



2015 AGM RESOLUTIONS

Extract from the National Conference
and AGM 2015 Conference Papers

RESOLUTION	PROPOSER	SECONDER
1 Financial Statements 2014	AIUK Board	-
2 Appointment of Auditors	AIUK Board	-
WORKING PARTY A:		
A1S. To move the provisions of the Memorandum into the Articles of Association	AIUK Board	-
A2S. To address the use of gendered terminology in the Memorandum and Articles of Association	AIUK Board	-
A3S. To update references to legislation	AIUK Board	-
A4S. To clarify the decision making process for removing a Director who fails to attend three consecutive meetings without good cause	AIUK Board	-
A5S. To facilitate decisions being taken outside of Board meetings	AIUK Board	-
A6S. Nomination Committee co-option	AIUK Board	-
A7S. Terminology	AIUK Board	-
A8. Constitution and Standing Orders Review	AIUK Board	-
WORKING PARTY B:		
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B2. Strategic Goals 2016-2019 (Trade Union Rights)	Battersea and Wandsworth TUC	-
B3. Amnesty International's stance on Abortion Pro - Choice	Chris Bovis	Amy Foster
B4. Addressing impunity in Guatemala	Giacomo Manca di Villahermosa	Ellen May
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WORKING PARTY C:		
C1. The United Kingdom: Rendition and Torture	Colwyn Bay group	-
C2. Asylum detention in the UK	Oxford City	-
C3. Anti-Semitism in the UK	Andrew Thorpe-Apps	Barrie Hay
C4. AIUK will undertake research into the wrongful detention of torture and trafficking victims in British detention	University of Kent	-

S – Special Resolution (Requires 75% majority to pass)

NOTE: PROXY VOTING ON SUNDAY

Delegates attending only one day of the AGM (Saturday 18 April) will not be present for the final debate and voting on AGM resolutions on Sunday 19 April.

However you can register your vote by proxy. If you wish to vote on the resolutions on Sunday, please complete a proxy form, and send it in by **12pm midday on Thursday 16 April 2015**. See www.amnesty.org.uk/agm or call **020 7033 1777**

TREASURER'S RESOLUTIONS

These will be proposed as part of the Treasurer's Report.

1 - FINANCIAL STATEMENTS 2014

Summary: A routine resolution to receive the financial statements and reports.

Proposer: AIUK BOARD

This AGM DECIDES

To receive the Financial Statements, the Reports of the Board and Auditor for the year ended 31 December 2014.

Proposer background notes:

Receiving the financial statements is a formal part of every AGM. The Treasurer's report providing a summary of the financial position and further context is provided in the AGM papers.

2 - APPOINTMENT OF AUDITORS

Summary: A routine resolution to reappoint BDO LLP as auditors and to authorise the Board to determine their remuneration

Proposer: AIUK BOARD

This AGM DECIDES

To re-appoint BDO LLP as Auditor of the Company, to hold office until the conclusion of the next general meeting at which accounts are laid before the Company, and to authorise the Directors to approve the Auditor's remuneration.

Proposer background notes:

The appointment of auditors is a formal part of every AGM as the Company is required to appoint auditors at each AGM at which accounts are laid. The Finance Sub-Committee has considered, and is satisfied with, the effectiveness of BDO LLP and the Board recommends that they be re-appointed as auditors for the forthcoming year. In accord with normal practice, it is further proposed that the Board should determine the auditor's remuneration.

WORKING PARTY A – GOVERNANCE

A1S - TO MOVE THE PROVISIONS OF THE MEMORANDUM INTO THE ARTICLES OF ASSOCIATION

Summary: To amend AIUK's constitution by moving the provisions of the Memorandum of Association into the Articles of Association.

Proposer: AIUK BOARD

This AGM DECIDES

That, as required by company law, all substantive provisions of the Memorandum of Association of the Company be moved from the Memorandum into the Articles of Association, by:

- Deleting clauses 1 to 7 from the Memorandum and inserting them as new Articles 3 to 9 of the Articles of Association;
- Deleting clause 8 of the Memorandum and inserting it as a replacement of the current Article 44 of the Articles of Association (to be new Article 51 or, if the numbering of the Articles has been altered because of the passing of any of

the other special resolutions in this notice, the corresponding Article)

- Deleting clause 9 of the Memorandum
- Deleting all references to "the Memorandum" and "this Memorandum" which appear in the Articles of Association; and
- Updating the numbering and cross-references in the Articles of Association to take account of the above changes.

Proposer background notes:

As part of its review of AIUK's Memorandum and Articles of Association (the "constitution"), conducted in co-operation with the Governance Task Force (established by the 2013 AGM), the Board commissioned legal advice from AIUK's solicitors, Bates Wells Braithwaite, to ascertain whether amendments are required or recommended due to changes in company law, and what options for bringing the constitution more into line with good practice were available, given that the last major review of the constitution took place before the implementation of the Companies Act 2006. In response, Bates Wells Braithwaite presented a number of recommendations and options.

The Governance Task Force and the Board reviewed these recommendations and options and identified a number of changes, which are recommended in order to update the constitution and bring it closer to good practice. Most of these changes are considered to be of a minor or technical nature, while others are considered to be desirable to ensure the smooth running of the Board – for example, resolution 5 which deals with the taking of decisions outside of Board meetings, and resolution 4 which clarifies the decision making process for the removal of a director. Other changes modernise terminology and implement a decision which was taken at the International Council meeting regarding the name of the International Executive Committee.

Special Resolution 1 reflects a change to company law that came into effect in 2009, meaning that the provisions of the Memorandum are treated as part of the Articles of Association. This Special Resolution therefore reflects the change in law by incorporating all of the provisions of the Memorandum into the Articles. Following the adoption of these changes, none of which change AIUK's operating rules and governance, the Memorandum will be a historic document, containing only the names of the initial subscribers to the company.

The current constitution can be viewed on AIUK's website at http://www.amnesty.org.uk/sites/default/files/amnesty_international_uk_section_constitution_2014.pdf

A2S - TO ADDRESS THE USE OF GENDERED TERMINOLOGY IN THE MEMORANDUM AND ARTICLES OF ASSOCIATION

Summary: To amend AIUK's constitution by replacing the use of 'he', 'she', 'his' or 'her' and the like with gender-neutral terminology.

Proposer: AIUK BOARD

This AGM DECIDES

That all references to 'he or she' in the Articles of Association be replaced by 'they', and all references to 'his or her' in the Articles of Association be replaced by 'their'.

Proposer background note:

This special resolution is intended to ensure that the terminology we use in our constitution is more inclusive of trans individuals

or those without a gender by simply replacing gendered references (he, hers, etc.) with more neutral terms (they, their, etc.).

A3S - TO UPDATE REFERENCES TO LEGISLATION

Summary: To amend AIUK's constitution by replacing out of date references to legislation with current references.

Proposer: AIUK BOARD

This AGM DECIDES

That, in order to update references to legislation in the Articles of Association, Article 1.1.1 be deleted and replaced with the following wording:

'1.1.1 "Act" the Companies Acts (as defined in Section 2 of the Companies Act 2006), in so far as they apply to the Company' and that the headings of the Memorandum and the Articles of Association be replaced with the heading 'The Companies Acts 1985 to 2006'.

