Amnesty International Scotland

Response to the Scottish Parliament’s European and External Relations Committee Inquiry ‘Connecting Scotland’

28 January 2015

Amnesty International Scotland

Amnesty International is a global movement of more than 7 million people who campaign for a world where human rights are enjoyed by all. We reach almost every country in the world. There are more than 20,000 Amnesty members and 123 local, youth and student groups in Scotland.

Human rights are the fundamental entitlements and freedoms that we can, and should, expect in our lives. These rights are enshrined in the Universal Declaration of Human Rights, which was adopted by the United Nations General Assembly in 1948.

Amnesty International is completely independent of any government and politically neutral. Amnesty International Scotland is part of Amnesty International UK. We hold governments to account across the world, and that includes the UK Government and Scottish Government. However, we also work constructively with governments, wherever possible, to progress human rights.

Amnesty International Scotland welcomes the opportunity to submit written evidence to the European and External Relations Committee Inquiry ‘Connecting Scotland’ and to reflect on the Scottish Government’s International Framework and wider international engagement.

Working with the Scottish Government and Scottish Parliament

Amnesty International Scotland works constructively with the Scottish Government, advising on domestic and international human rights issues, formally through the Scottish Government’s International Human Rights Advisory Panel (IHRAP), as well as through the provision of country briefings. We proactively brief Members of the Scottish Parliament on human rights issues, particularly those subject to legislation and parliamentary debates. Amnesty International Scotland was also a partner in the drafting of Scotland’s first National Action Plan for Human Rights (SNAP), and we are a key partner in the delivery of SNAP. We sit on the SNAP Leadership Panel, and we co-convene the Better World Action Group along with the Scottish Government and Scottish Human Rights Commission.

Progress on human rights

While Scotland still has many human rights issues to address, there has been recognition of the importance of protecting and progressing human rights protections, both through policy and education. Indeed, Scotland’s recent approach to human rights has been increasingly positive within an increasingly ‘difficult’ global context, and therefore has the opportunity to become a beacon for other countries.

The Cabinet Secretary for Culture, Europe & External Affairs and the Minister for Europe & International Development have shown a great deal of commitment to making human rights central to the Scottish Government’s international engagement.
Human rights were included in the 2012 refresh of the International Framework, and also in the refreshed China Plan. The Scottish Government also established the International Human Rights Advisory Panel in 2013, to inform their international engagement. This has been a welcome development, and allowed a more strategic approach to international human rights strategy.

The Commonwealth Games in 2014 created a significant opportunity to promote human rights to other Commonwealth countries, both to those visiting Scotland and to people watching from around the world. The active promotion of LGBTI rights, and Scotland’s progress in this area, was a very welcome development. The Commonwealth Games also provided the Scottish Government the opportunity to publicly state its stance on the importance of respecting, upholding and safeguarding human rights as well as reiterating this stance privately when meeting with leaders, politicians and officials from around the world, many of whom from countries with poor human rights records. Amnesty International Scotland provided briefings and guidance to the Scottish Government in advance of and during the Games. This was a welcome opportunity to influence the bilateral discussions between the Scottish Government and visiting officials, and to raise the most urgent human rights concerns at that point in time.

The referendum on Scotland’s independence is also a positive human rights story in many respects. In a world where freedom of speech is restricted in so many countries and political reform is marred by repression and violence, Scotland conducted a free, democratic and peaceful referendum on a highly contentious issue. That is indeed a positive example to the rest of the world.

The Scottish Government’s work on Climate Justice has been recognised as innovative and progressive, putting human rights at the heart of climate change.

By signing up to and supporting SNAP, the Scottish Government has demonstrated the political will to increase the realisation of human rights in Scotland and internationally.

However, whilst there seems to be an increasing awareness and political will to progress human rights protections in Scotland and use Scotland’s international standing to reinforce this stance globally, this does not always translate into coherent and consistent policies and practice across government. This is particularly evident within the context of business and human rights, where a tension exists between economic development and the promotion of human rights, especially in an international setting.

