

amnesty
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POLICY MANUAL

1992



AI Index: ORG 20/03/92
ISBN: 0 86210 211 1
First published April 1992
Amnesty International Publications
1 Easton Street
London WC1X 8DJ
United Kingdom

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Amnesty International Policy Manual

Table of Contents

| | |
|---|----------|
| Introduction | i |
| Part 1: The Statute | 1 |
| Part 2: Official Amnesty International texts about human rights and related issues | |
| 1. Amnesty International and the use of violence | 7 |
| 2. Amnesty International and peace | 11 |
| 3. Twelve point program for the prevention of torture | 13 |
| 4. Declaration of Stockholm | 15 |
| 5. Guideline on extrajudicial executions | 17 |
| 6. Guidelines for Amnesty International's policy on conscientious objection to military service | 19 |
| 7. Amnesty International's stand relating to military, economic and cultural relations and on military, security and police transfers | 21 |
| 8. Amnesty International's stand against abuses by opposition groups | 25 |
| Part 3: Official texts about Amnesty International organization | |
| 1. The Working Rules | 27 |
| 2. Independence and Impartiality | 33 |
| 3. Minimum requirements for sections | 37 |
| 4. Requirements for local Amnesty International groups | 41 |
| 5. Revised guidelines for the acceptance of funds and fund-raising by Amnesty International | 43 |
| 6. Guidelines for Amnesty International sections' activities concerning violations of human rights in their own countries | 47 |
| 7. Guidelines for coordinating international approval of section publications and news releases | 53 |
| 8. Guidelines for approaching companies | 57 |
| 9. Section Development Committee decision-making criteria and operating procedures | 61 |

Introduction

This policy manual is a companion volume to the *Amnesty International Handbook*. It has a limited purpose. Previous editions of the handbook contained a small number of official texts adopted by the International Council and the International Executive Committee that were thought to be useful to the majority of Amnesty International members. However, since such texts are amended as policies change and since the handbook cannot constantly be updated, the new handbook no longer contains the collection of official texts. These are now reproduced in this new policy manual, updated annually.

The policy manual is *not* a complete compendium of all Amnesty International policies. Nor is it meant to be a reference work on all aspects of Amnesty International's mandate. Basic descriptions of the organization's policies and work are in the handbook, which should be consulted by anyone wanting a summary of major issues. Some subjects, such as work on human rights violations in one's own country, are also treated in basic Amnesty International leaflets, available throughout the movement. The policy manual's limited purpose is to provide easy access by members to a selection of official texts that are thought to be those most frequently consulted by members in their work. For specific guidelines on matters such as refugee work (which are extremely detailed and would require more space than this basic manual can initially provide for) and other matters not covered in detail in either the handbook or policy manual, members should consult their section or, in countries with no section, the International Secretariat.

It should also be borne in mind that the 1991 International Council adopted a number of changes to the Amnesty International mandate. Guidelines on these, and the full implications of these changes, are yet to be worked out. These will therefore be more fully reflected in future editions of this manual. Only those changes that could be made to texts in line with the decisions of the International Council in time for printing, have been incorporated in this first edition. Further changes may well be made in future editions as a result of a general review, called for by the International Council, of all guidelines and rules aiming at clarifying texts that are ambiguous, inconsistent or unclear, and bringing such texts into line with different practices that have evolved and been accepted over the years.

SECRET/NOI



Part 1
The Statute



Statute of Amnesty International

*As amended by the 20th International Council, meeting in Yokohama, Japan
31 August — 7 September 1991*

Object and Mandate

1. The object of AMNESTY INTERNATIONAL is to contribute to the observance throughout the world of human rights as set out in the Universal Declaration of Human Rights.

