

# ASSESSING THE HUMAN RIGHTS POTENTIAL IN SCOTLAND'S FOREIGN POLICY<sup>1</sup>

## WORKSHOP 3: FOCUS ON SCOTLAND'S FUTURE FOREIGN POLICY PRIORITIES

10 June 2021

### 9:30AM: OPENING COMMENTS

- The chair welcomed everyone to the third and final workshop of the series on 'Assessing the Human Rights Potential in Scotland's External Relations'
- The chair stated that the overall goal of the project is to increase the understanding of Scotland's global engagement with human rights issues and how this is embedded within Scotland's increasingly autonomous role in foreign affairs.
- The first workshop was about gaining an understanding of where Scotland's foreign policy currently is and what reputation the UK and Scotland have in terms of foreign policy and external relations.
- The first workshop covered Scotland's soft power and what role human rights play in shaping Scotland's foreign policy role.
- The second workshop was an opportunity to learn from other small state and sub-state political actors.
- This workshop highlighted the need for Scotland to avoid trying to emulate larger countries but rather to work within its scope.
- Moreover, the workshop covered the important issue of a feminist foreign policy, focusing on women empowerment and human rights.
- Today is about looking at possible directions in Scottish foreign policy and particularly in relation to human rights.
- The first session will look at academic perspectives on Scotland's external relations, and the second session will focus on the perspectives of NGOs.

### 9:45AM: SESSION 1 – ACADEMIC PERSPECTIVES ON SCOTLAND'S FOREIGN POLICY PRIORITIES

#### SPEAKER 1

- The first speaker stated that the starting point of a feminist foreign policy used to be a focus on women and girls. The speaker used Sweden's example of the three 'Rs': rights, representation and resources.

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- But the speaker cautioned that foreign policy must do more than just add women to the story; it must also look at how other disenfranchised groups are treated (like LGBTQ and ethnic minorities). The focus should be intersectional, decolonial, and disruptive.
- The speaker stated that it must be about setting new priorities to transform the lives of many. There is a need for feminist foreign policy advocates to be brave enough to call out issues such as misogyny and toxic masculinity.
- If Scotland became independent, it would have a chance to start from scratch and lay out its agenda and norms-based focus.
- The speaker looked at the SNP's foreign policy and how this is reflected in various domestic political decisions such as reducing inequality, providing affordable housing, and providing better healthcare.
- All these policies are already people-focused and can be described as feminist which then can translate to a feminist foreign policy.
- The SNP's manifesto states its ambitions for Scotland to re-joining the EU, which is a reflection of its cosmopolitan worldview.
- Secondly, the manifesto takes a critical view of the UK immigration system and how Scotland would like to move away from that.
- Thirdly, the SNP promises to invest in a government network and that new policies must consider the economic and social issues. It highlights the importance of being a good international citizen and invest in sustainable development initiatives such as the girls' development fund. It also promises to establish a Scottish Council for Global Affairs and an institute for peacekeeping.
- All these fit into a cosmopolitan, feminist, and peace agenda that is also reflective of a feminist foreign policy. The speaker argued, however, that in its future plans and activities, Scotland needs to remain mindful of its own colonial history.

## SPEAKER 2

- The Speaker spoke about the limitations of human rights to deal with many of the contemporary challenges in society such as climate change.
- Worryingly, contemporary challenges are increasingly coming from democratic societies rather than authoritarian regimes.
- The speaker focused on the ambiguity between the internal and external challenges for a Scottish foreign policy based on human rights.
- The speaker used the example of how countries such as Belgium and Sweden have sub-state actors that manage to influence international affairs even though the constitutions of those countries place international foreign policy in the ambit of their national governments (as is the case of the United Kingdom).
- The speaker argued that Scotland can become more active in international affairs, e.g. its work with the United Nations.
- Scotland has been a strong advocate on certain human rights issues such as the rights of the child, but on other human rights issues like business rights, Scotland falls short.
- The core message is that Scotland has scope to play a bigger role in foreign policy regardless of its limited constitutional powers.

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### SPEAKER 3

- The speaker outlined plans for a Scottish Council on Global Affairs and spoke about the importance of how it will provide a hub and multi-dimensional platform to discuss international relations.
- It is not just about focusing on Scotland but on issues that are important to Scotland such as human rights and refugees, foreign policy, conflict resolution, sustainable development, and climate change.
- The council will forge partnerships in the UK, Europe, and beyond, and plans are in motion to increase partnerships to other actors such as the Scottish government, Beyond Borders and institutions such as Chatham House.
- The role of the Council is to answer questions such as how to deal with the next pandemic, the role of Scotland in future EU and UK relations, how to build commitment to feminist foreign policy.
- Moreover, the Council aims to provide government briefing sessions to support the government's foreign policy development and support capacity-building internships for students to train future diplomats.

