not that of those who seek to impose their criteria on society as a whole in a violent or totalitarian way. who must judge at all times the validity or invalidity of the Statute as an instrument of self-government and decide, where appropriate, its reform and development through the procedures contemplated in the Statute itself and in the Constitution, the People themselves being always entitled to claim any right that, in accordance with the First Additional Provisions of the Constitution and Sole Provisions of the Statute, could have corresponded.

2nd d). Faced with those who claim that Navarra forms part of the Basque autonomous regime regardless of the will of the Navarrese themselves and their institutions, we proclaim that only the citizens of Navarre should decide on their own future.

The different political options proposed regarding the relationship between Navarra and the Basque Autonomous Community have their channel of democratic implementation within the framework of the Constitution, the Gernika Statute and the Law of Reintegration and Improvement of the Foral Regime of Navarra, which contemplate the possibility of its incorporation into the Basque autonomous regime if the citizens of Navarre so decide, the signing of agreements for the management and provision of their own services, as well as cooperation agreements.

Taking into account that the relationship with the Foral Territory of Navarra is an aspiration felt by broad sectors of Basque society, the parties signing this Agreement, in accordance with the provisions of the legal system, will promote, in agreement

with the Navarran institutions, the intensification of that relationship and the creation of instruments that respond to our affinities and common interests.

3. The Government of the Autonomous Community, with the active support of the representatives of the Basque people, is called upon to lead all political and social action against violence with a view to achieving peace.

We believe that it is necessary and urgent to establish a stable and definitive agreement between the Government of the Autonomous Community and the State Government from which a coordinated action to combat terrorism is derived, which contemplates the progressive assumption of responsibilities in the matter by part of the Basque Government in accordance with the unanimous Agreement of the Basque Parliament of October 16, 1987, and in development of Article 17 of the Statute of Autonomy.

4. Faced with the systematic violation of the principles that make up democratic coexistence and especially the right to life, advocating for a democratic solution that respects human rights in the face of the problem of violence, we share the need and importance of police action that contribute to the eradication of terrorism, to the protection of said principles and to the prevention of attacks and the persecution of their authors.

5. We express our conviction that international collaboration between governments and the different judicial powers is essential for the eradication of violence, in order to prevent the commission of new attacks and avoid impunity for those who have committed them or could still commit them. , collaboration that must occur in accordance with the principles that govern international relations and respect for human rights.

6. We commit ourselves to ensure that the necessary defense of the rule of law against attacks of violence always occurs within the strictest respect for legality and human rights in general, feeling legitimate to denounce, with the same conviction with that we condemn all violence, the cases in which there may be violations of this principle.

7. Given that the rupture that has occurred in our society between those of us who have mostly opted for democratic and statutory paths and those who continue to use violence can only be overcome as a consequence of the cessation of the latter, we appeal to those who still continue using it so that, in accordance with the will of the majority of its people, it renounces it as an instrument of political action and joins the common task of seeking, through the channels that are mostly accepted, the most appropriate instruments to satisfy the shared aspirations of the Basque society.

8. We also call on those who, even though they hold parliamentary representation, do not exercise their rights and obligations inherent to it, so that, like the rest of the political forces, they assume institutional responsibilities and defend their own political approaches. In this sense, the legitimacy of all political ideas, expressed democratically, has in the parliamentary framework, the defense route and, where appropriate, incorporation into the legal system of any claim.

9. In accordance with the resolutions unanimously adopted by the Basque Parliament, we consider valid and support the reintegration channels for those people who decide or have decided to abandon violence in order to defend their ideas through democratic channels, respecting in each case the decision adopted by the competent institutions of the State in this regard.

10. If the right conditions arise for a dialogued end to violence, based on a clear will to put an end to it and on unequivocal attitudes that can lead to that conviction, we support processes of dialogue between the competent powers of the State and those who decide to abandon violence, respecting at all times the inalienable democratic principle that political questions should be resolved only through the legitimate representatives of the popular will.

11. The defense of our democratic system against violence does not currently require a special law, so we support the repeal of the special legislation against terrorism and the principles of independence, intervention and judicial immediacy.

12. We reiterate our support for the text agreed upon by the Human Rights Commission of the Basque Parliament in relation to aid to victims of terrorist attacks and their families, in a session held on May 13, 1987.

13. The seriousness of the crisis situation that the economy is going through with its consequences of unemployment, especially among young people, and the marginalization of the less favored sectors of society, which in our case acquires a differential character derived from the special nature of the fabric Basque industry and the perpetuation of a climate of violence, which hinders the recovery of our economy through investment, reinforces our efforts to achieve a normalized situation.

We urge public institutions to intensify the necessary measures to overcome the serious social consequences of the economic crisis and to promote, from the public sector, the creation of the precise conditions for the recovery of the Euskadi economy, while we commit ourselves to creating the favorable climate of pacification and normalization that encourages the investment confidence that is essential for the Basque economy.

14. We call on all Basque citizens, individually and through the citizen, trade union, business and professional associations of which they are members, to work actively in favor of tolerance, reciprocal respect and personal and collective freedom as basic elements of peaceful and constructive coexistence in society. We especially address this appeal to political leaders, educators, information professionals, who are called to play, due to their undoubted influence on social behavior, an important role in the process of pacification of our society.

15. We invite all Basque institutions -General Assemblies, Provincial Councils, City Councils and other public entities- to, assuming the opinion of this Parliament, join this agreement for Normalization and Pacification and work in their respective areas to achieve the full establishment of democratic coexistence in Euskadi.

For this reason and through our representatives, we commit ourselves to adhere to this agreement at the next meeting of the respective institutions.

16. The content of this agreement will be transferred to the State Government and to the signatory parties of the Madrid Agreement of November 5, 1987.

17. In order to promote permanent dialogue between the different political forces, deepen the ways that enable the incorporation of those who today do not accept the will of the majority of the Basque People and guarantee compliance with this agreement, we ask the Lehendakari to continue leading the process in for the sake of the total normalization of the country.

And, in proof of conformity with the above Agreement, they sign it, in Ajuria Enea, seat of the Presidency of the Government.

Vitoria-Gasteiz, January 12, 1988

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