In pursuance of this object, and recognizing the obligation on each person to extend to others rights and freedoms equal to his or her own, AMNESTY INTERNATIONAL adopts as its mandate:

To promote awareness of and adherence to the Universal Declaration of Human Rights and other internationally recognized human rights instruments, the values enshrined in them, and the indivisibility and interdependence of all human rights and freedoms;

To oppose grave violations of the rights of every person freely to hold and to express his or her convictions and to be free from discrimination by reason of ethnic origin, sex, colour or language, and of the right of every person to physical and mental integrity, and, in particular, to oppose by all appropriate means irrespective of political considerations:

- a) the imprisonment, detention or other physical restrictions imposed on any person by reason of his or her political, religious or other conscientiously held beliefs or by reason of his or her ethnic origin, sex, colour or language, provided that he or she has not used or advocated violence (hereinafter referred to as 'prisoners of conscience'; AMNESTY INTERNATIONAL shall work towards the release of and shall provide assistance to prisoners of conscience);
- b) the detention of any political prisoner without trial within a reasonable time or any trial procedures relating to such prisoners that do not conform to internationally recognized norms;

- c) the death penalty, and the torture or other cruel, inhuman or degrading treatment or punishment of prisoners or other detained or restricted persons, whether or not the persons affected have used or advocated violence;

- d) the extrajudicial execution of persons whether or not imprisoned, detained or restricted, and "disappearances", whether or not the persons affected have used or advocated violence.

Methods

2. In order to achieve the aforesaid object and mandate, AMNESTY INTERNATIONAL shall:

- a) at all times make clear its impartiality as regards countries adhering to the different world political ideologies and groupings;

- b) promote as appears appropriate the adoption of constitutions, conventions, treaties and other measures which guarantee the rights contained in the provisions referred to in Article 1 hereof;

- c) support and publicize the activities of and cooperate with international organizations and agencies which work for the implementation of the aforesaid provisions;

- d) take all necessary steps to establish an effective organization of sections, affiliated groups and individual members;

- e) secure the adoption by groups of members or supporters of individual prisoners of conscience or entrust to such groups other tasks in support of the object and mandate set out in Article 1;

f) provide financial and other relief to prisoners of conscience and their dependants and to persons who have lately been prisoners of conscience or who might reasonably be expected to be prisoners of conscience or to become prisoners of conscience if convicted or if they were to return to their own countries, to the dependants of such persons and to victims of torture in need of medical care as a direct result thereof;

g) provide legal aid, where necessary and possible, to prisoners of conscience and to persons who might reasonably be expected to be prisoners of conscience or to become prisoners of conscience if convicted or if they were to return to their own countries, and, where desirable, send observers to attend the trials of such persons;

h) publicize the cases of prisoners of conscience or persons who have otherwise been subjected to disabilities in violation of the aforesaid provisions;

i) investigate and publicize the disappearance of persons where there is reason to believe that they may be victims of violations of the rights set out in Article 1 hereof;

j) oppose the sending of persons from one country to another where they can reasonably be expected to become prisoners of conscience or to face torture or the death penalty;

k) send investigators, where appropriate, to investigate allegations that the rights of individuals under the aforesaid provisions have been violated or threatened;

l) make representations to international organizations and to governments whenever it appears that an individual is a prisoner of conscience or has otherwise been subjected to disabilities in violation of the aforesaid provisions;

m) promote and support the granting of general amnesties of which the beneficiaries will include prisoners of conscience;

n) adopt any other appropriate methods for the securing of its object and mandate.

Organization

3. AMNESTY INTERNATIONAL is an organization based on worldwide voluntary membership and it shall consist of sections, affiliated groups and individual members.
4. The directive authority for the conduct of the affairs of AMNESTY INTERNATIONAL is vested in the International Council.
5. Between meetings of the International Council, the International Executive Committee shall be responsible for the conduct of the affairs of AMNESTY INTERNATIONAL and for the implementation of the decisions of the International Council.
6. The day-to-day affairs of AMNESTY INTERNATIONAL shall be conducted by the International Secretariat headed by a Secretary General under the direction of the International Executive Committee.
7. The office of the International Secretariat shall be in London or such other place as the International Executive Committee shall decide and which is ratified by at least one half of the sections.
8. Responsibility for AMNESTY INTERNATIONAL work on violations of human rights in any country or territory, including the collection and evaluation of information, and the sending of delegations, lies with the international governing bodies of the organization, and not with the section, groups or members in the country or territory concerned.