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### SPEAKER 4

- Scotland is limited in its formal powers, but it has been able to carve out a path at least somewhat distinct from Westminster. It needs to be cognizant of Westminster's power and priorities, but given diverging interests between Edinburgh and London, making the differences between Scottish interests and identity and the wider UK clear can actually help Scotland pursue its agendas.
- Scotland's clear interest in maintaining its relationship with the EU has gained it significant sympathy on the continent, but what this sympathy might translate into in practice is less clear, at least in the short term.
- A major difference between Scotland and the UK government is multilateralism and the rule of law. Although the UK government talks about multilateralism and the rule-based international order, Brexit illustrates a preference for narrow understandings of sovereignty over broader and deeper multilateralism which includes pooling sovereignty.
- Scotland is much more comfortable with pooling sovereignty and true multilateralism. As a small substate entity it has no choice, but this collaborative approach to international relations has been baked into its diplomatic DNA and broader identity.
- Small and middle powers like Scotland can use their soft power to build and sustain multilateral institutions and promote human rights.
- Scotland has the potential to play a role in further developing and strengthening human rights and associated norms, such as in business and human rights, climate justice, developing an exemplar national human rights institution, and providing a safe space for global peacebuilding initiatives.
- The speaker notes the consistency of support for human rights in Holyrood debates as opposed to Westminster, while also observing that some parties focused very little on human rights in their manifestos.

- The speaker points to the interplay between domestic and foreign policy. The Scottish Government's stated intention of being a good global citizen ties directly to its identity and international brand as a welcoming place for all. Its differing approach to refugees and migration more generally, its intention to create Scottish Cities of Refugees, its concrete support for human rights defenders, and its intention to formally incorporate international human rights law into Scottish law all buttress its stated intention to be 'a leader in human rights.' All of this contributes to its soft power.
- While one path to success for Scotland may be to focus on a few things it wishes to be known for, it cannot ignore issues which may challenge its chosen trajectory.
- Scotland needs to ensure that the foundations of its soft power are more than skin deep. Turning commitments such as incorporating international human rights law takes significant work over an extended period of time.
- Human rights and other soft power commitments may come into direct conflict with other interests, such as economics and security. This may include its relationship with China, which is a major violator of human rights, as well as the arms industry in Scotland which provides jobs and other economic stimulus.
- It is easier for the government to take positions where it does not actually have the power to change policy. These positions contribute directly to its identity and soft power. If Scotland becomes independent – and that of course is still a big if – it will face choices that it does not need to make right now.
- While there is a focus on government role in foreign policy, non-state actors like NGOs, universities, and business have a role to play in shaping Scotland's foreign policy.

## DISCUSSION

- The first speaker was asked about Scotland's climate policy as a missing link to Scotland's human rights foreign policy and the need for reflexivity.
- The speaker said that it will be difficult to reflect on how all these issues will interact, but that environmental issues are a key part of a feminist and human rights-based foreign policy. The key is to focus on what Scotland's values are. There is some work being done to deal with Scotland's colonial past and how to ensure that it promotes transformation. Moreover, we need to ask what is needed from Scotland, rather than making an assumption about how it wants to do things.
- There is a need to ensure that foreign policy is people-centred, which means that it must take up the cause of those who are marginalised, such as women and girls, LGBTQ, and minorities.
- The panel was asked about the coherence of being an independent NATO member whilst promoting a feminist foreign policy.
- The fourth speaker stated that reflexivity is important in connecting the domestic and the international and that Scotland must deal with some huge domestic challenges. Moreover, the speaker noted that independence would change the SNP – and Scottish politics more generally – and this would impact Scotland's foreign policy.
- The third speaker spoke about how small states can do trade-offs far better than bigger states. Moreover, not all states are the same and it is important not to put all small states into one box.

- The second speaker stated that feminist foreign policy may suffer an image issue and rather should be called an enlightened foreign policy. There was contention between looking at it as a lens versus viewing it as a process.

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## **11:00AM: SESSION 2 – NGO PERSPECTIVES ON SCOTLAND’S FOREIGN POLICY PRIORITIES**

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### **OPENING REMARKS**

- The chair welcomed everyone back and stated that this session will focus on the people who are impacted by foreign policy and would provide important insight on the impact of Scotland in international relations.
- Foreign policy needs to be viewed as wider than State to State, diplomacy and “hard” and “soft” power but also involving the private sector, NGOs and civil society networks, universities and think tanks, as well as governments, and it is key to centre human rights defenders in foreign policy.
- It is important to involve the people who are on the ground in foreign policy formulation. If you want to influence a situation, talk to the people involved directly as key if not primary actors.
- Human rights defenders are people who promote and protect human rights in a peaceful manner and can be anyone from teachers, journalists, activists, lawyers, NGOs, and politicians.
- They are key to promoting sustainable development, human rights, access to justice, rule of law, and a law-based international order.
- There is an international framework around HRDs; “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms” (usually abbreviated to “The Declaration on human rights defenders”) and the Special Rapporteur on the situation of human rights defenders.
- There is a surge in government actions against human rights defenders around the world, and there is a need to push governments such as the UK and Scotland to support human rights defenders.

