

A HUMAN RIGHTS MANIFESTO

Scotland 2026

Amnesty International UK's proposals
for the next Scottish government

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Introduction

The 2021 Scottish parliamentary election was shaped by the profound impact of the Covid-19 pandemic as parties outlined their visions for recovery. Since then, inequality has deepened and living standards have been hit hard, leaving many without access to the basic rights essential for a dignified life.

As we approach the 2026 Holyrood election, global challenges resonate locally. Amnesty International has documented a troubling rise in political actors who exploit fear, division and misinformation around the world. Scotland has not been immune to these trends, from high-profile opposition to abortion ‘safe access zones’ to an increase in the targeting of people seeking safety and asylum.

Yet many people in Scotland continue to challenge the narratives that perpetuate injustice. They recognise that resources exist to meet everyone’s needs, and that the denial of dignity is a consequence of political choices. Recent polling found that across the UK more than eight in 10 adults say human rights protections are as important or more important today than when the European Convention on Human Rights was created after the Second World War.¹

Amnesty calls on the next Scottish government and parliament to adopt the policy proposals outlined in this manifesto and champion human rights as the solution to domestic and international challenges.

In making these recommendations, we recognise that while all communities experience rights breaches, the structural inequalities still entrenched in Scottish society mean that the consequences of failure to implement these solutions will be much harder on some.

For over 75 years, human rights have driven transformative change across the globe. In the face of today’s challenges, recommitting to these principles and building upon existing legal rights protections, offers a path toward a fairer, more just future for all.

We urge the next Scottish government to:

1. Introduce a human rights bill to enshrine international norms, such as the right to an adequate standard of living, into domestic law.
2. Improve access to justice for human rights breaches.
3. Maximise rights safeguards for people seeking asylum and those with refugee status.
4. Leverage Scotland’s social security powers to provide every individual with an adequate standard of living.
5. Fully decriminalise abortion and ensure universal, publicly funded access to safe abortion services across Scotland.
6. Respect and protect the rights of LGBTI+ people by banning conversion practices.
7. Ban the use of facial recognition technology by law enforcement and act to prohibit predictive policing systems.
8. Advocate for the abolition of the Prevent duty and implement safeguards to mitigate its human rights impact in Scotland.
9. Develop a comprehensive strategy to support human rights defenders internationally.
10. Review and enhance due diligence processes to ensure that Scottish public funding is not involved in supporting violations of international law.

Promote and protect everyday rights

Introduce a human rights bill to enshrine international norms, such as the right to an adequate standard of living, into domestic law.

The next Scottish government should:

- Introduce a human rights bill to incorporate international rights standards into domestic law.
- Take steps to ensure protections within the human rights bill are as strong and far-reaching as possible within devolved competence.
- Fully Implement the UN Convention on the Rights of the Child (Incorporation) (Scotland) Act and seek opportunities to expand its scope.

Many people in the UK and Scotland are concerned that their access to economic, social and cultural rights such as health services, housing and social security has deteriorated over the past 10 years. Strengthening the safety net of legal protections for these everyday rights must be a priority for the next Scottish government.

The introduction of a Scottish human rights bill was delayed during this parliamentary session, but a broad range of parties committed to incorporation of UN rights treaties in their 2021 manifestos. Continued cross-party support is more important than ever to ensure the bill is delivered in the next parliament.

The proposed human rights bill will incorporate four international treaties into Scots law, alongside the right to a healthy environment:

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

While there will be rights contained within these treaties that fall under areas of reserved power, the scope and strength of protections in the bill must reach as far as possible within the Scottish parliament's remit.

In 2023, the passage of the UNCRC (Incorporation) (Scotland) Act enshrined the first UN rights treaty into Scots law and represented a milestone for children's human rights in Scotland. However, following a reference by the previous UK government, the Supreme Court's judgement and resulting amendments to the act narrowed its coverage. Now significant laws governing devolved areas of responsibility in relation to the lives of children and young people in Scotland fall outside the scope of the UNCRC Act because they were originally passed by Westminster and not Holyrood.

