

**Amnesty International Norges Landsmøte Bergen
24.– 26. oktober 2014**

**Arbeidsgruppe III:
Menneskerettigheter**

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Konsultasjon av medlemmene fremmet av Styret i Amnesty i Norge

Amnesty International skal vedta ny strategisk plan for perioden 2016-2019. Dette er det overordnede strategidokumentet som gjelder for alle Amnestys seksjoner og strukturer, samt det internasjonale sekretariatet. Strategien skal gi føring for Amnestys arbeid i en fireårs periode, og vil ha direkte innflytelse på Amnesty i Norges egne planverk. Den endelige versjonen av strategien skal vedtas på det internasjonale rådsmøtet i august 2015.

Medlemmene i AI Norge ble konsultert i første høringsrunde under de regionale medlemsmøtene våren 2014. På bakgrunn av lignende konsultasjoner i andre Amnesty seksjoner foreligger nå første utkast av strategien. Strategien er i skrivende stund inndelt i fire menneskerettslige mål og et organisatorisk mål. I Arbeidsgruppe Menneskerettigheter vil førstnevnte være i fokus.

Styret ønsker en åpen og demokratisk høringsrunde av utkastet til strategi. Styrets foreløpige innstilling vil presenteres for landsmøte under arbeidsgruppen, og landsmøtets innspill vil være en viktig konsultasjon før styrets endelig innspill oversendes det internasjonale sekretariatet før fristen 31. oktober.

Proposition 1: Exercising fundamental freedoms

A world in which people know their human rights and can claim them

Why is this important and urgent?

- Deep disappointment, if not outrage, with poor governance and unethical leadership by those with power has led to widespread protests (small and large) often led by young people using growing access to mobile phones and the Internet to organize and express their views.
- Surging popular demands for greater participation in decision-making and governance by excluded individuals and social groups have triggered systematic crackdowns on dissent including violent attacks on, detention and intimidation of dissidents, protestors, journalists and human rights defenders and intense pressure on civic organizations.
- A number of states, including many emerging powers, have responded to international criticisms of their heavy-handed responses by calling for greater deference to state sovereignty especially in the context of threats to "public" order and "national" security.
- Mass online surveillance and restrictions on digital content and access are increasingly prevalent which reflects the new reality that the struggle for basic freedoms and participation is now playing out in two domains: online and offline. Governance arrangements for the Internet are now a key site of contestation over the limits of state control over both the public and private realms.

Do we have the distinctive competence to address this?

As a global movement of ordinary people ourselves, we are a legitimate leader in the fight to promote and protect fundamental freedoms of expression, association and assembly for all. We have a long and well-recognized record of successfully campaigning for these rights that *enable* people and communities to participate in public life and claim their human rights. We add value at all levels - from the global to the local and from the individual to the institutional.

What are we proposing for 2016-19?

We are proposing to focus on human rights education to empower people and build cultures of respect for human rights while also challenging crackdowns and other excessive restrictions on fundamental freedoms. This includes human rights defenders and civil society organizations working to support rights holders and communities. Given its growing importance, we want to rapidly invest in the intersection between the Internet and human rights particularly through mobile phones, to make better use of the positive potential of technology in the struggle for rights, as well as to be able to better resist

online efforts to curtail fundamental rights.

Proposed outcomes for 2016-19:

1.1. Human rights education to empower people to know and claim their rights

Human rights education is integrated into the formal and informal education systems in at least X number of states, Y number of which are in the Global South

In X number of states, we make significant advances in reframing the discourse on rights-respecting societies - fighting societal prejudices that underpin human rights abuses and establishing the centrality of human rights and the rule of law in building secure, stable and prosperous societies.

1.2. Improved protection of freedom of expression (off and on-line), assembly and association

X number of states repeal, sufficiently amend or are stopped from introducing legislation or applying existing legislation or rules in ways that restrict fundamental freedoms in contravention of international and regional human rights standards

Reduced unwarranted censorship and blocking of websites in [six] states

Mass and targeted communications surveillance programmes - such as interception (including extraterritorially) and data storage, mining and sharing by both state actors and corporations – are brought into conformity with human rights standards in [four] states

Human rights standards, including the right to privacy, are more robustly embedded in the Internet governance regime

Transfers of communications surveillance technologies are prevented where there is a risk of use in human rights violations

1.3. A safer environment for human rights defenders and people's organizations to carry out their work without fear of reprisals and access to more effective protection when they are threatened

Reduced reprisals against human rights defenders, including women human rights defenders, in X number of states

At least X number of national and Y number of regional mechanisms are established to achieve comprehensive protection for human rights defenders

Human rights defenders in X number of states are more empowered through new technologies and other tools that support their work and increase their own protection

Stronger safeguards against harassment and intimidation of human rights defenders, including women human rights defenders, engaging with regional and UN human rights machinery

Laws are amended or specific measures introduced in X number of states to ensure comprehensive protection of human rights defenders and the “space” for people's organizations in accordance with regional or international human rights standards.

