

What next for human rights in Scotland?

What a question and instinctively the answer is well that depends on you!

The Human Rights Consortium is delighted to see you all here today. We wanted to create a space for members to reflect on the question 'What next for human rights?' and be inspired to act as advocates for human rights in Scotland.

The question was posed before the result of the general election was known. We knew that whilst there was certainty on the place of human rights in Scotland, there was uncertainty in respect of the UK as a whole. We now find ourselves in a parallel universe: developing human rights protections and culture in Scotland whereas defending the status quo at a UK level. It is astonishing that a democratically elected government, faced with misery in the world evidenced on our TV screens daily, could even consider abolishing the Human Rights Act so that it can select **who** should enjoy **which** rights. The whole point of the human rights is their universality, equally enjoyed and a set of minimum rights rather than a gold standard.

So what are we going to do about it? The HRCS focus is on the domestic enjoyment of human rights and that will guide our activism. We believe civil society in Scotland needs to make its voice heard. We accept that to a certain extent we are speaking to politicians in Scotland who agree with us, entirely. However we need to pitch our message to the UK government that tampering with the HRA is unpopular in Scotland, inconsistent with our democracy and is antagonistic to our inclusive values. Civil society needs to work together to be an effective opposition to these proposals and the HRCS is ready to nurture and grow such an alliance.

By way of a report card, the HRCS has been busy in the last year responding to consultations, delivering training, writing articles and building knowledge and capacity on human rights within our membership so they feel more confident about asserting human rights.

Whilst the focus of our work has been internal to Scotland, we also meet with colleagues around the UK several times per year and that does yield results as we share intel and strategy. We are also outward looking:

- In April we were invited to participate in a European event hosted by FLAC in Ireland and the International Federation of Human Rights Leagues on Austerity and Human Rights.
- We nominated 10 organisations to the UN to participate in the Regional Consultation on the Situation of Human Rights Defenders in Florence, and one was selected Jo Ozga of Scottish Women's Aid who serves on the HRCS Committee
- Following submissions from members, in June we submitted a report to the UN Human Rights Committee on the delivery of the UN International Covenant on Civil and Political Rights in Scotland and next week we will participate in a meeting with the Committee, along with the SHRC and others. We will also observe the hearing and report back. Thanks to the National Union of Journalists Scotland, CRER, GDA and the United Nations Association Scotland for making this trip possible.

Our networks and learning is increasing with consequent benefits to our growing membership.

Setting aside the negativity on human rights, we remain ambitious. We welcome the baseline study which is being commissioned by the Scottish Government on business and human rights and believe it offers opportunities to drive up standards in the private sector in respect of pay and conditions and in procurement. We welcome Scotland's National Action Plan on Human Rights, an internationally recognised model to make rights real in countries, and we are keen to see the impact it makes so that consumers of our 10,000 public services notice a difference in what and how services are delivered.

We are mindful however that much work is still needed to make rights real in Scotland:

- Duty bearers need to more explicitly demonstrate how they are mainstreaming human right across their services and to what effect.
- For 'rights holders', there is a lot of catching up to do in terms of building the knowledge base and skill application. Also to ensure that when human rights are asserted by individuals and groups, they are listened to.
- The Scottish Parliament needs to show leadership and more explicitly focus on human rights to inform inquiries, consideration of Bills and the scrutiny of policy. For example setting up a dedicated Human Rights Committee at the Scottish Parliament or appointing a human rights rapporteur within each committee. The UK Parliament has a Joint Committee on Human Rights and yet Holyrood has none.
- We need to be more astute in promoting human rights within the available policy and legislative opportunities, for example via the forthcoming social justice consultation.
- We want the powers of the SHRC changed so that it can take up cases and that requires a simple amendment to the Scottish Commission for Human Rights Act to delete the section which bans the SHRC from undertaking casework.
- We need to work with the Scottish Government to ensure that your planned public information campaign later this year is a shared activity and your key messages are promoted as widely as possible via the mediums available to our members such as Twitter, Facebook, newsletters, training sessions and at events. We need to help you reach as many people as possible with a positive message about human rights.

So I can assure everyone that we are not wearing Disney glasses when we talk up human rights and we are realistic that people will not play nicely. We recognise that demonising human rights has been a successful government strategy especially in trying to associate them with the so called underserving, and on unpopular issues such as on convicted prisoner voting rights. The impact of negativity and misinformation has yielded success including:

- The Equality and Diversity Forum (EDF) has undertaken polling across GB and has concluded that: those who are pro human rights make up 22% of the population; those who are conflicted are 41%, uninterested 11% and anti 26%. The sample size from Scotland, although small, confirms similar views.
- There is very little evidence of a human rights culture rooted in our public services in Scotland. As UNISON Scotland, which represents 160,000 public service workers, reported at our conference last year, “members don't generally operate in a human rights culture”.
- People are misled about the work of the European Court of Human Rights and its impact on the UK. There is no tidal wave but a trickle of case decisions: for example, the ECtHR dealt with 1,997 applications concerning the UK in 2014, 1,970 were declared inadmissible and it delivered 14 judgments (concerning 27 applications). Only 4 of which found a violation of the ECHR.

We go forward with optimism because we know we are right and because we believe we have support across Scotland that needs to be better harnessed. We have specific projects we want to undertake such as co-ordinating evidence from members on the implementation of the International Covenant on Economic and Social Rights in the UK and Scotland and submitting a report by 28th August 2015. Our participation will, however, have to be funded by donations from members and supporters.

Also, this conference today is a great opportunity to further inform our positive campaign to promote the HRA, develop human rights protections in Scotland in parallel with working with colleagues across the UK to defend the Human Rights Act. We are pleased that the Cabinet Secretary has joined us today as we believe that is a sign of your support for civil society, for our work and for the need for us all to work together to defeat these daft but dangerous proposals. However what next for human rights in Scotland, and the UK depends on all of us and I do believe the eyes of the world are upon us, particularly those countries that would also like to ditch international human rights standards. So no pressure then!