Proposer background notes:

AIUK's constitution needs to be updated to ensure that references to legislation are complete and accurate. Article 1 provides a series of definitions that are used in the Articles of Association. The definition of the "Act" is currently out of date as it refers to the Companies Act 1985 and needs to be changed to refer to the Companies Act 2006. Similarly the headings of the Memorandum and Articles of Association are out of date, as they currently read "The Companies Acts 1985 to 1989".

A4S - TO CLARIFY THE DECISION MAKING PROCESS FOR REMOVING A DIRECTOR WHO FAILS TO ATTEND THREE CONSECUTIVE MEETINGS WITHOUT GOOD CAUSE

Summary: To amend AIUK's constitution in order to clarify an important decision-making process.

Proposer: AIUK BOARD

This AGM DECIDES

That, to clarify the decision-making process, the current Article 31.1.8 (or if the numbering of the Articles has been altered because of the passing of any of the other special resolutions in this notice, the corresponding Article) shall be amended so that it reads as follows:

'they fail to attend three consecutive meetings of the Board without good cause, as determined by a majority of the Directors'.

Proposer background notes:

Article 31 sets out the reasons and processes for disqualifying or removing AIUK's Board members (referred to as Directors in the Constitution). Currently, Article 31.1.8 simply states that a Director can be removed for failing to attend three consecutive Board meetings without good cause. AIUK's lawyers have advised us to amend the Articles to state that a majority of Directors will decide when this circumstance applies. In other words, the proposed revision clarifies a currently ambiguous decision-making process.

A5S - TO FACILITATE DECISIONS BEING TAKEN OUTSIDE OF BOARD MEETINGS

Summary: To amend the constitution to allow urgent decisions required between Board meetings to be made by 75% of all Board members, rather than all of them.

Proposer: AIUK BOARD

This AGM DECIDES

That, in order to allow the Directors to take decisions outside of a meeting where at least 75% of the Directors are in favour of a decision, the current Article 36 (or if the numbering of the Articles has been altered because of the passing of any of the other special resolutions in this notice, the corresponding Article, with the cross-references below updated accordingly) shall be amended as follows:

- a) Article 36.10 shall be deleted and the following Articles renumbered accordingly; and
- b) Following the renumbering above, new Articles 36.12 to 36.15 shall be inserted which read as follows:
- 36.12 The Directors may, in the circumstances outlined in these Articles 36.12 to 36.15, make a decision by a majority of three quarters without holding a Directors' meeting.
- 36.13
- If:
- 36.13.1 a Director has become aware of a matter on which the Directors need to take a decision;
- 36.13.2 that Director has taken all reasonable steps to make all the other Directors aware of the matter and the decision to be taken;
- 36.13.3 the Directors have had a reasonable opportunity to communicate their views on the matter and the decision to each other; and
- 36.13.4 at least three quarters of the Directors who are entitled to take part in the decision vote in favour of a particular decision on that matter, a decision of the Directors may be taken by majority of three quarters and shall be as valid and effectual as if it had been taken at a Directors' meeting duly convened and held.
- 36.14 Directors participating in the taking of a decision by a majority of three quarters otherwise than at a Directors' meeting in accordance with these Articles 36.12 to 36.15:
- 36.14.1 may be in different places, and may participate at different times; and
- 36.14.2 may communicate with each other by any means.
- 36.15 The Chair, or such other Director as shall be appointed by the Directors, shall be the chair of the process of decision-making in accordance with these Articles 36.12 to 36.15. The process shall include:
- 36.15.1 circulation of the proposed decision with an indication of the time period for discussion and the date by which Directors are asked to cast their votes;
- 36.15.2 the nomination of a person to whom all Directors' votes must be communicated;
- 36.15.3 if a majority of three quarters of the Directors vote in favour of the decision, the nominated person shall communicate the decision to all the Directors and the date of the decision shall be the date of the communication from the nominated person confirming formal approval; and
- 36.15.4 the nominated person must prepare a minute of the decision in accordance with Article 39.
- b) The numbering and cross-referencing in the Articles of Association be updated to take account of the above changes.

Proposer background notes:

The Articles currently allow the Directors to take decisions outside of meetings if they are unanimous. This prevents a decision being taken outside a Board meeting if a Board

WORKING PARTY A

member was subject to a conflict of interest (and therefore precluded from voting), unwell or otherwise unavailable.

AIUK's Board believes it is important to take decisions at formally constituted meetings. However, on rare occasions, it might be necessary to have recourse to another decision-making process should urgent or unforeseen circumstances apply.

Whilst we have been advised that it would be legal for the constitution to require only a simple majority, AIUK's Board has decided to apply the higher threshold of three quarters of all Board members for a valid decision to be taken outside a meeting.

The proposed new Article also includes provision for an exchange of views between Board members before the decision is taken.

A6S - NOMINATION COMMITTEE CO-OPTION

Summary: This Special Resolution, enabling the Nominations Committee to co-opt two members, repeats one adopted by last year's AGM.

Proposer: AIUK BOARD

This AGM DECIDES:

That, in the current Article 22.5 (or if the numbering of the Articles has been altered because of the passing of any of the other special resolutions in this notice, the corresponding Article) of the Articles of Association of the Company the phrase "may co-opt one additional NC member" be replaced by "may co-opt two additional NC members".

Proposer background notes:

Last year's AGM agreed a Special Resolution to change AIUK's constitution so that the Nominations Committee could co-opt two members, rather than one. Unfortunately, the copy of the constitution used to draft the Special Resolution did not match the copy of the constitution filed at Companies House. As a consequence, the Special Resolution referred to the wrong Article in our constitution. The Board apologises for this error, which was due to a breakdown in document management that has now been corrected. However, it is necessary for the AGM to pass the Special Resolution again, this time with the correct Article (22.5) identified.

The case for the change remains the same as last year. The Governance Taskforce created by the 2013 AIUK AGM considered ways in which the AIUK Nominations Committee (NC) can make a more effective contribution to the Section's governance. This resolution, and an ordinary resolution agreed by the 2014 AGM, are both based on the work of the taskforce and supported by the Board. They are intended to strengthen the NC, clarify its role, and improve its operations.

This Special Resolution makes one important change to the NC: it enables the three elected members of the committee to co-opt two rather than one additional member. The NC needs to search for potential Board and sub-committee members with a wide and diverse range of specialist skills, so having the power to co-opt two additional members with experience and connections in areas as diverse as finance, strategy, human resources and marketing will be highly beneficial.

A7S - TERMINOLOGY

Summary: This Special Resolution replaces the term "International Executive Committee" with the term "International

Board", pursuant to a 2013 ICM decision.

Proposer: AIUK BOARD

This AGM DECIDES:

That, in order to reflect Decision 10 of the International Council meeting, in the current Clause 8 of the Memorandum of Association (or if the numbering of the Memorandum and Articles has been altered because of the passing of any of the other special resolutions in this notice, the corresponding Clause or Article), the term "International Executive Committee" be deleted and replaced with the term "International Board (or such other name as may be given to that body in the future)".

Proposer background notes:

The 2013 International Council Meeting decided that the International Executive Committee should be renamed the "International Board". This Special Resolution simply carries forward that name change into AIUK's constitution (and provides future proofing against any further name change in the years to come).

A8 - CONSTITUTION AND STANDING ORDERS REVIEW

Summary: Resolution to support a comprehensive review of AIUK's Constitution and Standing Orders.