Proposition 2: Securing rights for all

A world in which human rights are enjoyed equally

Why is this both important and urgent?

- Inequality and exclusion are both a cause and consequence of human rights abuses. They are also at the root of conflict and unrest in many parts of the world.
- Securing equality of legal protection remains an unfinished project despite increasing ratification of treaties protecting against discrimination and constitutional and other national equality guarantees.
- Different levels of wealth, political influence and social and cultural status between groups in society is deeply entrenched in many parts of the world. Women, for example, continue to enjoy less economic and political power than men, even in countries with strong laws against sex discrimination.
- The post-2015 Sustainable Development Goals present a tangible opportunity to achieve more inclusive economic growth. They are also a platform for tackling violations of socio-economic rights, ensuring these rights are enjoyed more equally in practice and demonstrating the indivisibility of all human rights on the ground.
- At the grassroots level, the call is clear: norms and standards are important but the focus now needs to be on implementation of human rights for all.
- Migration, including of young people between countries in the Global South, is likely to accelerate creating new challenges for the protection of migrant workers' rights.
- Explosive urbanization and the youth bulge create opportunities and challenges for promoting equality and realization of economic, socio-economic rights.

Do we have the distinctive competence to address this?

We have run powerful and successful campaigns against discrimination for many years and are well recognized for this. Our work on economic, social and cultural rights is relatively new and a central thrust during this period but we need to be much clearer on our comparative advantage before moving forward in this phase.

What are we proposing for 2016-19?

Work to tackle discrimination will remain a key priority across the movement. Decisions will be taken about which groups to focus on in 2016-19 (groups whose rights we have a track record of campaigning for include women, lesbian, gay, bisexual, transgender and intersex (LGBTI) people, migrants, Indigenous Peoples and Roma) and we are proposing to build in regional flexibility in these choices e.g. work on Indigenous People in the Americas, and on the Roma in Europe. We are also proposing to explore the “value add” of human rights approaches in addressing deeper forms of inequality.

In relation to economic, social and cultural rights, we propose focusing on “downstream” implementation at the national and local levels, including stronger links with civil and political rights to demonstrate the indivisibility of human rights in practice. Our aim will be to empower individuals and communities to claim their rights and reflects the importance of ensuring that economic, social and cultural rights are enforceable at the national and local levels.

Proposed outcomes for 2016-19:

2.1. Reduced discrimination and identity based violence

In relation to agreed groups (see above and consultation questions below):

- *Reduced incidence of hate crimes*
- *Increased access to justice for victims of discrimination*
- *Reduced discriminatory application of criminal justice measures*
- *Positive reform of laws or policies to promote equality at the national level*

- *Examples relating to specific groups: Increased formal recognition of Indigenous Peoples; Improved access to sexual and reproductive rights; Reduced exploitation of migrant workers and increased protection of their labour rights and access to effective remedies; repeal or positive amendment of legislation that discriminates against LGBTI people*

Progress towards universal ratification of/removal of reservations to key international anti-discrimination legal instruments

Strengthened international and regional human rights standards on equality

2.2. Improved realization of economic, social and cultural rights “on the ground”

Marginalized groups in X number of states enjoy improved access to essential services and means of livelihood through reforms aimed at better fulfilling economic, social and cultural rights

Communities in at least X number of states have the necessary tools and capacity to proactively monitor realization of their economic, social and cultural rights and to hold authorities accountable

Improved implementation by X states of positive decisions from domestic, sub-regional or regional courts or UN treaty bodies on economic, social and cultural rights

X number of states establish processes at the national level to be held accountable for their commitments under the Sustainable Development Goals

2.3. Increased recognition by states of the legally binding nature of economic, social and cultural rights

Constitutional or statutory reform in [three] states to recognize economic, social and cultural rights as legally binding rights

New judicial decisions including progressive interpretation of constitutionally protected economic, social and cultural rights in [X] number of states

[Five] states ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights permitting individual complaints to be brought against them

2.4. New understandings of human rights approaches to tackling inequality

Small-scale Amnesty International initiative exploring the intersection between deeper forms of inequality and human rights through a focus on issues such as corruption, land/asset ownership, and macro-economic issues like tax and budget analysis.