Sections

9. A section of AMNESTY INTERNATIONAL may be established in any coun-

try, state or territory with the consent of the International Executive Committee. In order to be recognized as such, a section shall (a) prior to its recognition have demonstrated its ability to organize and maintain basic AMNESTY INTERNATIONAL activities, (b) consist of not less than two groups and 20 members, (c) submit its statute to the International Executive Committee for approval, (d) pay such annual fee as may be determined by the International Council, (e) be registered as such with the International Secretariat on the decision of the International Executive Committee. Sections shall take no action on matters that do not fall within the stated object and mandate of AMNESTY INTERNATIONAL. The International Secretariat shall maintain a register of sections. Sections shall act in accordance with the working rules and guidelines that are adopted from time to time by the International Council.

10. Groups of not less than five members may, on payment of an annual fee determined by the International Council, become affiliated to AMNESTY INTERNATIONAL or a section thereof. Any dispute as to whether a group should be or remain affiliated shall be decided by the International Executive Committee. An affiliated adoption group shall accept for adoption such prisoners as may from time to time be allotted to it by the International Secretariat, and shall adopt no others as long as it remains affiliated to AMNESTY INTERNATIONAL. No group shall be allotted a prisoner of conscience detained in its own country. Each section shall maintain and make available to the International Secretariat a register of affiliated AMNESTY INTERNATIONAL groups. Groups in a country without a section shall be registered with the International Secretariat. Groups shall take no action on matters that do not fall within the stated object and mandate of AMNESTY INTERNATIONAL. Groups shall act in accordance with the working rules and guidelines that are adopted from time to time by the International Council.

Individual membership

11. Individuals residing in countries where there is no section may, on payment to the International Secretariat of an annual subscription fee determined by the International Executive Committee, become members of AMNESTY INTERNATIONAL with the consent of the International Executive Committee. In countries where a section exists, individuals may become international members of AMNESTY INTERNATIONAL with the consent of the section and of the International Executive Committee. The International Secretariat shall maintain a register of such members.

International Council

12. The International Council shall consist of the members of the International Executive Committee and of representatives of sections and shall meet at intervals of not more than two years on a date fixed by the International Executive Committee. Only representatives of sections shall have the right to vote on the International Council.
13. All sections shall have the right to appoint one representative to the International Council and in addition may appoint representatives as follows:

10 — 49 groups: 1 representative
50 — 99 groups: 2 representatives
100 — 199 groups: 3 representatives
200 — 399 groups: 4 representatives
400 groups or over: 5 representatives

Sections consisting primarily of individual members rather than groups may as an alternative appoint additional representatives as follows:

500 — 2,499 groups: 1 representative
2,500 and over: 2 representatives

Only sections having paid in full their annual fee as assessed by the International

Council for the two previous financial years shall vote at the International Council. This requirement may be waived in whole or in part by the International Council.

14. One representative of each group not forming part of a section may attend a meeting of the International Council as an observer and may speak thereat but shall not be entitled to vote.
15. A section unable to participate at an International Council may appoint a proxy or proxies to vote on its behalf and a section represented by a lesser number of persons than its entitlement under Article 13 hereof may authorize its representative or representatives to cast votes up to its maximum entitlement under Article 13 hereof.
16. Notice of the number of representatives proposing to attend an International Council, and of the appointment of proxies, shall be given to the International Secretariat not later than one month before the meeting of the International Council. This requirement may be waived by the International Executive Committee.
17. A quorum shall consist of the representatives or proxies of not less than one quarter of the sections entitled to be represented.
18. The Chairperson of the International Council and an alternate shall be elected by the preceding International Council. The Chairperson or, in his or her absence, the alternate, shall preside at the International Council. In the absence of the Chairperson and the alternate, the Chairperson of the International Executive Committee or such other person as the International Executive Committee may appoint shall open the proceedings of the International Council which shall elect a Chairperson. Thereafter the elected Chairperson, or such other person as the Chairperson may appoint, shall preside at the International Council.
19. Except as otherwise provided in the Statute, the International Council shall make its decisions by a simple majority of the votes cast. In case of an equality of votes the Chairperson of the International Council shall have a casting vote.
20. The International Council shall be convened by the International Secretariat by notice to all sections and affiliated groups not later than 90 days before the date thereof.
21. The Chairperson of the International Executive Committee shall at the request of the Committee or of not less than one third of the sections call an extraordinary meeting of the International Council by giving not less than 21 days' notice in writing to all sections.
22. The International Council shall elect a Treasurer, who shall be a member of the International Executive Committee.
23. The agenda for the meetings of the International Council shall be prepared by the International Secretariat under the direction of the Chairperson of the International Executive Committee.