It is vital for Scotland's children that the transformative impact of UNCRC incorporation is realised. Any action taken towards this goal will also help to build a crucial blueprint for incorporation of further UN treaties via the Scottish human rights bill.

Amnesty has urged both the UK and Scottish governments to work together to facilitate a maximalist approach to incorporation, however, if questions raised by the UK Supreme Court's judgement cannot be resolved, the next Scottish government must be prepared to take alternative measures to strengthen the effect of incorporation in Scotland. One route to achieving this is to undertake a review of UK laws – and acts of Scottish parliament that simply amend UK laws – covering the relevant treaty rights and to identify where provisions fall within competence and can be restated by the Scottish parliament.²

Introducing strong legal protections for everyday rights is a fundamental part of the solution to tackling poverty and inequality in Scotland. We urge not only the next Scottish government, but all members of the next Scottish parliament to work across party lines to secure a strong human rights act for Scotland.

Improve access to justice for rights breaches.

The next Scottish government should:

- Prioritise reform of Scotland's civil legal aid system.
- Ensure legal and non-legal systems for remedy are properly resourced, protect people's rights and have a human rights mandate.
- Ensure that everyone has access to information, advice, representation and independent advocacy.

Access to justice is the cornerstone of all other efforts to respect, protect and fulfil human rights.

However, cost, complexity and lack of legal support are common barriers to people in Scotland securing their rights or seeking redress when they experience violations.

The legal aid system has been an underfunded public service in Scotland for many years. As noted by the Equalities, Human Rights and Civil Justice Committee in its September 2025 report on civil legal aid, there is a need for long term structural reform of the current system in Scotland.³ The committee's report points to 'alarming' legal aid deserts in Scotland that severely compromise people's capacity to realise their human rights⁴ and calls for the next Scottish government to make legislating for reform of civil legal assistance an immediate priority.

Both legal and non-legal routes to protect human rights in Scotland must be properly resourced and skilled, including courts, tribunals, regulators and administrative or complaint-handling bodies.

The current Scottish government's recognition that strategic lawsuits against public participation (SLAPPs) are being used to stifle legitimate freedom of expression and need to be tackled through reforming the law is welcome. Anti-SLAPP legislation aimed at ensuring Scotland's legal system is not used to silence those raising human rights concerns should be progressed by the next Scottish government.

Maximise rights safeguards for refugees and migrants.

The next Scottish government should:

- Use all available devolved powers to mitigate the severe human rights violations experienced by those with no recourse to public funds.
- All political leaders and candidates must reject the damaging trend in UK politics of treating those seeking asylum and refuge as scapegoats and focus on delivering rights-based policy solutions aimed at improving the lives of everyone.

Every day, all over the world, people make one of the most difficult decisions: to leave their homes in search of a safer, better life. Some people leave home to get a job or an education. Others are forced to flee persecution or human rights violations.

Amnesty's goal is for all people on the move to be

treated with dignity and respect. At a UK level, we campaign for an immigration and asylum system that is fair and effective and safe routes for people to seek asylum in the UK.

The Scottish government is not a decision maker on immigration policy, but does have powers that can be utilised to better safeguard some of the everyday rights of people who have come to Scotland.

It is well documented that those living with no recourse to public funds (NRPF) are being forced into extreme poverty and homelessness. Despite clear ambition to end destitution and commitments to mitigate the human rights violations experienced by those with NRPF from the current Scottish government and Convention of Scottish local Authorities (COSLA), research shows a serious and ongoing crisis in Scotland. A 2024 study by Heriot-Watt University found that among those supported by Fair Way Scotland, 97 per cent were destitute, with average weekly income around £40.⁵

The next Scottish government must re-double efforts to address the serious human rights violations being experienced by those with NRPF in Scotland, including by improving access to emergency financial assistance and increasing support for people escaping crisis.⁶

Beyond specific legislative and policy commitments, it is incumbent on all political leaders to remember that their duty is to uphold rights and ensure policies are fair and workable.