Proposer: AIUK BOARD

This AGM

Commends the work undertaken by the Governance Task Force and Board to strengthen the quality of AIUK's governance, notes the intention of the Board to continue with this work and, accordingly, agrees THAT:

- a) the Board should complete a comprehensive review of AIUK's Constitution with a view to proposing a revised, updated Constitution to the 2016 AGM, and
- b) concurrently, the Board should work with the Standing Orders Committee to review the Standing Orders so that these are revised to complement and support the new Constitution.

Proposer background notes:

The Constitution (known as the Articles of Association) forms the internal regulations or by-laws of a company. AIUK's Constitution was adopted in 2004 when the Section changed from an unincorporated association to a limited company.

When AIUK was incorporated, many provisions in its previous Constitution were directly transferred to the new Constitution.

Consequently, the Constitution does not reflect:

- current best practice in governance;
- substantial revisions to company and charity law (under the Companies Act 2006 and the Charity Act 2011);
- that AIUK has changed and grown during this time.

The Standing Orders are a supporting document which govern the processes for General Meetings.

The Board's view, informed by the work undertaken by the GTF, is that the Constitution and supporting Standing Orders should be comprehensively reviewed and redrafted.

The review aims to produce a Constitution and Standing Orders which are clear, concise and reflect legal requirements and best practice, whilst recognising AIUK's distinctive character as a vibrant membership organisation.

In particular, they should strive to achieve the following aims:

1. Prior to an AGM, Members are presented with clearly worded resolutions that reflect the full consequences of the proposal
2. The AGM is accessible to as many Members as possible
3. The AGM is able to make clear, lasting decisions after a healthy debate
4. The direction of AIUK reflects as broad a consensus of its Members as possible
5. The Board contains a balance of experience and fresh ideas, acts in the interest of the whole of AIUK and is effective and accountable
6. Conflicts of interest are understood and managed

This resolution seeks support for the comprehensive review of our governing documents. The Board will consult members this year and, informed by that, will recommend specific changes to the 2016 AGM.

WORKING PARTY B – INTERNATIONAL

B1 - AI'S STRATEGIC GOALS 2016-2019

Summary: Resolution to indicate priorities for AIUK's delegation during ICM discussions on the Strategic Goals.

Proposer: AIUK BOARD

This AGM:

Welcomes the emphasis on providing a clear sense of direction for the movement that is focussed on impact;

Welcomes the inclusion of women's human rights, human rights education, human rights defenders and freedom of expression in the second draft of the Strategic Goals;

Calls on AIUK's Board to use its influence before and during the 2015 ICM to:

- Ensure explicit reference to and balance between both "new" and "signature" issues;
- Make a more explicit connection between Economic, Social and Cultural Rights and Civil and Political Rights;
- Ensure that each goal is supported by a robust and achievable plan of action;
- Ensure that there are sufficient resources, including human resources at the IS, to deliver this plan of action;
- Provide enough scope for flexibility and locally relevant work.

Proposer background notes:

In August 2015, the International Council Meeting will agree Amnesty International's next overarching strategy for 2016-2019. This resolution is presented by the Board as an enabling resolution to ensure that the AGM has the opportunity to consider the issues raised in the draft Strategic Goals.

We have completed two phases of the Strategic Goals consultation and are now in the third phase. This phase enables AGM delegates to consider the second draft of the Strategic Goals in the lead-up to the International Council Meeting in August 2015. The second draft of the goals has been included in the AGM pack (and is available on request from the Supporter Care Team: email sct@amnesty.org.uk; telephone 020 7033 1777).

The second draft of the Strategic Goals has been prepared based on the feedback from the inputs of Phase 2. Copies of AIUK's response can be obtained from the Supporter Care Team.

B2 - STRATEGIC GOALS 2016-2019 (TRADE UNION RIGHTS)

Summary: This resolution calls on AIUK to continue to advocate for union partnerships and workers' rights to be acknowledged in our strategic goals and work plans for 2016-2019.

Proposer: BATTERSEA AND WANDSWORTH TUC

This AGM

Notes the long and proud record of AIUK in collaborating with trade unionists to deliver substantial and impactful human rights campaigns;

Welcomes the unique MoU we have with the Trades Union Congress, and our role supporting the movement globally on TU relationships and opportunities;

Applauds the contribution made by our local, student, youth groups, country coordinators and other activists to shared workers' rights cases;

Believes that our strategic goals should reflect opportunities for TU collaboration and partnerships.

Calls on the AIUK Board to use its influence before, during and after the ICM to:

Insert language into the strategic goals that makes explicit these opportunities:

- Where the document talks of rights-holders, communities and civil society organisations: add "including trade unions" or "trade unionists" as appropriate.
- Where the documents references poor communities or economic exclusion: "economic inequality", "precarious, unsafe and vulnerable work", "workers' rights."
- Where the document lists identities "class" should be included
- References to accessing rights could usefully specify "the right to strike."
- Under the goal on gender and equality, to specifically highlight education of girls.
- The goals should also refer to "new ways of organising and mobilising through partnerships and coalitions."

Proposer background notes:

The AIUK trade union network made a substantial contribution to the Phase II strategic goals consultation. As well as making our case in the first of a series of contributions, we also provided a supplementary situational analysis, we brought the voices of the global unions to the table, we demonstrated value-added through narrative case studies, we supplied an assessment of our input against the published criteria, we delivered an insightful and well-informed contribution from the International TUC, and we backed this up with a short annex of key documents. In total we submitted seven papers. Regrettably none of these contributions are reflected in the current text. We are pleased that our headline asks were also taken up by AIUK and were included in the UK Phase II submission. [these texts are available from shane.enright@amnesty.org.uk]

Trade unionists are human rights holders, often working at the dangerous front-line of defending and advocating civil, economic, social and workers' rights. Unions are human rights defenders whose size, scope, growing strength in the South, and effective and dynamic advocacy for human rights, at home and abroad, are not acknowledged in the draft.

There are 6 million members in the British TUC and globally the

union movement brings together 168 million workers whose local, national, regional and global structures are aligned with our values. By working together we can deliver amazing activism: two British teacher's unions last year distributed 628,000 appeal postcards in support of our campaign for jailed Bahraini teachers' union leader, Mahdi Abu Dheeb – the biggest postcard action in AIUK's entire history.

Workers' rights have been a signature method since our beginning: One of the cases highlighted by Peter Benenson in his letter to the Observer newspaper that led to the formation of Amnesty was the case of jailed Greek trade union leader. The first ever Urgent Action, issued over forty years ago, was in defence of an imprisoned Brazilian labour leader.

Notes that growing economic inequality is now recognised as a critical global driver for human rights abuses that has the world's attention and requires Amnesty's acknowledgement and response; and that promoting workers' rights provides a tried-and-tested space in which we can effectively respond to economic inequality and poverty.

Board background note:

Amnesty International's worldwide movement is in the process of deciding its global Strategic Goals for 2016-2019. The Strategic Goals will be determined by a four-stage consultation and decision-making process, culminating in final decisions at the International Council Meeting in August 2015.

Amnesty's Work to date

Phase 1 - Analysis of context and priorities, April-May 2014: During this phase, the International Board sought analysis of external trends, exploring their implications for human rights and for Amnesty's work. AIUK sought and obtained input from governance bodies, country coordinators, networks and groups, providing a submission to the International Board in June 2014.

