



## Executive Summary

Scotland's National Action Plan for Human Rights (SNAP) is a roadmap for the realisation of all internationally recognised human rights. It is based on evidence and broad participation. It has been developed by a Drafting Group from across the public and voluntary sectors and overseen by an Advisory Council whose members reflect the diversity of Scottish civic life.

Our vision is of a Scotland in which everyone is able to live with human dignity. SNAP will coordinate action by a wide range of public bodies and voluntary organisations towards achieving this vision. It is not a traditional action plan but a transformative programme of action including agreed outcomes, priorities and a process for working together from 2013 - 2017 to progressively realise the potential of human rights in all areas of life.

### Realising Human Rights

Human rights are the fundamental freedoms and rights to which everyone is entitled. They are built on universal values such as dignity, equality, freedom, autonomy and respect, first set down in the Universal Declaration of Human Rights 65 years ago and now grounded in international laws. Scots contributed to the development of the modern understanding of human rights, which resonates with our deeply held values of fairness and responsibility to the community.

Twenty years ago the international community agreed to promote national action plans for human rights, to identify steps to bring these rights into practice. In the UK the Human Rights Act and Scotland Act were passed five years later, bringing rights in the European Convention on Human Rights (ECHR) directly into the law of Scotland. National institutions were also created to promote and protect all human rights. SNAP is the next step to make human rights meaningful in our homes, our schools, at work and in our communities. It builds on international best practice and is based on four years of research and a broad participation process led by the Scottish Human Rights Commission.

SNAP responds to the current political and economic context in Scotland. It responds to debate about how human rights can form part of Scotland's constitutional framework. It fits with the ethos of Public Service Reform and the need to ensure that public services and economic decisions promote human dignity for all, even in times of austerity. It also reflects where Scotland is on its journey to fully realise human rights, seeking to embed a sustainable human rights culture, map out next steps in areas where the value of a human rights approach is already recognised, and to foster learning and innovation in areas of life where the value of human rights has not yet been fully recognised.

## What SNAP will do?

SNAP will pursue three Outcomes, supported by nine Priorities. Human Rights Action Groups involving public sector and voluntary bodies will work together to identify how best to achieve change in each area. A Leadership Panel involving high level representation of public and voluntary sectors as well as people whose human rights are directly affected will oversee the implementation of SNAP.

In delivering SNAP, organisations will be encouraged to identify, promote and replicate good practice and to innovate - learning about practice across Scotland and the world and testing out new ways of seeking to address both old and new challenges.

SNAP will be delivered by an expanding coalition of public bodies and voluntary organisations. It will be underpinned by a constructive process of accountability including independent monitoring and evaluation, annual reports and InterActions with broad participation to review progress and address challenges.

The model for change which SNAP promotes is a “human rights based approach” which emphasises participation, accountability, non-discrimination, empowerment and legality (“PANEL”). This has several proven benefits: upholding the rights of everyone, supporting person centred services, helping good decision making, improving institutional culture and relationships and, finally, ensuring legal compliance and promoting best practice.

### Outcome 1: Better Culture - People understand and can affirm human rights and organisations are enabled and accountable to put human rights into practice.

There are a growing number of examples of human rights being put into practice in Scotland but these are not yet the norm. SNAP itself demonstrates an important commitment from a range of organisations to achieving a sustainable human rights culture. Under Outcome 1 we will seek to harness, build on and channel that enthusiasm, focussing on how to achieve the outcome in practice, learning from the best of experiences from across Scotland and the world.

Research and participation has identified a range of areas for change.

#### SNAP Priority 1: Empowerment - Increase people’s understanding of human rights and their participation in decisions.

People don’t know enough about what human rights are and their benefits in everyday life. There is a need for greater consistency to ensure meaningful participation of people in decisions that affect their lives. While ideas of fairness and “difference” are widely accepted in Scotland, negative social attitudes against certain groups persist.

#### SNAP Priority 2: Ability - Increase organisations’ ability to put human rights into practice.

Organisations providing public services need to understand what human rights mean and how to put them into practice. There is a lack of understanding of human rights and the relationship between equality and human rights. There is interest in pursuing a human rights based approach in practice, including through meaningful human rights impact assessment processes and other tools such as budget analysis.

#### SNAP Priority 3: Accountability - Increasing accountability through human rights based laws, governance and monitoring.

There is significant support for international human rights laws to be brought into domestic law, and concern at threats from some UK politicians to repeal the Human Rights Act and withdraw from the European Convention on Human Rights. Scottish Parliament mechanisms on human rights could be strengthened, and human rights should be integrated into outcome measurement and inspection frameworks.

To advance Outcome 1, Innovation Forums on “How to Embed a Human Rights Culture” will be held in 2014, bringing together organisations to share best practice from across Scotland.

Amongst other things the Forums will explore:

- **Empowerment:** How to involve people in decisions which affect their lives, and integrating human rights into advocacy, communications and campaigns.
- **Ability:** How those delivering public services can integrate human rights into training, decision making, budget and procurement processes.
- **Accountability:** Benefits of further incorporation of human rights law; how Government and Parliament can best consider human rights; integrating human rights in measuring progress and inspecting practice.

