

Amnesty International

Impartiality and the Defence of Human Rights

This explanation of Amnesty International's policy of impartiality is issued by the organization's International Executive Committee. It outlines the ways in which Amnesty International endeavours to maintain independence, universality and impartiality in its work.



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Impartiality and the Defence of Human Rights

Article 1 of the Statute of Amnesty International establishes the fundamental impartiality of the movement:

OBJECTS

1. *CONSIDERING that every person has the right freely to hold and to express his or her convictions and the obligation to extend a like freedom to others, the objects of AMNESTY INTERNATIONAL shall be to secure throughout the world the observance of the provisions of the Universal Declaration of Human Rights, by:*
 - a) *irrespective of political considerations working towards the release of and providing assistance to persons who in violation of the aforesaid provisions are imprisoned, detained, restricted or otherwise subjected to physical coercion or restriction by reason of their political, religious or other conscientiously held beliefs or by reason of their ethnic origin, sex, colour or language, provided that they have not used or advocated violence (hereinafter referred to as "Prisoners of Conscience");*
 - b) *opposing by all appropriate means the detention of any Prisoners of Conscience or any political prisoners without trial within a reasonable time or any trial procedures relating to such prisoners that do not conform to recognized norms to ensure a fair trial;*
 - c) *opposing by all appropriate means the imposition and infliction of death penalties and torture or other cruel, inhuman or degrading treatment or punishment of prisoners or other detained or restricted persons whether or not they have used or advocated violence.*

The impartial approach of Amnesty International (AI) to the defence of these specific human rights is based upon the provisions of the *Universal Declaration of Human Rights*, adopted by the General Assembly of the United Nations on 10 December 1948. The declaration proclaims that the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. This faith in the universality of fundamental human rights is one of the principles which the peoples of the United Nations have pledged themselves to uphold and observe in the Charter.

The state, having an international duty to guarantee and enforce human rights, does not "bestow" these rights upon its individual citizens at its own pleasure nor can it retract them at its own will and political convenience. Indeed

the very concept of *human rights* implies their inalienable applicability to each human being in all situations (except certain specific cases recognized in international law) without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Fundamental human rights, therefore, are ends rather than means. In the world of international politics it is a perennial temptation to use human rights as an issue to be exploited, to score points in an international power game. Only when human rights are understood as ends in themselves will the violations of human rights be approached universally, impartially and constructively.

AI is an international movement organized to protect those provisions of the *Universal Declaration of Human Rights* which fall within its mandate, or in the words of the declaration "to secure their universal and effective recognition and observance."

In fulfilling this mandate, it is therefore of the utmost importance that AI should have no political, religious, racial or other bias. Ever since it was founded in 1961, AI has endeavoured to ensure this by taking practical steps to guarantee the independence, universality, and impartiality of its work.

Independence

AI was founded in 1961 following an appeal launched by British lawyer Peter Benenson in an article entitled "The Forgotten Prisoners" published in the *Observer* magazine on 28 May of that year. Within a month of the publication of his appeal he had received over a thousand offers of support to collect information on cases, to publicize them and approach governments. Within two months, people from five countries had established the beginnings of an international movement.

Today, AI remains the only organization of its kind in the world. It has some 2,000 adoption groups and national sections in 37 countries in Africa, Asia, the Middle East, North America and Latin America and individual members in a further 74 countries.

AI is a non-governmental organization in consultative status with the United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States and has observer status with the Organization of African Unity (Bureau for the Placement and Education of African Refugees). As such it is not an inter-governmental body, is not subject to governmental control or influence.

The policy of AI is determined by its International Council, the supreme governing body comprised of representatives of the national sections of AI. This body, which functions on a democratic basis, elects an International Executive Committee which is responsible for the conduct of the affairs of AI and for the implementation of the decisions of the International Council.

AI is financially independent. It is funded by its members throughout the world and by donations. In order to maintain its independence and impartiality, the International Council of AI has established strict guidelines for the acceptance of funds to guarantee that "any funds received by AI (its secretariat, national

sections, committees and groups) must in no way compromise the integrity of the principles for which AI works, limit the freedom of activity and expression enjoyed by the organization or restrict its areas of concern." The AI accounts are audited annually and are published in the *Annual Report* of the organization.

Universality

The working methods of AI reflect the fundamental belief that responsibility for the protection of human rights transcends differences of nationality, race or belief. Unlike domestic civil liberties organizations, AI groups work on an international basis. This parallels the evolution of international human rights legislation in the past two decades which has established the principle that the defence of human rights is of concern to the entire international community.

AI is committed to taking action wherever and whenever information about violations of human rights falling within its mandate comes to its attention. The availability of such information is therefore an important factor in determining the universality of AI's work. The Research Department of AI compiles and cross-checks information about human rights violations in any country in the world from a wide variety of sources. It utilizes the international press, transcripts of radio announcements, official governmental statements and interviews with government officials, reports from legal experts, letters from prisoners' relatives, friends and colleagues, affidavits, and unsolicited contacts in numerous countries. It also relies on the information provided by its fact finding missions to assess situations on the spot, to meet prisoners and to interview government authorities.