Phase 2 - First draft for consultation, August - October 2014: The International Board agreed a first draft of the Strategic Goals, based on the analysis of Phase 1, and circulated this for movement consultation in August. More than 50 Amnesty entities around the world provided comments and inputs, including suggestions for alternative goals, variations or different wording. A global online survey was developed for members and external stakeholders.

As part of the Phase 2 consultation, inputs from external organisations and rights holders were particularly encouraged. More than 26,000 people from across the world participated in the online survey and trade union bodies such as the International Trade Union Confederation and the Trades Union Congress contributed to the consultation. AIUK's Trade Union Network Committee provided written feedback that was separate to AIUK's formal submission. AIUK's submission, prepared by the Board's International Issues Sub-committee, following consultation with members, supported 'an additional outcome on workers' rights to association as emphasised by our trade union partners. This outcome should include the right to strike, form and join a trade union and collectively bargain.'

Amnesty's Existing Plans

Phase 3 - Second draft for consultation (current phase) – draft ICM resolution, January - May 2015: A second draft of the Strategic Goals was shared with the movement in January. This version will be used for more consultation in the lead up to the International Council Meeting (ICM). The Board is not planning to undertake a further, formal consultation but any comments

received, including at AIUK's AGM, will be considered before we submit a further consultation response following our Board meeting in May.

Phase 4- Final Strategic Goals to be adopted at the 2015 International Council Meeting (ICM): The International Board may incorporate changes as a result of suggestions made in the third phase and will circulate the final draft of the Strategic Goals with the final ICM papers, ready for discussion and agreement at the ICM.

Resource Implications

Engaging with the Strategic Goals development process and preparing for the International Council Meeting is already part of AIUK's Operational Plans. Therefore, there are no resource implications attached to this resolution.

B3 - AMNESTY INTERNATIONAL'S STANCE ON ABORTION - PRO - CHOICE

Summary: To re-consider Amnesty International's stance on Abortion.

Proposer: Chris Bovis

Seconded: Amy Foster

This AGM INSTRUCTS

The Board to

- 1.1. Commission research within AIUK to determine the views of the membership concerning Amnesty International's current stance on Abortion.
- 1.2. Determine whether the membership would support an action by the board to change the current stance from support of abortion in the cases of rape, incest, or when the life or health of the mother is threatened, to support in the case of choice (pro-choice).
- 2.1. That, following a positive response from 1.1 and 1.2. that the board would draft a motion for the next International Council Meeting in 2017 that would reflect the changes outlined in 1.2.
 - that Amnesty International's stance on abortion should be one of pro-choice.

Proposer background notes:

This AGM notes that in 2007 Amnesty International changed its stance on abortion: from a neutral stance to one supporting access to abortion in cases of rape, incest, and when the life or the health of the mother might be threatened.

This AGM further notes that in 2013 a United Nations report by Juan E. Mendez was published that concluded that denial to abortion and abortion after-care was akin to torture; in section 46:

'International and regional human rights bodies have begun to recognise that abuse and mistreatment of women seeking reproductive health services can cause tremendous and lasting physical and emotional suffering, inflicted on the basis of gender. Examples of such violations include abusive treatment and humiliation in institutional settings; involuntary sterilisation; denial of legally available health services such as abortion and post-abortion care; forced abortions and sterilisations; FGM; violations of medical secrecy and confidentiality in health-care settings, such as denunciations of women by medical personnel when evidence of illegal abortion is found; and the practice of attempting to obtain confessions of potentially life-saving medical treatment after abortion.'

This AGM finally notes that Amnesty International's *My Body, My Rights* campaign seeks to reinforce that a woman's decisions/choices concerning the health, body, and sexual life, of the individual are a fundamental human right.

Board background notes:

Amnesty International's policy on sexual and reproductive rights, including abortion, was adopted by the International Council Meeting (ICM) in 2007, following consultation with members across Amnesty International's Sections and Structures.

As part of this process, AIUK conducted an extensive consultation with its members, seeking opinions on potential positions that Amnesty International could adopt. This process included talks and discussions at local group meetings, regional conferences and specific consultation events, all feeding into a membership survey.

The views of the AIUK's membership indicated support for a policy that called for decriminalisation of abortion, for access to high quality services for the management of complications arising from abortion, and legal, safe and accessible abortion in cases where there is a risk to a woman's life or health, or where the pregnancy is a result of rape, sexual assault or incest. This position was also supported by the wider movement, and was adopted as policy at the 2007 ICM.

Whilst AIUK's consultation signalled support for what eventually became movement-wide policy on abortion, the 2007 AGM adopted two conflicting decisions on abortion, one supporting the new policy, the other supporting retention of the "no position" stance. This reflected the deeply-held views of AIUK members on both sides of the debate.

During the consultation process, Amnesty International's policy deliberations were the subject of some negative media coverage, including in the UK. Following the ICM decision, a small number of AIUK members resigned from Amnesty, whilst a number of school groups decided that they could no longer affiliate with the organisation. Anecdotally, we understand that the policy change also led a small number of individuals to join Amnesty.

Amnesty's work to date:

Following the adoption of a new policy Amnesty has carried out work on this issue ranging from specific advocacy and legal briefings to wider campaigns for law reforms on abortion in El Salvador, Poland, Spain and Nicaragua.

AIUK has also carried out advocacy work on abortion-related issues in Northern Ireland, to influence the inclusion of human rights considerations and human rights protections within new guidelines on the current law in Northern Ireland.

Amnesty International's existing plans:

This work is set to continue as part of the global *My Body, My Rights* campaign. AIUK is fully involved in this campaign, which includes a specific focus on abortion. The International Secretariat, in partnership with Amnesty International Ireland is carrying out research on the human rights impact of the restrictive law on abortion in the Republic of Ireland. As part of this project AIUK is carrying out complementary work on the human rights impact of the law in Northern Ireland.

The *My Body, My Rights* campaign sees Amnesty International continuing work on the human rights impact on women and girls where abortion is restricted and on broader sexual and reproductive rights.

AIUK's Board is not aware of any movement-wide plans to fundamentally review Amnesty's policy on abortion.

Resource implications:

The resources required to undertake a consultation with AIUK's members will be dependent on the methodology employed. Based on previous experience, we estimate the unplanned cost to be in the region of £15,000-£20,000, with further requirements in 2017 (depending on the outcome of any consultation). The risk of negative media and social media coverage would require careful planning and management with some (limited) diversion of staff time from routine communication activity, including membership communications work.

B4 - ADDRESSING IMPUNITY IN GUATEMALA

Summary: The violation of fundamental human rights of workers, activists and indigenous peoples in Guatemala is enormous, growing and aided by near-total impunity; this resolution proposes action on this issue.

Proposer: Giacomo Manca di Villahermosa

Seconder: Ellen May

This AGM DECIDES

That Amnesty International UK will further the 2014 AGM motion, whereby AIUK will conduct a campaign addressing impunity for human rights abuses in Guatemala, including:

- ending impunity for attacks on trade unionists and human rights defenders
- addressing indigenous rights (socio-economic, land, cultural rights)

We support the actions taken by AIUK to raise awareness of this issue through its May 2014 conference and its facilitation of a network of allied organisations for Guatemala, including the TUC.

To further this work, this AGM calls for AIUK to call on the IS to release a public statement supporting the call for a Commission of Enquiry (Col) at the International Labour Organisation (ILO) to investigate abuses of workers and indigenous peoples rights. Amnesty cannot directly file a complaint. However, as an influential human rights NGO, we believe that Amnesty's legitimacy would have a positive impact in ensuring that this Col is viewed as a necessary investigation into fundamental human rights abuses. We also ask for Amnesty UK to call on the current network of allied NGOs for Guatemala and the wider NGO community to support the TUC's advocacy of a Col towards Britain's government and the Confederation of British Industry.