Proposition 3: Responding to crisis

A world in which people are protected during crisis

Why is this important and urgent?

- Despite the overall reduction in interstate conflicts in recent decades, many parts of the world remain mired in conflict or are vulnerable to political instability.
- International power politics, including divisions within the UN Security Council, compound the difficulties of managing and preventing conflicts that threaten international peace and security.
- Inspired by the actions of some major Western powers, many governments are continuing to pursue repressive counter-terrorism measures, unfortunately mainly targeting Muslims, in flagrant breach of international human rights and humanitarian law. This has alienated vast swathes of youth breeding violence and uncertainty. Religious fundamentalism, across many religions, is feeding violent conflicts in many places.
- The new global political momentum on preventing sexual violence in conflict is an opportunity for concerted action to reduce the incidence of, promote prosecutions for and provide support for survivors of sexual and gender based violence. Yet, this momentum may dissipate without continued strong leadership and creation of ownership among a wider group of states and human rights actors.
- The boundaries of existing international humanitarian law frameworks will continue to be challenged by the changing nature of conflict including the rise of cyber warfare, remote wars relying on drone strikes, and an increase in armed non-state actors, many of whom resort to suicide bombings and other desperate acts to compensate for their weaker military power.
- Increasing pressure on natural resources and environmental degradation will drive displacement of people, including across borders. The race to extract mineral resources and water is pushing communities, particularly indigenous peoples, off their traditional lands, increasing conflict. The fragile global economic system also remains a risk, with the last economic crisis still taking its toll on the rights of people living in poverty.
- Crisis and persecution are triggering mass population movements within and between states. By far the heaviest burden falls on conflict states (with high numbers of internally displaced people) and their neighbours. The proportion of refugees hosted by the developing world is rising. In many Western states, public debates about refugees have become toxic resulting in pressures for tougher border control and erosion of refugee protection systems.

Do we have the distinctive competence to address this?

With our strong credibility in human rights, humanitarian and refugee law, we have a track record in documenting violations committed during crises and pursuing accountability. We have also put to good use in crisis contexts our access to global media and decision makers. However, we currently have more limited capacity to expose human rights violations during crises as they happen.

What are we proposing for 2016-19?

We propose using our existing capacities, credible voice and specialist expertise to pursue protection of victims of torture and persecution and those made vulnerable by crisis situations. We will strengthen our capacity to respond quickly and innovatively to crises, including by making better use of technology where we have limited physical access, helping us make a more immediate and tangible difference.

Proposed outcomes for 2016-19:

3.1. International exposure of human rights abuses in crisis contexts

Timely, on-the-ground fact-finding and documentation in at least three crisis zones annually (including as appropriate identifying and documenting sexual violence in conflict in accordance with the new International Protocol on the Documentation and Investigation of Sexual Violence in Conflict), with real-time advocacy and campaigning

Amnesty International establishes a global crisis model that strengthens competencies across the organization and uses new and innovative tools and techniques

3.2. Reduced transfers of arms and military, security and police equipment to states or armed groups likely to use such equipment for serious human rights abuses or international crimes

In relation to at least three crises, several states impose an embargo on or targeted cessations of the transfer of arms and other military, security and police equipment to states or armed groups, where such equipment is likely to be used for torture, other serious human rights abuses or war crimes

International action is taken to support concrete reforms in the military, security and police sector to protect human rights in one or more states (our efforts in this area are addressed under proposition 4)

3.3. Increased access to safety, protection from violence and international protection for people fleeing torture, persecution and situations of crisis, including conflict

X number of states improve human rights protection of internally displaced people, including the provision of essential services, and move towards durable solutions consistent with the Guiding Principles on Internal Displacement

Laws, policies and procedures are implemented to prevent closed borders and other push-back practices so that refugees are able to reach safety in at least two crisis situations

[30]% increase in refugee resettlement places globally

Host states and/or the United Nations High Commissioner for Refugees implement effective measures to reduce sexual violence inflicted on refugees and ensure survivors of sexual violence have access to effective remedies in at least X number of states

At least [five] states end practices relating to refugee status determination that do not comply with international standards

Proposition 4: Ensuring accountability

A world in which governments and other actors are held accountable for human rights violations

Why is this important and urgent?