Framing policy conversations relating to immigration as a test of 'toughness' and treating migrants and people seeking asylum as scapegoats has been a damaging pattern in UK politics for some time. We urge all of those running in the Scottish parliamentary election to reject this approach and focus their efforts on improving the lives of everyone in Scotland.

Leverage Scotland's devolved social security powers to guarantee every individual an adequate standard of living, in line with international human rights standards.

The next Scottish government should:

- Utilise Scotland's social security powers to continue progress toward the implementation of a minimum

income guarantee.

- Ensure that the social security benefits delivered by Social Security Scotland are increased in line with a set adequacy standard.

The UN Committee on Economic, Social and Cultural Rights stresses the importance of ensuring that income protection is sufficient to enable people to afford essentials such as housing and food and thereby prevent or alleviate poverty.⁷

The next Scottish government must commit to utilising all of the powers at its disposal – across fair work, public services, taxation and social security – to progress the policy of a minimum income guarantee. It should also take interim steps to bolster and ensure the adequacy of Scottish social security, such as increasing the value of the Scottish Child Payment (SCP) and exploring mitigation strategies within devolved competence for children excluded by the SCP such as those with no recourse to public funds.

Rights, safety and choice for women, girls and LGBTI+ people

Fully decriminalise abortion and ensure universal, publicly funded access to safe abortion services across Scotland.

The next Scottish government should:

- Bring forward proposals to fully decriminalise abortion and introduce a modernised health-based framework for abortion care.
- Legislate to make early medical abortion at home (EMAH) permanent in Scotland.
- Standardise access to abortion across Scottish health boards and end the need for women to travel to England to access services for later term abortions.

Abortion is routine healthcare that is accessed by around one in three women in their lifetime in the UK, yet in Scotland, England and Wales, it is still treated as a criminal justice matter. Women are still required to obtain the permission of two doctors, and abortion is governed by a collection of laws, some of which date back to the 17th century.

Access to safe, legal and local abortion services underpins a wide range of fundamental human rights, including the rights to life, health and bodily autonomy. By contrast, criminalising, restricting or otherwise denying access to safe abortion services has a cascading effect on the course of people's lives, impacting their ability to enjoy the full spectrum of human rights and even their right to life. The World Health Organisation has set out guidance on rights-based regulation of abortion, making clear that abortion should be removed from criminal law.⁸ The current system in Scotland does not comply with these international human rights standards.

Amnesty urges the next Scottish government to introduce legislation which will fully decriminalise abortion and introduce a modernised health-based framework to regulate abortion as healthcare.

Respect and protect the rights of LGBTI+ people living in Scotland.

The next Scottish government should:

- Commit to introducing a Scotland-specific ban on conversion practices if the UK government has not legislated for a comprehensive, fully trans-inclusive ban by the next Scottish parliamentary session.

So-called 'conversion therapy' can constitute torture or cruel, inhumane and degrading treatment – it has no place in our society.

Despite multiple promises from Westminster and Holyrood, LGBTI+ people are still waiting for a ban. The Scottish government consulted on legislation in 2024 but decided to pause plans to introduce its own bill in favour of waiting for UK-wide law, which would take a 'four-nations approach'.

While there are advantages to a four-nations approach, it is disappointing that the progress made on the development of a Scottish bill has stalled. If human rights-compliant Westminster legislation does not progress swiftly, the next Scottish government must be ready to push forward with its own fully trans-inclusive ban on conversion practices in Scotland.

Prohibit discriminatory over-policing

Ban the use of facial recognition technology by law enforcement and act to prohibit predictive policing systems.

The next Scottish government should:

- Ban the use of facial recognition technology by law enforcement.
- Act to prohibit any future use of data-based, profiling and risk assessment predictive policing systems.

In August 2025, Police Scotland announced it would move ahead and develop plans for the future use of live facial recognition technology,⁹ despite evidence of the technology's impact on privacy and freedom of expression and well-documented concerns around racial and gender biases.