Proposer background notes:

Over the last twenty years the ILO supervisory mechanisms have found detailed evidence of extremely serious and systematic attacks on the right to freedom of association. These include murder, death threats, attempted murder, torture, kidnappings, which have created a culture of fear and violence where the exercise of trade union rights becomes impossible. Efforts to organize are sometimes violently brought to an end through targeted or mass firings and death threats. The TUC reports that the situation worsens each year. Since 2007, there have been at least 64 documented assassinations of trade unionists. To date, only a small fraction of these incidents have been investigated and not a single murderer has been successfully prosecuted.

Guatemalan workers have exhausted every possible international mechanism available to them. Indeed, the ILO has since 1991

reviewed Guatemala's non-compliance with Convention 87 a total of 14 times and 3 times on Convention 98. There have been 93 complaints filed with the Committee on Freedom of Association. The International Trade Union Congress has already filed a complaint concerning the abuse of workers' rights in Guatemala. Such complaint, however, did not result into an ILO Commission of Inquiry but only in dialogue between the ILO and the Government.

The ITUC and others denounced the reticence of the Guatemalan government to comply with the requests and demands of the ILO. It was also argued that the Guatemalan government disregards the labour investigation of the CAFTA treaty. Indeed the Guatemalan government has displayed overt disrespect towards workers' rights when it recently attempted to pass a law making the enforcement of the already low and unenforced minimum wage even more flexible.

Amnesty International has extensively reported on the mechanism of impunity enjoyed by the assassins of not only trade unionists but also indigenous leaders, human rights activists and women.

The struggles of the indigenous population for their rights to ancestral land and basic livelihood are also undermined by impunity as it allows widespread use of violence against them. The ILO convention, however, protects also indigenous rights in article 169 and their right to development, crucial against the oppression of indigenous peoples.

We believe that advocacy for a Col, as contacts and research are already present, could be carried forward within Amnesty UK's present resource constraints. Resources have been already mobilized for the Guatemala conference in May and such advocacy does not have to require greater resources.

Board background note:

ILO Commissions of Inquiry, under Article 26 of the ILO Constitution, are the organisation's highest level of investigative procedure and are established by the tri-partite Governing Body of the ILO, made up of Governments, Employers and Workers. They are generally initiated when a member state is accused of committing persistent and serious violations and has repeatedly refused to address them. In nearly 100 years of its history, 13 Commissions of Inquiry have been established. AI has previously supported calls for the establishment of Commissions of Inquiry, most recently in 2013 and 2014, in response to the situation in Fiji.

In 2014 alone, there have been at least six assassinations of trade unionists. In spite of progress made in conducting crime investigations during the short tenure of former public prosecutor Claudia Paz y Paz, not a single murder has been successfully prosecuted. Workers who are fired for their trade union activity, a frequent occurrence in Guatemala, have no effective remedy. The lack of safeguards for the exercise of freedom of association and the fear of retaliation has had a profound impact in the creation of trade unions in the past years. According to official figures, the number of workers' organisations registered in the Public Registration of Trade Unions has plummeted from 141 in 2011 to 52 in 2013. In the first five months of 2014, only 12 trade unions had been registered. Labour courts are equally incapable of guaranteeing respect for the labour laws. The number of labour cases filed each year sits at nearly 13,000, with over 5,000 cases of unlawful dismissal. Fewer than 22 judges are tasked with handling the overwhelming number of these cases (9,700 in 2010). In March 2013, following a High-Level Mission, the Government

of Guatemala signed a Memorandum of Understanding with the ILO, which resulted in a Roadmap and the presence of an ILO Special Representative in the country. However, in February 2015, Guatemalan unions reported virtually no progress in implementation.

Amnesty's work to date and existing plans

During the International Secretariat's current Operational Plan period (2014-15), Amnesty continues to prioritise the fight against impunity for current human rights abuses and those that occurred in the context of Guatemala's conflict. Additionally, Amnesty has also focussed on the impact of mining operations on the human rights of indigenous communities. In addition to work led by our Country Coordinator, AIUK organised a conference on human rights in Guatemala in May 2014, with the TUC, the Guatemala Solidarity Network and other partners.

As the resolution notes, a decision to support calls for a Commission of Inquiry would be made by the International Secretariat.

Resource implications

The resource implications of calling on the International Secretariat to support the establishment of a Commission of Inquiry are negligible.

B5 - VIOLATION OF THE RIGHTS OF COLOMBIAN ACTIVISTS, INCLUDING TRADE UNION LEADER HUBER BALLESTEROS

Summary: The resolution calls for Amnesty International UK to advocate for AI to campaign for the release of political prisoners in Colombia, and to adopt the case of trade union leader, Huber Ballesteros.

Proposer: UNISON

Human and labour rights in Colombia have long been under attack. According to the International Trade Union Confederation (ITUC) Colombia is the most dangerous place in the world to be a trade unionist.

Murder, death threats and false public accusations are all used to intimidate and silence activists. The practice of 'false positives', where the Army murders civilians and then dresses them in guerrilla clothing to bolster stats, has left thousands dead and continues to occur.

Huber Ballesteros is one of Colombia's most well respected trade union leaders, and has been imprisoned without trial since August 2013 accused of 'rebellion' and 'financing terrorism'. Mr. Ballesteros is vice-president of the agricultural union, FENSUAGRO, and an elected member of the National Executive of Colombia's largest trade union centre, the CUT, and his case is emblematic of the thousands of human rights activists who are repeatedly intimidated for their work for social justice and their support for marginalised groups.

We call on Amnesty International UK to advocate for Amnesty International to:

1. Campaign for the release of political prisoners in Colombia;
2. Adopt the case of Huber Ballesteros;
3. Consider sending observers to the trial of Huber Ballesteros when it eventually takes place.

Proposer background notes:

Labour activists and others who speak out against trade agreements and social injustice in Colombia have been labelled

as terrorists. Since 1986, close to 3,000 trade unionists have lost their lives.

Huber Ballesteros is emblematic of the case against trade unionists. At the time of his arrest in 2013 (just as he was about to travel to the UK to address the British TUC congress) he was one of the spokespersons of nationwide strikes taking place across Colombia in the agricultural, health, transport, energy sectors in opposition to President Santos' policies and particularly against the Free Trade Agreements. He has yet to be tried, and languishes in prison along with thousands of other trade union and political activists.

Huber Ballesteros has been instrumental in organising workers in the agro-industry sector - one of the most difficult sectors to join a union - as well as working to organise peasant farmers, indigenous and afro-Colombian communities in south western Colombia. Mr Ballesteros is also the national organiser of the 'Patriotic March', the opposition movement launched in 2012 which groups over 2,000 trade unions, peasant, political and other organisations and which is leading the campaign for peace with social justice.

UNISON supported Colombian trade unionists during this strike which saw a brutal and violent response from the authorities. A petition with 13,000 signatures was delivered to the Colombian government in November 2013 calling for Huber's release. To mark UN Human Rights Day on 10 December 2014, UNISON, Justice for Colombia and Labour Start online campaign group created an e-petition calling for Huber Ballesteros' release. 5,000 people signed the petition in less than 24 hours.