International Executive Committee

24. a) The International Executive Committee shall consist of the Treasurer, one representative of the staff of the International Secretariat and seven regular members, who shall be members of AMNESTY INTERNATIONAL, or of a section, or of an affiliated group. The regular members and Treasurer shall be elected by the International Council. Not more than one member of any section or affiliated group or member of AMNESTY INTERNATIONAL voluntarily resident in a country may be elected as a regular member to the Committee, and once such member has received sufficient votes to be elected, any votes cast for other members of that section, affiliated group or country shall be disregarded.

- b) Members of the permanent staff, paid and unpaid, shall have the right to elect one representative among the staff who has completed not less than two years' service to be a voting member of the International Executive Committee. Such member shall hold office for one year and shall be eligible for re-election. The method of voting shall be subject to approval by the International Executive Committee on the proposal of the staff members.
25. The International Executive Committee shall meet not less than twice a year at a place to be decided by itself.
 26. Members of the International Executive Committee, other than the representative of the staff, shall hold office for a period of two years and shall be eligible for re-election for a maximum tenure of three consecutive terms.
 27. The Committee may co-opt not more than two additional members who shall hold office until the close of the next meeting of the International Council; they shall be eligible to be re-co-opted once. Co-opted members shall not have the right to vote.
 28. In the event of a vacancy occurring on the Committee, other than in respect of the representative of the staff, it may co-opt a further member to fill the vacancy until the next meeting of the International Council, which shall elect such members as are necessary to replace retiring members and to fill the vacancy. In the event of a vacancy occurring on the Committee in respect of the representative of the staff, the staff shall have the right to elect a successor representative to fill the unexpired term of office.
 29. If a member of the Committee is unable to attend a meeting, such member may appoint an alternate.
 30. The Committee shall each year appoint one of its members to act as Chairperson.
 31. The Chairperson may, and at the request of the majority of the Committee shall, summon meetings of the Committee.
 32. A quorum shall consist of not less than five members of the Committee or their alternates.
 33. The agenda for meetings of the Committee shall be prepared by the International Secretariat under the direction of the Chairperson.
 34. The Committee may make regulations for the conduct of the affairs of AMNESTY INTERNATIONAL and for the procedure to be followed at the International Council.
- ### International Secretariat
35. The International Executive Committee may appoint a Secretary General who shall be responsible under its direction for the conduct of the affairs of AMNESTY INTERNATIONAL and for the implementation of the decisions of the International Council.
 36. The Secretary General may, after consultation with the Chairperson of the International Executive Committee, and subject to confirmation by that Committee, appoint such executive and professional staff as are necessary for the proper conduct of the affairs of AMNESTY INTERNATIONAL, and may appoint such other staff as are necessary.
 37. In the case of the absence or illness of the Secretary General, or of a vacancy in the post of Secretary General, the Chairperson of the International Executive Committee shall, after consultation with the members of that Committee, appoint an Acting Secretary General to act until the next meeting of the Committee.
 38. The Secretary General or Acting Secretary General and such members of the International Secretariat as may appear to the Chairperson of the International Executive Committee to be necessary shall attend meetings of the International

Council and of the International Executive Committee and may speak thereat but shall not be entitled to vote.