Facial recognition technology (FRT) for identification purposes is a mode of mass surveillance.

At the point of deployment, Amnesty International has found that the technology is massively invasive and erodes civic spaces. Around the world, FRT has been found to significantly hamper the right to peaceful protest, through its usage against protesters or other individuals who are identified as threats.

Live facial recognition has been used by police forces in England and Wales and has been subject to several legal challenges. In 2020, the Scottish parliament's Justice Sub-Committee on Policing held an inquiry into Police Scotland's stated ambition to introduce live facial recognition by 2026. The committee found 'no justifiable basis for Police Scotland to invest in this technology' and stated that its introduction 'would be a radical departure from Police Scotland's fundamental principle of policing by consent'.¹⁰

In short, facial recognition is not compatible with Scotland's international human rights obligations. The next Scottish government should act decisively to prohibit its use through primary legislation.

Recent research from Amnesty has also found that the use of data-based predictive, profiling, and risk assessment systems by police in the UK is reinforcing existing patterns of racial and class-based discrimination.

Our 2024 *Automated Racism* report¹¹ found that almost three-quarters of UK police forces are using technology to try to 'predict crime' – and that these technologies have been rolled out without adequate impact assessments, ethical oversight or public consultation, and, therefore, with little regard for human rights.

Police Scotland has informed Amnesty that it does not currently use predictive policing systems but has not ruled out utilising them in the future. Amnesty has called for statutory bans on the use of these technologies across the UK, including in Scotland.

Advocate for the abolition of the Prevent duty and implement safeguards to mitigate its human rights impact within Scotland's public sector.

The next Scottish government should:

- Mandate the collection of disaggregated equality data on Prevent referrals in Scotland.
- Ensure those referred to Prevent are informed in writing and provided with accurate information about their rights.

There is no evidence that Prevent – the UK's flagship counter-terrorism policy – is effective in achieving national security aims or reducing violence. Instead, there is a robust body of evidence demonstrating the harm it causes, particularly to those of Muslim faith and background, to neurodivergent people and to children of all ages.¹²

The Prevent duty violates some of our most fundamental rights. Its stated purpose is to 'stop people becoming terrorists'. To do so, it requires schools, nurseries, hospitals, local councils and other institutions to refer to the police people who they think might be drawn to terrorism based on vague, subjective, or discriminatory indicators – even though those individuals have not committed any crimes.

The next Scottish government must not endorse such a system. It should instead join calls on the UK government for Prevent's abolition, while mandating the collection of disaggregated equality data on Prevent referrals in Scotland, and ensuring those referred are informed in writing and provided with accurate information about their rights.

Promote and protect human rights internationally

Publish a comprehensive strategy to support human rights defenders internationally, prioritising those at the forefront of global repression trends.

The next Scottish government should:

- Publish a human rights defenders (HRD) protection strategy that centres women, gender diverse indigenous people, and environmental defenders and details what supportive or protective actions the Scottish government can take in partner countries where it has existing networks.
- Promote women's rights, LGBTI+ rights and sexual and reproductive rights in international engagement.

While foreign affairs is a reserved matter, the Scottish government conducts significant international engagement. Resources and budget for this work should be carefully targeted at the promotion and protection of human rights. Amnesty International has called for an HRD protection strategy that centres women, gender diverse indigenous people and environmental defenders, and details what supportive or protective actions the Scottish government can take in partner countries where it has existing networks.

Review and enhance due diligence processes to ensure that Scottish public funding is not involved in supporting violations of international law.

The next Scottish government should:

- Prohibit any further Scottish government spend, investment or procurement in relation to any companies that have been the subject of credible research linking them to Israel's violations of international law.
- Issue advice to public bodies to avoid conducting business with companies enabling any of Israel's violations of international law – including tendering, procurement and all forms of investment in and with such companies.
- Ensure defence companies manufacturing components in Scotland at risk of end use in violations of international law do not receive public support under any circumstances.