UNISON believes that Huber Ballesteros is a human rights defender in standing up for social justice and the right of marginalised and disadvantaged communities in Colombia. UNISON has called for Huber Ballesteros, and other trade union activists, to be released from prison if their only crime is to campaign for social justice.

Board background note:

Huber Ballesteros is a Colombian trade union leader and human rights defender who was imprisoned on 25th August 2013, accused of 'aggravated rebellion' and 'financing terrorism'. Mr Ballesteros has now been charged and is in La Picota prison in Bogota awaiting trial. The evidence that the prosecution claims to have is based on computers they allege to have belonged to senior FARC commanders including 'Ivan Rios' and 'Alfonso Cano' and on testimonies from imprisoned 'reinsertado' guerrillas such as alias 'Olivo Saldana', who has been used by the prosecution in previous cases against opposition figures which have subsequently collapsed. The trial is likely to start in July or August but a date has not yet been set. Huber Ballesteros is diabetic and has intestinal problems, yet he has been denied a special diet that has been prescribed for him.

Huber Ballesteros' case is a priority for the UK and international trade union movement. Huber's arrest came days before he was due to address the British TUC Congress as an international guest speaker. The ITUC and many members of the UK and European Parliaments have also condemned Mr Ballesteros' imprisonment.

Amnesty's Work to Date and Existing Plans

Amnesty International has wide-ranging concerns about the human rights situation in Colombia. A number of these concerns were recently highlighted in a briefing to the Human Rights Commission.¹

During the current IS Operational Plan period (2014-2015), Amnesty's priorities include ongoing work to secure the protection of human rights defenders, including trade unionists, alongside challenging impunity, monitoring the peace process and supporting effective land restitution.

Since 2009, the International Secretariat's Individuals at Risk portfolio of long-term casework has included the cases of leaders of the SINALTRAINAL food workers union, who have received death threats. Their case is emblematic of Amnesty's concerns for Colombian trade unionists, given the thousands of deaths and enforced disappearances over the past two decades.

AIUK has raised the case of Huber Ballesteros with the International Secretariat but, at the time of writing, has not received a definitive answer on whether his case will be adopted by the movement.

Resource Implications:

The resources required to implement this resolution are negligible.

WORKING PARTY C - UK

C1 - THE UNITED KINGDOM: RENDITION AND TORTURE

Summary: This Resolution seeks to raise awareness of the Justice and Security Act 2013 and also the need to have a judge-led enquiry into UK involvement in rendition and torture through increased campaigning, particularly by AIUK membership.

Proposer: COLWYN BAY GROUP

This AGM DECIDES:

That AIUK will commit staff and membership resources to ensure that British complicity in rendition and torture since 9/11 is subject to a fully independent judge-led inquiry which meets international human rights standards. AIUK will also seek to raise awareness of the Justice and Security Act 2013 and its implications for those seeking legal redress.

Proposer background notes:

The UK has a well documented history of torture and rendition since WW2 (Ian Cobain, Cruel Britannia: A Secret History of Torture, 2012). Some who have been subjected to torture and other ill-treatment in Guantanamo Bay and elsewhere have alleged that UK officials knew of their ill-treatment (<http://bit.ly/164TzmQ>). This has been investigated amongst others by the Council of Europe (<http://bit.ly/1KmGKD5>) and suggests that the UK is not complying with international and domestic law including; the UN Convention against Torture 1984, the European Convention on Human Rights, the International Covenant on Civil and Political Rights 1966, and the European Union's Guidelines on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment 2001.

The Justice and Security Act 2013 means that anyone making a claim for damages for rendition and torture cannot see the evidence held by the State, nor cross-examine witnesses, nor even have the lawyer of his or her choice. A government lawyer is 'appointed' who can neither seek the claimant's instructions

nor discuss evidence with him or her. The claimant is not entitled to know how judgement is arrived at as the reasons are secret (Nicholas Mercer, Church Times, May 2014).

Despite Government denials, many suspect that UK-requested redactions in the CIA Torture Report may have been used to cover up UK complicity in rendition and torture in conjunction with the US. Initially the Prime Minister said an enquiry by a judge who is “fully independent of Parliament, party and Government” was required. However, he referred the matter to the Intelligence and Security Committee (ISC), a body comprised of members from both Houses, over whom the Prime Minister holds an absolute veto. Consequently, AI and seven other NGOs withdrew from any significant role in the government’s ISC investigation of the treatment of detainees and UK involvement in rendition in October 2014.

This resolution welcomes the considerable work that AIUK has already undertaken to try and bring the subject of torture and rendition to the attention of the membership, parliament, the press and others. However, in the light of the above and Amnesty’s global ‘Stop Torture’ campaign, it is felt that renewed efforts must be made by AIUK, and particularly the membership, in more than ‘one-off’ campaigns, to try and ensure that the UK is held to account and prevented from further cover up of British complicity in rendition and torture.

Board background note:

This area of work has historically been led by the International Secretariat’s EU team. In 2014 AIUK has taken a more active role, due to temporarily reduced capacity at the International Secretariat (IS). The IS remains the principal point of contact for the Intelligence and Security Committee (ISC) and our partner organisations. Additional work arising from this resolution would need to be agreed with them.

The ISC is due to report in the autumn, but the exact timeframe is not known and could change depending on the make-up of the committee post-general election.

The Justice and Security Act is a complex piece of legislation. As the proposer’s background note implies, the Act raises a range of due process concerns impacting on a claimant’s ability to obtain redress. The Court decides whether or not a claimant can see evidence held by the Government, or cross-examine witnesses in open court. When part of the proceedings are held in secret, this often means that claimants do not know the reasons for a decision.

When proceedings are held in secret, the claimant’s interests are represented by a Special Advocate. Although they are appointed by the Government, they are independent barristers. They may discuss the case with the claimant up until they see ‘closed evidence’, after which they may not discuss the case further. Whilst they represent the claimant’s interests, this is qualitatively different to representing their client (or, indeed, the Government).

Amnesty’s work to date

Amnesty International’s position is that the current ISC inquiry into allegation of UK involvement in torture and rendition is neither independent nor powerful enough to meet the UK’s international human rights obligations. Amnesty International and a number of other human rights organisations in the UK have refused to submit evidence to the ISC as: *‘We have not yet received a satisfactory response explaining how the limitations inherent in the ISC’s mandate and powers*

can be reconciled with the obligation under domestic and international law that the Government conduct an independent, effective, thorough and impartial investigation into the serious human rights violations which are currently before the Committee’ (joint letter to the ISC, 30 October 2014).

Amnesty International took a similar approach with the previous judge-led Gibson Inquiry, stating in a joint letter to the Gibson Inquiry on 19 July 2011, *‘We are particularly disappointed that the issue of what material may be disclosed to the public will not be determined independently of Government and, further, that there will be no meaningful participation of the former and current detainees and other interested third parties.’*

Amnesty International has consistently raised opposition to the UK government’s response to allegations of UK involvement in torture and rendition, through private correspondence, joint letters, the media and the current public petition calling for an independent judge-led inquiry. In December, following the US Senate Committee report into the CIA’s use of torture, AIUK took out a series of newspaper adverts to draw attention to the issue and to encourage the public to sign our petition. At the time of writing, the petition has been signed by 25,000 people.