## Outcome 2: Better Lives - Scotland effectively tackles injustice and exclusion, improving lives.

Scotland has gone further in integrating human rights in some areas of life than others. This Outcome therefore includes concrete and measurable initial actions in some areas, and a focus on learning, understanding and pursuing commitment in others.

### SNAP Priority 4: Enhance respect, protection and fulfilment of human rights to achieve high quality health and social care.

While progress has been made, inconsistencies remain in upholding human rights in healthcare and in Scotland's public health record. Opportunities include the integration of health and social care, steps under the new Mental Health Strategy and efforts to address health inequalities. Although co-production in independent living is widely praised, there remain challenges in practice, to uphold autonomy and ensure human rights based decision making. Additional steps are also required for, among others, care leavers and unpaid carers (such as kinship carers).

**Initial steps under SNAP Priority 4 will include:** Putting human rights at the heart of health and care integration; pursuing a human rights based approach to independent living, self-directed support, and learning disability practice and to reducing health inequalities; increasing awareness of the rights of carers; and increasing understanding of human rights in mental health care and treatment.

### SNAP Priority 5: Enhance respect, protection and fulfilment of human rights to achieve an adequate standard of living for all.

Budget decisions do not generally take human rights into account and a combination of welfare reform measures are thought to risk increasing poverty. Child poverty, fuel poverty, reducing homelessness and increasing availability and habitability of social housing remain priorities. Transport is a concern for disabled people and people in rural areas who also have less access to services. The lack of appropriate, serviced accommodation for Gypsy/Traveller communities should be resolved. Gender equality and rights of young people, blacklisting and migrants' rights remain concerns in employment. In education gender and other inequalities persist as does bullying. There is an opportunity to consider human rights based land reform.

To identify and promote action under SNAP Priority 5, an Innovation Forum will be held on "How to Uphold Human Rights in times of Austerity". The Forum will explore the value of incorporating economic, social and cultural rights into domestic law, how to monitor those rights, human rights based budgeting and participatory approaches to poverty eradication.

### SNAP Priority 6: Enhance respect, protection and fulfilment of human rights to achieve justice and safety for all.

Barriers to access to justice include cost, inaccessibility to particular groups and concerns related to reform measures. For example there are concerns that cuts to legal aid may impact on access to remedies for domestic abuse. Asylum processes too require reform, and denial of access to work risks destitution. In criminal justice various concerns exist related to children's rights, victims' rights and prosecution rates in sexual offences, and there is ongoing debate about the value and risks of abolishing corroboration. Women's rights, overcrowding and access to mental health services are priorities in detention while the creation of Police Scotland provides an opportunity to further embed human rights in police training and accountability. Scotland's new Violence Against Women strategy should be complemented by an Action Plan and additional measures are needed to address human trafficking. Hate crime is growing and monitoring could be enhanced. More could be done to uphold the human rights of victims, and protect children from violence.

**Initial steps under SNAP Priority 6 will include:** Strengthening human rights training and accountability of Police Scotland; raising awareness of hate crime; developing a victim centred approach to human trafficking; finalising an Action Plan on Justice for Victims of Historic Child Abuse; monitoring the impact of criminal justice reforms; identifying steps to increase access to justice and adopting a comprehensive human rights based strategy on Violence Against Women.

### Outcome 3: Better World - Scotland gives effect to its international obligations at home and internationally.

Scotland increasingly recognises its international obligations. SNAP identifies next steps which reflect growing recognition of the responsibilities of all actors, including business, and emerging global challenges to human rights such as climate change. Importantly they set out a process in which Scotland can increasingly embody good practice in its involvement in the international human rights system.

**SNAP Priority 7:** Implement international human rights obligations.

**SNAP Priority 8:** Respect, protect and fulfil human rights in our international action.

**SNAP Priority 9:** Engage constructively with the international human rights system.

There is increasing support for the UK to accept additional human rights commitments internationally, and to explore incorporation of other treaties. Coordination of efforts to implement human rights across government and with civil society could be improved.

Scotland should ensure that human rights are consistently upheld in its international engagement, and in hosting international events such as the Glasgow Commonwealth Games 2014. Scotland should, for example, continue to champion Climate Justice, and develop a plan to implement the UN Guiding Principles on Business and Human Rights.

**Initial steps under SNAP Outcome 3 will include:** Developing an effective mechanism to coordinate the implementation of international treaties, and exploring the benefits of incorporation of additional treaties; ensuring human rights are at the heart of Scotland's International Framework; developing an Action Plan on business and human rights; championing Climate Justice; supporting civil society to engage in international human rights reviews and the adoption and implementation of a human rights policy for the Glasgow Commonwealth Games 2014.

### Next Steps

Human Rights Action Groups will be co-convened by public bodies and voluntary organisations and will engage with people whose human rights are directly affected. They will identify actions under each Priority. A Monitoring Group will develop indicators to track implementation.

A first Annual Report on progress will be presented to the Scottish Parliament in 2014, and a first National InterAction will be held on 10 December 2014 to ensure accountability and address challenges in implementation. Progress will also be considered in international human rights reviews of the UK, including the United Nations Universal Periodic Review.

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