Scotland should halt investment in companies based anywhere around the world that are contributing to Israel's genocide, apartheid or unlawful occupation. These include the companies listed in the UN special rapporteur on the situation of human rights in the Occupied Palestinian Territory's report¹³ and in the UN database of companies contributing to illegal settlements.¹⁴

The practice of awarding grants to arms companies also carries the inherent risk of indirectly supporting the most serious human rights violations internationally.

In September 2025, the Scottish government announced it would pause new awards of public money to defence companies whose products or services are provided to countries where there is plausible evidence of genocide being committed.

This was welcome progress following warnings from Amnesty and others that such payments risked contributing to Israel's genocide in Gaza. However, this new policy still fails to address concerns public support could be provided to companies manufacturing components in Scotland that are at risk of end use in international law violations, even if those violations may not meet the legal definition of plausible genocide. For example, Scottish Enterprise funding has been awarded to companies credibly linked to supplying the Saudi-led coalition, which has killed and injured civilians with UK-made bombs.¹⁵

Fundamental reform of Scottish Enterprise's human rights due diligence process is still needed to ensure that the human rights impacts of products are fully considered prior to investments being made. The next Scottish government must be prepared to oversee the completion of that process if satisfactory progress is not made before May 2026.

Amnesty has also called on the current Scottish government to revise national human rights due diligence guidance¹⁶ so that public bodies' policies are designed to address the actual or potential human rights violations linked to investments, rather than legal, financial or reputational risk.

ENDNOTES

- 1 'Never Again' still matters – public backs ECHR 2:1 as politicians threaten exit: <https://www.amnesty.org.uk/press-releases/never-again-still-matters-public-backs-echr-21-politicians-threaten-exit>
- 2 2024: McHarg, A: <https://www.hrcscotland.org/resources/final-aileen-mcharg-implications-of-uncrc-reference-for-scot-human-rights-bill-april-2024.pdf>
- 3 Report on the Equalities, Human Rights and Civil Justice Committee inquiry into civil legal aid assistance in Scotland
- 4 *ibid*, p.13
- 5 2024: Heriot Watt University – Hostile immigration policies 'virtually guarantee' destitution and homelessness for thousands
- 6 Jen Ang, January 2025, Ending Destitution in Scotland - A Road Map for Policymakers
- 7 For example, CESCR's General Comment No. 19 on the right to social security states that benefits 'must be adequate in amount and duration' and 'should be sufficient to ensure that everyone can afford access to health care, housing, water and sanitation, food, and education'.
- 8 World Health Organisation 2022, Abortion Care Guideline
- 9 Minutes of the Scottish Police Authority Meeting held on Thursday 21 August 2025: <https://www.spa.police.uk/spa-media/bzpdcfwx/min-20250826-approved-full-board-minute-21-august-2025-v1-0.pdf>
- 10 2020: Scottish Parliament's Justice sub-committee on Policing - 'Facial Recognition: how policing in Scotland makes use of this technology'
- 11 2024: Amnesty International UK, Automated Racism: <https://www.amnesty.org.uk/predictive-policing>
- 12 2023: Amnesty International UK, The Prevent duty and its chilling effect on human rights: <https://www.amnesty.org.uk/prevent>
- 13 2025: From Economy of Occupation to Economy of genocide: <https://www.un.org/unispal/document/a-hrc-59-23-from-economy-of-occupation-to-economy-of-genocide-report-special-rapporteur-francesca-albanese-palestine-2025/>
- 14 UN Human Rights Office updates database of businesses involved in Israeli settlements in occupied West Bank: <https://www.ohchr.org/en/press-releases/2025/09/un-human-rights-office-updates-database-businesses-involved-israeli>
- 15 Campaign Against Arms Trade Scotland: <https://peaceandjustice.org.uk/wp-content/uploads/2020/02/Made-In-Scotland-Briefing.pdf>
- 16 Guidance on due diligence: human rights: <https://www.gov.scot/publications/due-diligence-checks-good-practice-guidance/>

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