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### **SPEAKER 1**

- The first speaker focused on how issues of rule of law, access to justice, and human rights are enforced in African countries.
- The speaker spoke about the role of the UN as a platform of accountability on Human rights issues.
- Moreover, the role of one-to-one interactions with NGOs by governments and officials visiting countries. This can be key in getting on the ground insight into challenges faced by communities, but it also strengthens civil society on the ground. This level of engagement with civil society is key for human rights promotion in foreign policy.

- It was important, for example, to champion issues where there was disagreement or tension, e.g. LGBTI issues, not just areas where there was agreement e.g. specific international development programmes.

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#### SPEAKER 2

- The second speaker noted that there has been a shift from a needs-based approach to one that is human rights driven in how programmes are implemented from foreign players in the development space. This has become visible in the way Scotland has conducted its external relations.
- In Zambia, healthcare support for women in areas such as reproductive services are very important. Scotland is viewed as being progressive in providing funding for such issues, which support gender equality and women empowerment.
- There were key emerging issues for the development space; aid cuts and vaccine roll-out.
- Lastly, the speaker stated that development funders must consider capacity building, training on human rights approaches in the developing world. Moreover, it is key to support these programmes from planning to implementation of development programmes.

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#### SPEAKER 3

- The third speaker spoke about the impact of the war in Yemen on women not only socially but also in terms of political participation.
- The Scottish government was complimented for involving women in war-torn countries such as Yemen, Syria and Iraq which were impactful in supporting the development and education of the most vulnerable.
- Women are most affected by war but rarely part of the political processes surrounding conflict including peace negotiations. While conflict is a humanitarian crisis, it is also a human rights, political and legal crisis.
- Moreover, the focus needs to be on involving a younger generation of women in programmes of development and education, especially as it reflects the future of these countries post-war era.
- Scotland can use its soft power experience in supporting women's rights in other countries facing violence and war. Focusing on the empowerment and capacity building of women human rights defenders is key for sustainable peace.

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#### DISCUSSION

- There was a discussion on the impact of aid cuts. The second speaker noted the impact of the pandemic on economic growth in developing countries and so aid has the effect of insulating countries with huge social challenges around education, health, and other social needs.
- Developing countries, therefore, depend on aid as local capacity continues to remain limited.
- The issue of human rights defenders was raised again, in particular as it concerns the use of personal stories to highlight the impact of foreign policy on women's rights such as donor states such as Sweden.
- Is it about paying lip service to human rights or a concrete show of support to human rights defenders?

- The first speaker responded first to the issue of aid. The speaker argued that a serious debate on the impact of aid in changing lives stems from a broken system of accountability and the risk of corruption.
- Further discussion was raised on tensions that may exist between how the Scottish government has worked with NGOs and domestic governments on issues such as LGBTQ rights. Moreover, the support of programmes that criticise governments can cause tensions.
- There is an inherent tension working with HRDs and that has to be understood and embraced.
- These tensions do not extend to non-human rights interventions such as the support for infrastructure development aid and support.
- The issue of corruption or disputed elections cannot be ignored but should be addressed through international relations. Again working with civil society on the ground and capacity building to combat this.
- “Involvement” or genuine participation of civil society in foreign policy needs to be institutionalised with robust participative processes.
- The speakers raised the 3 key points that Scotland must consider:
- First, the importance of humanitarian efforts and peace processes and focusing on working with women.
- Second, strengthening the voice of civil society. This importance of empowering and supporting the human rights defenders. It is key for them to know how to protect themselves.
- Third, embedding a human rights-based approach at the centre of foreign policy interventions and programmes.

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#### **12:30PM: BREAK**

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#### **13:00PM: SESSION 3 – BREAKOUT DISCUSSION/WRAP-UP**

- Key human rights issues for Scotland were climate justice and a focus on sustainable development goals as a framework to think about priorities. It is about Scotland translating its values into sustainable development goals and how these goals link to human rights. Scotland can promote these goals through its soft power.
- Moreover, the Scottish government needs to mainstream human rights into all its policies, whether trade, climate change or other issues. It is about centring human rights in how it relates to external players and how it formulates policy. The domestic drives the external.
- The workshop group spoke about reflecting on what Scotland does well domestically. City-to-city relations are interesting in this context. They can help promote foreign policy, but on different levels. It is also important to look at the role of cities’ brands in the world and how they can be used to promote human rights.
- One speaker cautioned that in all of these debates, constitutional issues cannot be overlooked as they may impact how Scotland implements its foreign policy agenda. However, this is more of an “obsession” for domestic players rather than the international community.
- There was support for the setting up of the Scottish Council for Global Affairs as being a positive contribution to the debate and will work best if it involves a variety of voices from

across academia, civil society and puts those on the “receiving end” of foreign policy at the heart of discussions.