Several factors affect the availability of information and consequently the breadth of AI's reports. For example, there are reasons to believe that in a number of countries gross violations of human rights occur on a large scale as a consequence of administrative policy. But often in these cases the corroborative information necessary for AI reports cannot be obtained. AI thus runs the risk of being misunderstood as giving an unbalanced view of the situation in the world as a whole but cannot for that reason go beyond its practice of drawing attention to specific human rights violations whenever it obtains substantial information.

Sometimes only the famous or the wealthy or the articulate are likely to be able to focus international attention on their plight once they are imprisoned or illtreated. The case of the student, the taxi driver, the ordinary worker or farmer may never become known to the outside world. In an effort to counteract this, AI maintains systematic contacts with other international non-governmental bodies, including the international trade union movement, so that persons connected with such bodies and whose cases fall within AI's mandate may nevertheless come to AI's attention.

Impartiality

The work of AI is based on the support of a mass membership and involves interventions with governments of all political persuasions, and collaboration with and action through both inter-governmental and non-governmental organizations. It is therefore essential that AI should command the confidence and respect of all these categories and should not only be, but be seen by them to be, impartial.

Article 2(a) of the organization's Statute requires AI to "at all times maintain an overall balance between its activities in relation to countries adhering to the different world political ideologies and groupings."

When examining the overall impartiality of the movement, it is important to bear in mind that AI has at its disposal a considerable variety of techniques to respond to human rights violations. These have evolved on the basis of practical experience of working for prisoners. The techniques include letters to government authorities, appeals which may take the form of general petitions addressed to a Head of State and signed by thousands of individuals, appeals from professional associations or prominent personalities, public declarations or statements by international institutions, delegations to embassies, meetings with visiting foreign officials, representations by national sections to their own governments seeking increased international diplomatic pressure in defence of human rights. Both through its international secretariat and its national sections, AI issues statements to the news media, maintains a publications program, and organizes campaigns on specific themes and countries. This is in addition to the traditional core of the organization's program: the adoption of individual prisoners of conscience.

In its casework (the movement handles nearly 7,000 individual cases of prisoners of conscience each year), AI's impartiality is emphasized by the requirement that adoption groups should at any one time adopt at least two prisoners of conscience from different regions of the world. When allocating cases, attention is paid to ensuring that sufficient overall political contrast is maintained in the work of each group to demonstrate AI's basic object of working for the release of prisoners of conscience irrespective of political considerations. This is important to preclude any suspicion that the individual AI group (or the whole movement) is politically biased. As a further safeguard, and as a method of internationalizing concern for human rights, groups are never assigned individual cases of prisoners of conscience in their own country.

This principle is extended to the Prisoners of the Month Campaign and to Prisoners of Conscience Week in which the cases are very carefully selected to reflect the political impartiality of AI's work. In the Prisoners of the Month Campaign, for example, the Research Department of the International Secretariat selects three cases of prisoners of conscience who are in special need of outside help. These prisoners may be ill or have been detained under severe conditions for a prolonged period of time. The details of these critical cases are included in the Monthly Newsletter and sent to members of AI for immediate action. The practice of working for prisoners of conscience from contrasting political systems is carefully maintained. This policy has proven effective on purely pragmatic grounds. At no time does AI presume either to rank or to compare violations of human rights, nor does AI intend any judgement that violations of human rights are similar or comparable under any political system.

The Borderline Committee also illustrates the principle of impartiality that permeates the working of AI. It is a permanent body of AI which is responsible for reviewing any case referred to it by the International Secretariat for advice

on whether the case fulfills the statutory requirements for adoption or investigation as a prisoner of conscience. Its members are appointed by the International Executive Committee from three different national sections or countries.

Often AI responds unostentatiously. For example, if it appears that public intervention may harm the prisoner or the family, private approaches may have to be made to the authorities concerned. At other times, it may be more effective for AI to work for prisoners of conscience by pressing governments through other organizations or institutions, through commercial, professional or religious organizations which are concerned with protecting the interests of their members; for example, doctors, lawyers, agricultural workers, steelworkers, schoolteachers, journalists, etc.

On the other hand, there are cases of human rights violations which call for a massive public outcry and in these situations AI seeks to awaken world public opinion boldly and openly. Each technique is applied on a country-by-country basis in order to achieve maximum effectiveness. For instance, when appropriate, AI organizes extensive public action on behalf of prisoners in countries where there are a large number of well documented violations of human rights, even if it is not in a position to launch similar action elsewhere for lack of substantiated information. This bears out the fact that AI will act only on accurate information and, as stipulated in the Statute, "irrespective of political consideration".

Each year, AI publishes a detailed Annual Report giving an account of its response to allegations of human rights violation throughout the world. Copies of this and other AI publications may be obtained from the offices of the national sections of AI or from its International Secretariat, 10 Southampton Street, London WC2E 7HF.

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