AIUK opposed Closed Material Procedures when the Justice and Security Bill was going through parliament. We lobbied for changes to the Bill and highlighted concerns through the media. AIUK has also opposed proposals for a similar closed process for ‘temporary exclusion orders’ in the Counter Terrorism and Security Bill, reiterating concerns around open justice and ‘equality of arms’.

Amnesty’s existing plans

AIUK will continue to push for an independent judge-led inquiry into allegations of UK involvement in torture and rendition; pressure has grown on the government in the wake of the US Senate Committee report into the CIA’s use of torture. AIUK plans to deliver the current petition to the new Government after the election, will continue to work with the International Secretariat and partner organisations and raise awareness through traditional, digital and social media, as well as mobilising through mass membership actions when opportune.

There are no current plans to raise awareness of the Justice and Security Act 2013 and its implications for those seeking legal redress. However, AIUK would continue to lobby against any expansion of the current system, and draw attention to its flaws at appropriate moments.

Resource Implications:

Work in support of an independent judge-led inquiry into allegations of UK involvement in torture and rendition are in existing operational plans. An increased focus on the UK’s torture record and/or on the Justice and Security Act would however need additional resources. This may imply a corresponding reduction in AIUK’s contribution to the global goals of the Stop Torture campaign, as well as a reduction in legal and policy work on the Human Rights Act and work to address the surveillance of digital communications. The extent of any additional resource requirements or reprioritization would depend on the objectives established for this additional work.

C2 - ASYLUM DETENTION IN THE UK

Summary: To highlight and take action against the denials of basic human rights resulting from the UK’s current practice of detaining asylum seekers for largely administrative purposes.

Proposer: OXFORD CITY GROUP

This AGM CALLS

On AIUK to strengthen its position on asylum detention and to work towards bringing about tangible changes in such practices by making representations to the UK government and calling for public campaigns by AIUK activists on the following:

- An immediate moratorium on the current expansion plans of the detention estate;
- A complete end to Detention Fast Track and Detained Non Suspensive Appeals Process;
- Widening implementation of the alternatives to detention as outlined in Amnesty's 2009 publication *Irregular Migrants and Asylum Seekers: Alternatives to Immigration Detention*;
- Improved access to publicly funded legal support relating to the right and ability of detainees to challenge the legality of their detention.

This AGM further instructs AIUK to campaign for those directly experiencing human rights abuses in the UK detention estate through the adoption (where appropriate) of asylum detainees as Individuals at Risk.

Proposer background notes:

The practice of locking up asylum seekers largely for nothing more than administrative convenience is an affront to the basic principles of right to liberty and to sanctuary as enshrined in the 1951 Refugee Convention and the European Convention of Human Rights.

In recent years those who have been subject to asylum detention have included minors, survivors of torture, victims of human trafficking, survivors of rape and sexual abuse, pregnant women and those with severe mental and physical conditions despite explicit domestic rules forbidding such detention.

In claiming asylum, these people have committed no crime, yet are detained without automatic judicial oversight or a legal time limit – unfavourably compared to those in the criminal justice system. Many are housed in prison-like conditions, and in some cases, prisons themselves. The right to bail hearings and to challenge the legality of detention is often nigh on impossible.

A culture of complacency and often hostility fuelled by political pressures against the rights of those claiming asylum has allowed the UK government to routinely violate its own rules, as well as international human rights standards; the UK courts have over recent years ruled on illegal practices being employed relating to asylum detention.

There are no more egregious forums for these practices than the Detained Fast Track (DFT) system and the Detained Non-Suspensive Appeals (DNSA) procedure, making a mockery of the principles against arbitrary deprivation of liberty and cruel or inhumane treatment, as well as the right to a fair hearing. In DFT, around 90% of cases are refused with minimal legal scrutiny. People from certain listed countries are automatically routed into the DNSA procedure and many are denied the right of any appeal in the UK.

Asylum detention is in no way the international norm – many jurisdictions employ functioning asylum systems absent of any detention. Numerous alternatives exist and have been previously outlined by Amnesty in its 2009 publication *Irregular Migrants and Asylum Seekers: Alternatives to Immigration Detention*. Rather than widening the use of such alternatives, the UK government is pressing ahead with worrying plans to

increase the number of detention places across the country. The UK administers one of the largest detention estates in Europe with asylum seekers making up the largest single category of immigration detainees – around 60%. The abuses stated above are only likely to increase with an expansion of the detention estate.

Board background note:Amnesty's work to date

Amnesty International UK has long expressed concerns regarding immigration detention in the UK. In 2005, we published *Seeking asylum is not a crime: detention of people who have sought asylum* (2005 report)². More recently, in 2011, we published the briefing *Out of control: The case for a complete overhaul of enforced removals by private contractors*.³ Much of our work has focused in the intervening period on destitution among those who have sought asylum and on the quality of decision-making in the asylum process. We have discussed detention at the National Asylum Stakeholder Forum (NASF) and its predecessors and were represented on the Home Office detention stake holding group ('Detention Users Group') until it was disbanded by the Home Office in 2011. We welcome Home Office steps to reinstate such a group, and have participated in a preliminary meeting in September 2014.

In our previous research we have found that many people were left languishing in detention, which was often protracted, caused significant suffering and ultimately shown to have been unnecessary. Decisions to detain were not based on evidence or understanding of the risks (e.g. of absconding) that were asserted as justification. Obtaining competent legal assistance, securing effective or any judicial oversight and isolation from family were other key concerns. The unfair impact of the Detained Fast Track (DFT) on asylum claims stood out.

AIUK acknowledges that immigration detention may be justified in exceptional cases but should never be routine or prolonged. To be justified, detention must be proportionate to a specific and lawful purpose, its use subject to appropriate regulation and oversight (including judicial oversight), and conditions and circumstances of its use adequate to ensure the safety, welfare and rights of all those detained. Immigration detention in the UK often fails to meet these standards. However, further research and analysis would be required to support a position calling for a "complete end to DFT and Detained Non Suspensive Appeals Process".

Similarly, AIUK would not be able to call for a moratorium on the expansion of the detention estate unless we had clear evidence that such plans were likely to lead to human rights abuses.

Amnesty's existing plans

On 9 February 2015, the Home Secretary announced a wide-ranging, independent review of the welfare of immigrants held in detention centres or set for escort, including prior to deportation. We will monitor this review.

In October 2014, AIUK made a submission to the Joint All Party Parliamentary Groups (Refugees and Migration) inquiry into the use of immigration detention in the UK. We are developing this work and during 2015 our Refugee and Migrants Rights Programme plans to scope out further research and analysis into the detention of asylum seekers and migrants in the UK.

AIUK will continue its programme of work to support lawyers working on behalf of clients with international protection needs (such as asylum, trafficking or torture cases), through the

provision of country information, case analysis, support for strategic litigation and identification of third party client and case support, as appropriate. We have no plans however to include or advocate the inclusion of UK immigration detention cases into Individuals at Risk work, which is overwhelmingly based on a portfolio of cases agreed at the international level.

Resource Implications

The scoping of further research and analysis is already included in AIUK's Refugee and Migrant Rights Programme plans for 2015. However, additional resources may be required depending on the selected research focus and for public campaigning activity.

C3 - ANTI-SEMITISM IN THE UK

Summary: Campaign against anti-Semitism in the UK.

Proposer: Andrew Thorpe-Apps

Secunder: Barrie Hay

This AGM CALLS

On AIUK to:

- Campaign against anti-Semitism in the UK.
- Lobby the UK Government to do more to tackle the rise in anti-Semitic attacks in Britain, whether physical or verbal, online or in person. The UK Government should monitor anti-semitism closely and periodically review the security of Britain's Jewish population.