- There is a serious accountability deficit not just in authoritarian governments but in many democratic ones as well, where meaningful accountability is often reduced to elections. Too many justice systems at the local and national level are ineffective, making human rights an empty promise for large sections of the population.
- Global governance regimes are under pressure to adapt to the rising power of fast growing economies in the East and South. Many of these emerging powers seek to confine consideration of human rights issues to the UN human rights machinery and are wary of strong international methods of enforcing human rights.
- Regional and sub-regional governance is growing in importance but there is still work to ensure that human rights are embedded in systems at these levels.
- Many Western governments are muted and compromised on human rights due to violations that they themselves have committed within and outside their borders and their need to seek favour with economically powerful emerging powers.
- It is increasingly difficult to influence regional or global processes without having significant influence in the key capitals in existing and emerging powers.
- The need for states to take steps to respect the human rights of people outside their borders and to require corporations to respect these rights will become more pressing in light of global governance challenges including those arising from transnational business operations, migration patterns, environmental crises, transnational criminal syndicates, cyber threats and military operations. National and transnational legal frameworks are under-developed in these respects.

Do we have a distinctive competence to address this?

We have extensive expertise in campaigning for human rights in governance and justice systems at all levels and a unique “birds eye” perspective, rooted in our local to global activism, on where legal and practical protection gaps lie in these systems, including in relation to international crimes and human rights abuses that cross borders. We have decades of experience supporting the UN human rights machinery (which we helped to build) and influence in some national capitals, particularly in Europe.

What are we proposing for 2016-19?

We propose a focus on converting our experience with human rights systems at the national, regional and international levels into practical benefits “downstream”, where individuals and communities live. Through our new global operating model (including new regional and national offices) we will build on our experience and extend our influence to more key capitals. Especially where national accountability systems fail, including in relation to international crimes and corporate responsibility for human rights abuses, we will continue to push for greater accountability and justice at the regional and global levels.

Proposed outcomes for 2016-19:

4.1. Stronger human rights governance and accountability at the national level

Stronger national human rights laws, policies, institutions and national justice systems that deliver “on the ground” in each country identified as a priority country for Amnesty International on the basis of grave human rights abuses (specific outcomes to be developed for each country)

Improved promotion of human rights in the foreign policies of [ten] key influential existing and emerging powers (more specific outcomes to be identified once countries are selected but see also 4.3 below in relation to cooperation with the UN human rights machinery)

Concrete steps by states to respect the human rights of people outside their borders for example by shifting their approach to extraterritorial human rights obligations

4.2. Stronger regional human rights machinery and access to remedies for victims

An effective solution to the problem of communications backlog in the African Commission on Human and Peoples’ Rights and a smoother process for referring cases to the African Court on Human and Peoples’ Rights

X number of states ratify the Protocol establishing the African Court on Human and Peoples’ Rights and Y number of states permit direct access to the Court for victims

The right of individual petition is safeguarded in the context of reforms to the European Court of Human Rights

More positive public discourse on the European Court of Human Rights in X number of key states including stronger rebuttals from a wider variety of civil society organizations in response to political attacks on the Court

An effective solution to the backlog of pending cases in the Inter-American Human Rights Commission

Increased resources and access to countries facing critical human rights situations for the Special Rapporteurs of the Inter-American Human Rights Commission

4.3. Improved cooperation by [ten] key influential existing and emerging powers with, and their strengthened commitment to, the UN human rights system

Increased ratification and removal of reservations to core human rights treaties by existing and emerging powers

X number of existing and emerging powers issue a standing invitation to Special Procedures of the UN Human Rights Council

X number of existing and emerging powers submit overdue periodic reports to UN human rights treaty bodies

An increase of at least [10%] in the proportion of Universal Periodic Review recommendations accepted by X number of states including implementation plans

4.4. Thematic area 1: Accountability for human rights abuses amounting to international crimes

Serious human rights abuses (including gender based violence) that may amount to international crimes are addressed by: a) national authorities in at least [eight] states taking concrete steps to tackle impunity and b) the International Criminal Court (ICC) prompting national authorities on all continents to investigate and prosecute or opening its own investigations

X number of states ratify the Rome Statute of the ICC and X number of states amend their domestic laws to enable cooperation with the ICC or improve implementation of these laws

Reduced political attacks on the ICC

4.5. Thematic area 2: corporate accountability for human rights abuses

Strengthened legal frameworks covering human rights abuses connected with corporations in X number of states, and improved implementation of existing laws in at least [four] home and host states

Accountability is supported through greater transparency of contracts, revenues, tax and other arrangements between investors, companies and states in at least four large-scale land acquisition projects

Criminal investigations of serious human rights abuses committed by corporations, with successful prosecutions in at least two states

Improved access to justice and remedies for victims of corporate human rights abuses with victims of human rights abuses [from X group(s)] supported by Amnesty International to bring X number of legal cases and at least [six] National Action Plans connected with the UN Guiding Principles on Business and Human Rights addressing issues related to access to remedies for victims of corporate human rights abuse