**SNAP**

The context of SNAP is significant to the Scottish Government’s international engagement. In Scotland, we have a strong human rights culture that values fairness and equality, and through SNAP we are trying to ensure that human rights become a reality for everyone in Scotland, and where we can have an impact, throughout the rest of the world too. A number of Action Groups were established to implement SNAP. The Better World Action Group aims to ensure that “Scotland gives effect to its international obligations at home and internationally”. This group is co-convened by the Scottish Government, Scottish Human Rights Commission and Amnesty International Scotland, and covers:

- “Implementing international human rights obligations including exploring the benefits of further incorporation of human rights treaties into domestic law.
- Respecting, protecting and fulfilling human rights in our international action, including better cross-government coordination of implementation of human rights treaties, championing climate justice and implementing the UN Guiding Principles on Business and Human rights.
- Engaging constructively with the international human rights system.”
International Engagement

Amnesty International has demonstrated that shining a light on human rights abuses internationally can prevent them occurring, end them or provide redress for them. The Scottish Government has a duty to the advancement of human rights internationally and action to improve human rights in other countries must be an explicit policy objective for the Scottish Government, and not an offshoot of other policy objectives.

The Scottish Government should use any influence it has on the international stage to make the case for human rights, and to work with other countries to ensure they deliver on their human rights commitments. In a challenging international environment, where many countries fall well short of the standards we expect for ourselves in Scotland, we have a responsibility to make a positive contribution to the rest of the world.

The International Framework is essentially an economic strategy, which takes human rights into consideration. And whilst that has been a welcome development, it is vital that human rights, their promotion and protection, are a central tenet of Scotland’s international engagement.

The current International Framework states that “Scotland is on a political journey rooted in democracy and based on the values of equality, human rights and a fair society.” It’s now time to take the next step in Scotland’s human rights journey, and produce a stand alone International Human Rights Strategy.

While we welcome the progress that has been made by the Scottish Government on making human rights a central part of international engagement, Amnesty International Scotland would like this strong foundation consolidated in the form of a distinctive international human rights strategy, which is at the heart of the International Framework, but also to inform the breadth of Scottish Government responsibilities.

An international human rights strategy

A dedicated international human rights strategy would embed and formalise the work of the Scottish Government in this area, and ensure a more strategic, coherent and transparent approach across government to promoting human rights issues internationally.

An international human rights strategy would provide an explicit statement of the Scottish Government’s values and approach to the promotion of human rights. It would demonstrate real commitment to being a good global citizen – a document that can be taken around the world to promote Scotland’s values and help progress human rights elsewhere.

The strategy would inform the International Framework, as well as each of the country plans, most of which don’t currently reference human rights at all.

It would also help to inform domestic legislation and policies with an international dimension, such as the Human Trafficking and Exploitation (Scotland) Bill and the development of Scotland’s action plan on business and human rights.

The strategy would provide an opportunity to formalise current mechanisms such as IHRAP, and build on that approach across government.

The strategy should also include measures to support all levels of government in Scotland, civic society and business to integrate human rights into international engagement.

Scotland has a wealth of legal and practical knowledge of implementing human rights that could be of significant benefit to other states, their non-governmental organisations and individual activists. As part of the international human rights strategy these should be made available, alongside humanitarian and economic aid, to help other countries develop and embed a strong and resilient human rights culture and framework. It should also recognise the importance of supporting
and building capacity for individual human rights defenders and local organisations working in the field of human rights.

We must be realistic. The Scottish Government cannot make other governments take a particular action, but they do have the opportunity to persuade, lead by example and where appropriate, hold others to account. Additionally, strong statements as to Scotland’s respect for and adherence to human rights law and other regional and international obligations, ensure that its stance on human rights protections is consistent, both domestically and internationally. In some countries, Scotland will have very little influence. In others, we will have a great deal of influence. The international human rights strategy should be flexible enough to recognise the difficulties of progressing human rights issues with other countries and also the differences of approach that will be necessary, as well as expectations of what might be considered a success.

For further information please contact:

Julie Hepburn, Advocacy Officer – Amnesty International Scotland
Julie.Hepburn@amnesty.org.uk

Amnesty International
MWB Business Exchange
9-10 St Andrew’s Square
Edinburgh, EH2 2AF
0131 718 6685
www.amnesty.org.uk/scotland