Proposer background notes:

It has been 70 years since the liberation of Auschwitz. Yet, even in 2015, European Jews are facing intolerance and abuse from anti-Semites.

There are now Jewish schools in the UK where the children are prepared for a potential terrorist attack, and there are Downing Street-style car bomb barriers to shield school buildings.

This year witnessed the murder of four Jews following the appalling Charlie Hebdo massacre in Paris. In February a Jewish man was shot outside Copenhagen's main synagogue following an attack at a free speech debate.

On 9th February, the All-Party Parliamentary Inquiry into Anti-Semitism report was launched at Lambeth Palace. The report found that there was a 221% increase in hate crimes directed at Jews during the 2014 conflict between Israel and Gaza, when compared with the same period in 2013.

The Community Security Trust, which monitors anti-Semitic abuse and attacks, recorded 314 incidents in July 2014, the highest ever monthly total and more than the preceding six months combined. A quarter of these incidents took place on social media, and one third used Holocaust-related language or imagery.

The All-Party Parliamentary report recommends that:

- An independent council of non-Jewish figures is established to highlight trends in anti-Semitism, and make suggestions to the police and Crown Prosecution Service (CPS).
- The UK Government fund more research into anti-Semitism, report the findings to Parliament at least once per session about its work combating hate crime, and work with the CPS, police, and social-media companies to make online anti-Semitic abuse easier to report and stop.

Board background note:

The rise in incidents of anti-Semitic attacks in the UK and across

Europe, documented by the Community Security Trust and others, is deeply disturbing. Amnesty International condemns all manifestations of hate crime.

Amnesty's work to date

During the movement's current Strategic Plan period, its strategy on hate crimes within Europe has been led from the Brussels-based European Institutions Office (EIO). This has focussed on state action to prevent and investigate hate crimes and ensure avenues of redress are available to victims. Priorities have included homophobic and transphobic hate crime, given widespread legislative gaps in Europe, as well as endemic discrimination and hate crime directed towards Europe's Roma communities. More recently, in February 2015, the International Secretariat (IS) published a briefing on hate crime, including racist violence, in Bulgaria.

Amnesty's existing plans

Whilst Amnesty International's background documents have noted increased manifestations of anti-Semitism in a number of European countries, neither AIUK nor the International Secretariat have undertaken research or campaigning work specifically on anti-Semitism in the UK. This area of work is not included in AIUK's existing plans, nor are we aware of any IS or EIO plans to do so.

Resource implications:

The resource requirements for this resolution are dependent on the scale of work envisaged and ultimately agreed. For example, group-based campaigning against anti-Semitism would be likely to require only a fairly limited investment of staff time. If, however, work is required in order to establish the adequacy of state responses to anti-Semitism and use this as a basis for national campaigning, then the cost could be significant (probably in the region of £10,000 to £20,000) for scoping and research work. At the time of writing, the implications for other campaign and human rights priorities are not known.

C4 - AIUK WILL UNDERTAKE RESEARCH INTO THE WRONGFUL DETENTION OF TORTURE AND TRAFFICKING VICTIMS IN BRITISH DETENTION

Summary: This AGM urges AIUK to undertake research into the frequency of wrongful immigration detention in the UK and the assess the impact of the 2014 Immigration Act on victims of torture and trafficking.

Proposer: University of Kent

This AGM RESOLVES

- a) Amnesty International UK will conduct research into the frequency with which victims of trafficking and torture are detained in prisons and/or Immigration Removal Centres, with a view to develop effective actions if appropriate.
- b) This research should address, but should not be limited to:
 - The prevalence of asylum claims based on torture and the rate of rejection in these instances
 - The volume of alleged trafficking victims rejected from the National Referral Mechanism and the resultant instances of detention
 - The frequency with which detained individuals are referred to local or national charities on grounds related to torture, trafficking, or other factors which render detainees legally unfit for detention
 - The standard of human rights offered to potential refugees in claiming asylum as a trafficking or torture victim, as enshrined by UK law and detention guidelines
 - The ramifications of new legislation on potential torture and

trafficking victims, including the Immigration Act 2014 and confirmed expansion of Britain's detention estate as agreed by the UK Home Office in the same year.

Proposer background notes:

Domestic laws, and detention centre guidelines (Detention Centre Guidelines, Rule 35, 2011), ban the detention of trafficking and torture victims within prisons or Immigration Removal Centres. However, it is noted by a number of organisations, including AIUK, that these laws are not followed internally. In 2012, the Chief Inspector of the UK Border Agency echoed this statement.

AIUK has already published extensive research on the detention of asylum seekers in general, in three notable instances: Asylum is not a Crime (2005) Down and Out in London (2006) and A Question of Credibility (2013). However, "trafficking" was not noted in a single report mentioned previously, despite this being the second largest growing crime in the world and, therefore, a significant driver for asylum claims.

Renewed research into the National Referral Mechanism, which deals with claims of human trafficking, has seen an 80% rejection rate of alleged victims from developing countries, despite these same countries posing the greatest risk of modern-day slavery to individuals (ECPAT, Hidden in Plain Sight, 2013). Although evidence on the NRM is now growing, there is very little research showing what happens to trafficking victims after rejection from the mechanism, which usually includes time spent in IRCs.

AIUK's previous work has highlighted issues with Detained Fast Track, and detention more generally, for asylum seekers including victims of torture, but no attempt has been made to gauge the definitive scale and frequency of detention decisions which contravene the UK's own guidelines and domestic laws. Significant changes in law have also occurred since AIUK's last research report on asylum, and notable expansions have been approved for certain IRCs.

Although some charities have made concrete estimates of wrongfully detained asylum-seekers, this knowledge is based on their own referrals only, and does not encompass individuals suffering from trafficking/torture and referred to other NGOs. Research of this nature, however, could be undertaken within AIUK's remit as a member of the Anti Trafficking Monitoring Group, or completed internally by the IS.

Board background note:

Amnesty's work to date

As noted in the Board Background Note to Resolution C4, AIUK has expressed concerns about the policy and practice of immigration detention in recent years. Since successfully winning our campaign for the UK to sign up to the Council of Europe Convention Against Trafficking in 2007, we have not undertaken significant work on trafficking at the UK level, although we have addressed opportunities arising in the devolved administrations.

Amnesty's existing plans

The Refugee and Migrants Rights Programme plan for 2015 includes work to scope out further research and analysis on immigration detention. Establishing how to focus any research and analysis, including on specific types of process (e.g. detention fast-track) or particular categories of claim (e.g. torture, trafficking) is something that we would expect to consider during our scoping work.

Resource implications

The scoping of further research and analysis on immigration detention is included in AIUK's Operational Plans for 2015. Additional resources may be required depending on the selected research focus and for public campaigning activity. It should be noted that the additional resources required to undertake the research prescribed by this resolution and to scope out work on immigration detention more broadly, might require several tens of thousands of pounds of unplanned expenditure, largely in additional staffing costs.

NOTES:

- 1 Please refer to AI Index AMR 23/004/2015 for further information
- 2 See http://www.amnesty.org.uk/sites/default/files/asylum_not_a_crime_0.pdf
- 3 See http://www.amnesty.org.uk/sites/default/files/out_of_control_1.pdf