



Pathways to Global Human Rights: Towards a Stronger Human Rights Culture in Scotland

Introduction

International Human Rights Day is an opportunity to reflect on the progress that has been made as well as the continuing challenges to the realisation of people's rights in Scotland and beyond.

2024 has been a challenging year for those invested in the advancement of human rights domestically and globally. 2025 must bring urgent progress. Government ministers and all members of Parliament have a duty to focus sharply on how to utilise the remainder of the parliamentary session to advance rights realisation.

The following briefing sets out some of Amnesty's current priority issues:

Summary of recommendations

We call on the Scottish government to:

- Set out in meaningful detail how it will use the remainder of the session to advance human rights and publish a time frame for final development of the Human Rights Bill
- Recognise the rights violating and discriminatory impact of Prevent, call for its abolition, and take steps to limit its impact in Scotland
- Establish an urgent review of public funding distributed by enterprise agencies to arms companies

Human Rights Bill

- The Scottish government must publish a detailed time frame for the development of a finalised Human Rights Bill and plans for its implementation
- All MSPs should closely scrutinise progress on the Bill as well as actively champion the strengthening of rights protections.

In Scotland, progress on vital plans to strengthen legal protections for everyday rights have stalled.

The Scottish government's failure to uphold a commitment to introduce a 'Human Rights Bill' that would incorporate four further UN rights treaties into Scots law this session was a bitter disappointment to so many, not least the people with lived experience of rights abuses who gave time, energy and expertise to shaping the proposals. Amnesty viewed it as a deeply concerning decision that risks undermining the Scottish government's commitment to human rights.

The Bill was intended to recognise the right to a healthy environment and incorporate into Scots law, within the limits of devolved competence:

- the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- the Convention on the Rights of Persons with Disabilities (CRPD); and
- the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)

Incorporation provides protections for fundamental rights such as the right to an adequate standard of living, food, housing and healthcare. It was and still is vital to tackling the human rights emergencies facing Scotland.

The Scottish government has said that it now intends to introduce the Bill next parliamentary session, however there must be high levels of transparency and firm timescales on progress.

Amnesty urges MSPs from across all parties to closely scrutinise progress on the Bill – holding the Scottish government accountable in relation to its commitment to continue developing the proposals - as well as actively champion the strengthening of rights protections.

Prevent

- The Scottish government must review its implementation of Prevent within devolved functions and determine what steps it can take to limit the human rights impact of the policy.
- Scottish ministers must recognise the Prevent duty and strategy do not comply with international human rights law; and call for their withdrawal on those grounds.

[Research](#) by Amnesty International published last year concludes that the Prevent duty and strategy do not comply with international human rights law and calls on the UK Government to abolish and withdraw them.

Prevent violates the right to freedom of expression; freedom of thought; and critically, the right to equality and non-discrimination. It is a disproportionate interference with human rights and there is no evidence to suggest it is effective in achieving national security aims. There is however indisputable evidence of the policy's disproportionate impact on Muslim communities, neurodiverse people and children and young people.

Amnesty and several other organisations have raised [concerns](#) about the human rights impact of Prevent on people in Scotland. While the policy is reserved to the UK Government, the Scottish Government oversees and has significant control of its implementation in Scotland's public sector.

Statistics published last week show that the number of referrals to Prevent increased in the last year in Scotland by almost a third, with almost a quarter of those referrals for children under the age of 15.

We recommend that the Scottish government review its implementation of Prevent within devolved functions on human rights grounds, and determine what steps it can take to limit the impact of the policy. The government should also seek to publish data on Prevent referrals disaggregated by ethnicity and religion, as well as ensure that every individual referred to Prevent in Scotland is informed it has happened, how they can challenge the referral, and what their rights are.

Funding for Arms Companies

- Establish an urgent review of public funding for arms companies, including the current due diligence process.

The Scottish government has an obligation to respect protect and fulfil human rights internationally. Amnesty International has expressed serious concerns about the practice of awarding public grants to companies involved in the manufacture and supply of arms.

Public funds are distributed to businesses for the purposes of economic development via Scottish Enterprise and its partner agencies. A number of the companies in receipt of significant grants from Scottish Enterprise are involved in the manufacture of arms and their components.

Since the beginning of 2023, such businesses have received over £3 million of support from Scottish Enterprise. These include companies linked to manufacturing weapons components used by states accused of international humanitarian law breaches, war crimes and genocide. Despite this, as of August 2024 no grant applicant had failed the human rights due diligence process currently in place at Scottish Enterprise.

According to information provided to Amnesty International by Scottish Enterprise, the level of checks performed on a company is dependent on the level of financial support it receives, rather than the company's involvement with or links to human rights abuses. This casts serious doubt upon the credibility and effectiveness of a process that should be designed to protect against human rights abuses.

We believe there is a need for an urgent review of this process, as part of a broader review of funding provided by Scottish Enterprise to arms companies. These concerns have been [raised](#) with the Scottish Government.

Following strong legal findings from the International Court of Justice (ICJ), all third states have clear obligations to prevent atrocity crimes. In May the ICJ ruled that Israel must halt all military operations in Rafah as any ongoing action could constitute an underlying act of genocide.

Amnesty International last week released new [research](#) concluding that Israel is committing genocide against Palestinians in Gaza. The report demonstrates that Israel has carried out acts prohibited under the Genocide Convention and highlights that these findings must serve as a wake-up call to the international community. As a state party to the Genocide Convention, the UK Government has a legal obligation to help prevent genocide. That must now mean; immediately

ending all arms transfers to Israel and pressing for multilateral and targeted sanctions at the UN Security Council against Israeli and Hamas officials implicated in crimes under international law, and supporting the ongoing International Criminal Court investigation into Palestine while executing any ICC arrest warrants, including for Benjamin Netanyahu.

While the Scottish government has no responsibility in relation to arms export and licensing, ministers must acknowledge that if those checks are not strengthened then they risk complicity with the most serious of international humanitarian law violations.