

A response to EHRC's enquiry of January 2018

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14/3/2018

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I would like to offer my gratitude to the EHRC for arranging this enquiry and opening it to all interested.

Introduction

It is essential to notice (as highlighted by Liberty) that the European Communities Act 1972 (ECA), which contains crucial human rights and the EU laws such as: employment / labour rights and conditions to receive and accept asylum seekers, will be diminished as soon as Brexit finalises. Similarly, the Equalities Act 2010 and Data Protection Act 1998 will cease to exist.

Therefore, as also recommended by Liberty (Liberty's submissions to the Joint Committee on Human Rights' Brexit Inquiry), as a human rights professional and activist and a concerned British citizen, I suggest that the Scottish Parliament, should ensure that the UK Government incorporates all of the rights originally stated in the ECA, within its upcoming 'Great Repeal Bill'.

I also recommend ensuring the Scottish Government's relative autonomy, through exercising its devolved rights, does not fade away through Brexit procedure.

Additionally, due to the visible increase in hate crimes towards EU residents and visibly recognisable BME communities, as well as non-heterosexual individuals since the Brexit vote, the Scottish Parliament should emphasise its commitment to eradicating hate crime in the mentioned bill.

A monitoring system should also be put in place by the relevant sectors of the government (i.e. The Home Office), to effectively monitor and quickly eradicate such hate crimes,

especially racially-based ones, which make up over 80% of all hate crimes and are severely under reported. I would like to offer the following responses to the specific enquires by the EHRC.

Participation & Engagement

Q. How the Scottish Parliament can empower people to make them more aware of their rights under domestic and international human rights laws and to help build a strong human rights culture in Scotland?

According to Liberty's polls (Liberty's briefing on the Human Rights Act and the Government's proposal for its repeal) an overwhelming majority of the population are in the favour of keeping the Human Rights Act (HRA) 1998, even when they were provided with minimal information about it.

I also believe this act is of paramount importance and that has protected the rights of a large number of vulnerable British citizens for the past 20 years.

With the aim of protecting the HRA, especially after the full implementation of Brexit, and in line with the scope of this enquiry (participation and engagement) I recommend a structured training programme in human rights (especially HRA 1998 and the Universal Declaration of Human Rights (UDHR) 1948) and its implications in ordinary people's everyday life, as a precursor perhaps to a training programme in more detailed human rights and the core international conventions, to be designed and delivered by human rights professionals and educationalists in collaboration with community development professionals in Scotland, aimed at vulnerable members of the society (initially) such as the BME communities, refugee and asylum seeking individuals, disabled individuals, organisations working for the welfare of homeless, children and LGBTI individuals, starting in 2018 in preparation for the upcoming changes.

It might be worth mentioning that I, as a freelance human rights trainer, have designed and delivered similar training sessions as mentioned above, especially on the subject of 'Human Rights-based Service Delivery' to a number of charities in Scotland so far, which were

welcomed and received very good feedback from the participants (charity service users, staff, volunteers and board members).

Parliamentary procedure and process

Q. What further steps the Scottish Parliament could take to ensure that people's human rights are being taken into consideration when the Scottish Government and public authorities are creating policies?

I welcome the fact that the Scottish Parliament has already taken steps to include the BME community, especially women in their decision making process via some small scale programmes carried out by certain BME charities in Scotland, however in several instances those organisations are not full and true representatives of all the sectors of the BME population or indeed some individuals within those communities.

To this background, I would propose the formation of a committee that includes professionals from human rights backgrounds and proportionate representation from the following: BME communities; disabled people; refugee and asylum seeker rights protection organisations; LGBTI communities; senior citizens and child rights protection bodies to be appointed to monitor the implementation of the inclusion of vulnerable people (protected groups under the 2010 Equalities Act) in the decision making process of the Scottish Parliament.

Accountability

Q. What more could the Scottish Parliament do to ensure that the international treaties, for example, the United Nations Convention on the Rights of the Child (UNCRC) and other human rights obligations are being followed in Scotland?

Similar to the above proposal, I would propose the formation of a group of human rights professionals in collaboration with community development professionals who are

independent of central or local government bodies, (to prevent potential conflicts of interest and ensure neutrality) in order to advise and where necessary to monitor the work of the Scottish Parliament regarding its abidance to the core international treaties.

I am aware that the UK is not a signatory to all of the core international treaties yet, but since these treaties are all very relevant to the lives of British citizens in my belief, such as the rights of migrant workers and their families, there should be some provisions made by the Scottish Parliament, in order to encourage the UK Government to become signatories of all the core international treaties in the near future, preferably before Brexit is fully in place.