



Supporting Human Rights

The Human Rights Consortium Scotland (HRCS) believes human rights should be enjoyed, equally, by people of all ages and stages in life. Human rights matter every day in our homes, in our community or in particular places such as care settings and hospitals. Services delivered fairly and treating people with dignity and respect matter to us all.

The HRCS is working with civil society to share knowledge on human rights which can help people assert their human rights when they need to. Too often human rights are unfairly blamed when things go wrong, used as a scapegoat for bad decisions and that can put people off. With your help we want human rights to be widely recognised as a set of values that unite us all, that help deliver better public services and are there when we need them.

First of all we want to encourage you to form an opinion about human rights and think how they can be helpful to your life, to your family, friends and community. We have named this project after Article 10 in the European Convention on Human Rights (ECHR):

Everyone has the right to freedom of expression. This includes freedom to hold opinions and receive and share information and ideas without interference by a public body except in particular situations eg protecting national security.

Our Article 10 Campaign seeks to:

- Inform people about human rights. We have produced 10 subject leaflets focusing on issues people think are important. We have also produced two general leaflets.
- Assure people that human rights are relevant to their everyday lives – the current debate in Scotland on the pros and cons of independence is an example of us all exercising our right to form an opinion under Article 10 of the ECHR. To vote in free and fair elections is also a human right - Article 3, Protocol 1.
- Acknowledge that we each have a role in the equal enjoyment of human rights eg to respect the right of people to hold different opinions on sport, on the Referendum etc.
- Secure long-term gain. During the Referendum Campaign, we ask people to support human rights being centre stage in modern Scotland, whatever the outcome.

Human Rights Law – basic facts

Section 29 of the Scotland Act 1998 requires MSPs to comply with the ECHR when passing legislation at the Scottish Parliament. Section 57 of the Scotland Act 1998 requires Scottish Government Ministers, positively, to comply with the ECHR. Section 6 of the Human Rights Act 1998 requires public authorities and those delivering services of a public nature to comply with the ECHR. We have 10,000 + public authorities in Scotland.

What does the ECHR say about The EU?

Nothing. The European Union (EU) is a completely different organisation.

http://ec.europa.eu/unitedkingdom/about_us/office_in_scotland/index_en.htm

Wee Information Notes from the Human Rights Consortium Scotland

The Council of Europe protects and promotes human rights and ensuring compliance with the ECHR is part of its work. The Council has 47 member states, only 28 of which are members of the EU. The EU is now preparing to sign the ECHR, 33 years after the UK.

What does the UPR say about The EU?

Every 4-5 years the United Nations Human Rights Council undertakes a 'Universal Periodic Review' (UPR) of a country to check if they are complying with their human rights treaty obligations. The last UPR on the UK was in 2012 and 132 recommendations were made focusing on those areas where change is needed. To access the UK reports and the UN's conclusions and recommendations go to <http://www.upr-info.org/-United-Kingdom,63-.html> The positive impact of the EU on the UK was evidenced in responses to several of the recommendations.

Australia recommended that the UK "Implement the EU Directive on trafficking in human beings by April 2013 and sign the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence." The UK accepted the recommendation and has reported that it "completed the implementation of EU Directive 2011/36/EU (on preventing and combating trafficking in human beings and protecting its victims) in April 2013, including through primary legislation" eg S46 Criminal Justice and Licensing (Scotland) Act 2010.

Uzbekistan recommended that the UK "Prohibit under the law the sale of weapons to the countries where children have been or are used in military actions" (110.35) but this was not accepted by the UK Government which considered that the "Consolidated EU and National Arms Export Licensing Criteria" includes a risk assessment of human rights and fundamental freedoms in the country of final destination, especially where serious human rights violations have been established by the competent bodies of the UN, Council of Europe or the EU. So the UK is 'unconvinced on introducing a statutory prohibition.'

What do ratified UN Treaties say about The EU?

International human rights apply in the UK when the UK Government agrees – a process known as ratification which means all UK laws and policies should comply. The Scotland Act makes Scottish Ministers responsible for observing and implementing such international obligations. For UN Treaties, a UN Committee will hold a periodic review of compliance: a Hearing is convened, reports are scrutinised from the UK Government, from the EHRC and SHRC and from civil society such as charities and trade unions.

The Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol are the only UN human rights 'instruments' that grant regional organisations a possibility of ratification, normally it is just countries. The EU is the first regional organisation to be party to the CRPD and in June 2014, submitted its initial report to the UN Committee on the Rights of Persons with Disabilities. The Committee has 'tentatively' scheduled a Hearing for 2015.

**HUMAN RIGHTS
CONSORTIUM
SCOTLAND**

The HRCS is a network of over 120 organisations and individuals. It is independent and non-party political. For more information or to join contact:

hrcscotland@gmail.com

www.hrcscotland.co.uk

@HRConsortiumSco