Termination of membership

39. Membership of or affiliation to AMNESTY INTERNATIONAL may be terminated at any time by resignation in writing.
40. The International Executive Committee may deprive a section, affiliated group (Article 10) or a member (Article 11) of membership of AMNESTY INTERNATIONAL if in its opinion that section, affiliated group or member does not act within the spirit of the object, mandate and methods set out in Articles 1 and 2 or does not organize and maintain basic AMNESTY INTERNATIONAL activities or does not observe any of the provisions of this Statute. Before taking such action, the section, affiliated group or member and, when the deprivation of membership of a section is considered, all other sections will be informed in writing of the grounds on which it is proposed to deprive it or such person of membership, and such section, affiliated group or member shall be provided with an opportunity of presenting its or such member's case to the International Executive Committee. Once the International Executive Committee has decided to take such action in respect of a section, affiliated group or member, the section, affiliated group or member may appeal to the Membership Appeals Committee. This committee shall consist of five members and two alternate members who shall be elected by the International Council in the same manner and subject to the same conditions as provided for in Article

24a) for the International Executive Committee. Once deprived of membership, a section, affiliated group or member may no longer use the name of AMNESTY INTERNATIONAL.

Finance

41. An auditor appointed by the International Council shall annually audit the accounts of AMNESTY INTERNATIONAL, which shall be prepared by the International Secretariat and presented to the International Executive Committee and the International Council.
42. No part of the income or property of AMNESTY INTERNATIONAL shall directly or indirectly be paid or transferred otherwise than for valuable and sufficient consideration to any of its members by way of dividend, gift, division, bonus or otherwise howsoever by way of profit.

Amendments of Statute

43. The Statute may be amended by the International Council by a majority of not less than two thirds of the votes cast. Amendments may be submitted by the International Executive Committee or by a section. Proposed amendments shall be submitted to the International Secretariat not less than nine months before the International Council meets, and presentation to the International Council shall be supported in writing by at least five sections. Proposed amendments shall be communicated by the International Secretariat to all sections and to members of the International Executive Committee.

Part 2

**Official Amnesty International texts about
human rights and related issues**

Amnesty International and the use of violence

(This explanation of Amnesty International's policy on the use of violence for political ends is based on a statement prepared by a sub-committee established by its International Council in Vienna in 1973. The sub-committee was asked to consider the question of violence within Amnesty International's Statute. It has been updated following the International Council in Yokohama in 1991.)

From the Statute of Amnesty International

Amnesty International is a worldwide voluntary movement that works to prevent some of the gravest violations by governments of people's fundamental human rights. The main focus of its campaigning is to:

- **free all prisoners of conscience.**
These are people detained anywhere for their beliefs or because of their ethnic origin, sex, colour or language — who have not used or advocated violence;
- **ensure fair and prompt trials for political prisoners;**
- **abolish the death penalty, torture and other cruel treatment of prisoners;**
- **end extrajudicial executions and "disappearances".**

When Amnesty International was launched in 1961, its original focus was on the release of those who were detained in violation of the Universal Declaration of Human Rights and who had *not used or advocated violence*. The non-violence clause was thus of the essence of the movement from its foundation, and was an important factor in attracting widespread support from people in all walks of life and of every political persuasion.

Since then, people have frequently queried this restriction and urged that Amnesty International's work be extended to those who, according to the preamble to the Universal Declaration of Human Rights, "have been compelled, as a last resort, to have recourse to violence against tyranny and oppression". The vast majority of the Amnesty International membership, however, has always remained firmly opposed to the extension of Amnesty International's work *for the release of prisoners* to those who have been involved in violence and this position is in fact generally

understood and accepted by those outside the movement.

The explanations and justifications for this position can be summed up as follows:

Amnesty International may act for those who have been involved in violence

The reproach that Amnesty International refuses to concern itself with prisoners who have been compelled to have resort to violence is based on a misunderstanding. Amnesty International's work now has several aspects. These include the release of prisoners of conscience, but also extend to fair trials for political prisoners, the abolition of torture and the death penalty and ending extrajudicial executions and "disappearances".

These latter aspects of its work have assumed growing importance. Thus, Amnesty International intervenes through a variety of techniques to prevent the imposition of the death penalty on, or the torture or ill-treatment of, all prisoners, whether involved in violence or not, as well as opposing extrajudicial executions and "disappearances" in all cases.

Furthermore, Amnesty International will not necessarily consider a prisoner excluded from its definition of prisoner of conscience, unless he or she has been convicted of offences involving the use or advocacy of violence after a fair trial in a court of law. By decision of the 1991 International Council, individuals who have used violence in "clear and unambiguous instances of individual self-defence" may be taken up as prisoners of conscience. In the case of prisoners, whether accused or suspected of violence or not, who have been detained for a long period without trial, it may intervene to seek to ensure their trial or release. Also, a prisoner may be adopted if he or she is kept in detention after completing his or her sentence for an act of violence.

Amnesty International takes no moral stand on the issue of violence

It sometimes seems to be thought that Amnesty International, as an organization, is opposed to the use of violence in any circumstances. This is not so. Amnesty International's position is entirely impartial. Amnesty International was not founded to work for general economic, social and political justice in the various countries of the world — however much its individual members may wish to do so, and are free to do so through other bodies — but to bring relief to individual victims of injustice. It has been built up to do this, and is uniquely equipped to do it. The question of whether resort to violence is justified or not is extraneous to this central task.

A question of effectiveness

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

Amnesty International now has more than 1,100,000 members, subscribers and regular donors from all political affiliations, pacifists as well as people convinced that in some or many parts of the world violence is the only means of overcoming the even greater violence now being practised by those in power. From this point of view the clause is basically a necessary limitation to enable people across the political spectrum to work together.

Although most members would probably consider as individuals that there are some situations where violent action is the only solution, the membership would not agree on what those situations are. Amnesty International's membership must be universal, and include members of the right willing to intervene in countries with a government of the right and members of the left willing to intervene in countries with a government of the left. Interventions of this kind are clearly more effective than those by the prisoner's political sympathizers.

With regard to governments, Amnesty International's influence depends on the fact that governments accept it as an independent organization, politically impartial in relation both to it and to its opposition. If Amnesty International began to demand the release of those who have been involved in violent opposition to the government it would become identified with the opposition in the government's mind and lose its credit and its influence. Not only would such demands for release be ineffective, but its work for non-violent prisoners and for the humane treatment of those who have used violence would suffer.

Similarly, Amnesty International's standing with international organizations — such as the United Nations, the United Nations Economic and Social Council, the United Nations Educational, Scientific and Cultural Organization, the Organization of African Unity, the Organization of American States and the Council of Europe — would be endangered, and its initiatives would lose the authority which comes from its independence and impartiality.

Finally, if Amnesty International became identified in governments' minds with certain opposition groups, its value to those very opposition groups would be diminished. At the present time, they are able to and do refer to Amnesty International pronouncements as those of an outside, impartial body to whose views the governments will attach more weight than to their own. Further, members of such groups have, when Amnesty International's position is explained to them, fully accepted it, and recognize that it is a condition of Amnesty International's effectiveness in the fields in which it does seek to help them.

A practical problem

While it is a secondary consideration, it is certain that the problems of delineating violent political actions as against violent criminal actions would be almost insuperable and subject to all manner of subjective political preconceptions. The introduction of such concepts would inevitably lead to dissensions on the basis of the political beliefs of the membership which, under the present system, can remain irrelevant to the individual's action as a member of Amnesty International.

An argument of principle

It must be remembered that one aspect of Amnesty International's work is to ensure humane (i.e. non-violent) treatment for prisoners and other victims. Amnesty International would be applying a double standard if it insisted that the police and prison authorities abstain from violating human rights

yet maintained that those on the other side should be allowed to commit abuses and yet not be brought to justice. It can and does insist that governments respect international humanitarian standards, but it would discredit itself if it maintained that the very abuses which it is seeking to eliminate from state practices are justified when used by the opposition.

Amnesty International and peace issues — an explanatory note

Does Amnesty International work for peace?

Amnesty International has a precise mandate: it works for the release of prisoners of conscience, fair and prompt trials for political prisoners and an end to torture and executions. The organization takes no position on issues that fall outside this mandate. It therefore takes no position on various proposals for disarmament or other suggestions for the protection of peace.

Amnesty International's work is nevertheless relevant to work for peace insofar as both are based on respect for life. This relationship is reflected in the Universal Declaration of Human Rights which states: "the inalienable rights of all members of the human family [are] the foundation of freedom, justice and peace in the world". Amnesty International's activities, determined by the specific nature of its objectives, contribute to these rights, a fact recognized by the Nobel Committee in 1977 when it awarded Amnesty International the prize for peace.

In the course of its work Amnesty International encounters issues or situations which may be commonly understood to be related to questions of peace: armed conflicts; conscientious objection; military, security and police transfers; the detention of peace advocates who thereby become prisoners of conscience. Amnesty International's positions in these areas are outlined below.

Does Amnesty International have a position on violence in general?

The Universal Declaration of Human Rights states in its preface that it is essential that human rights be protected if people are not to be compelled, as a last resort, to rebel against tyranny and oppression. Amnesty International takes no position in principle on whether or in what circumstances it would be legitimate to resort to violence as a means to political ends. It neither opposes nor supports military defence by or armed struggle against established governments, nor is it a pacifist organization.

Does Amnesty International work for prisoners who have used violence?

Amnesty International does not consider as prisoners of conscience those who have been detained because they have used or advocated violence. It maintains, however, that all political prisoners have the right to a fair and prompt trial as well as protection against ill-treatment, torture and execution, regardless of whether they are accused or suspected of the use or advocacy of violence.

Does Amnesty International react against abuses by opposition groups?

Amnesty International opposes abuses by opposition groups: hostage taking, the torture and killing of prisoners and other arbitrary killings. It holds that governments have the responsibility for dealing with these abuses, acting in conformity with international human rights standards.

Some organizations exert territorial control and have established administrations similar to those of governments. Amnesty International approaches such entities on any concerns falling within its mandate. That should not be interpreted as a position on the legitimacy of such an administration.

What is Amnesty International's role in situations of armed conflict?

The rights of civilians are often violated during armed conflicts. As elsewhere, Amnesty International is concerned about prisoners of conscience, fair and prompt trials for political prisoners and the prevention of executions and torture or cruel, inhuman and degrading treatment of prisoners. Amnesty International also seeks to prevent the *refoulement* of refugees to areas where they are in danger of becoming the targets of such violations.

The difficulties in obtaining and assessing information about human rights violations tend to increase in times of war. There may also be difficulties in communicating with responsible authorities. This, however, does not alter

the nature of Amnesty International's mandate concerns: they are the same during armed conflicts as in peacetime.

The International Committee of the Red Cross has a leading role in providing protection for victims of armed conflict and facilitating exchanges of prisoners of war. Amnesty International's main function in this context is to contribute to the prevention of torture and executions.

What is Amnesty International's position on conscientious objectors?

Amnesty International considers as prisoners of conscience those who have been imprisoned because of their refusal to do military service and have not been offered a non-punitive alternative service outside the military administration. The organization presses for legislative reforms which would protect this right to conscientious objection against military service and the provision of an alternative which is not punitive in its length or character.

Does Amnesty International have a position on military transfers between countries?

Amnesty International has no position on the production or export of arms, military equipment and technology in general. It is con-

cerned about the transfer of military, security and police material or expertise which is used for human rights violations within its mandate. It opposes such transfers when it has been able to establish a clear connection between them and human rights violations. It also presses for legislative reforms which would prevent such exports.

What relations does Amnesty International have with peace organizations?

Recognizing that the work for peace is relevant to the promotion of human rights, Amnesty International is open to contacts with peace organizations. It welcomes information from them on concerns within Amnesty International's mandate and is itself prepared to provide factual information as a basis for actions by peace groups. However, in order to protect its policy of independence and impartiality — and the public understanding of that position — Amnesty International must take care not to be identified with any outside group or interest. Therefore, it does not, as a rule, undertake joint action with other organizations. Amnesty International members are, of course, entirely free to support, in their personal capacity, any other groups or organizations.

Twelve-point program for the prevention of torture

(The 12-Point Program was adopted by Amnesty International in October 1983 as part of the organization's Campaign for the Abolition of Torture.)

Torture is a fundamental violation of human rights condemned by the General Assembly of the United Nations as an offence to human dignity and prohibited under national and international law.

Yet torture persists, daily and across the globe. In Amnesty International's experience, legislative prohibition is not enough. Immediate steps are needed to confront torture and other cruel, inhuman or degrading treatment or punishment wherever they occur and to eradicate them totally.

Amnesty International calls on all governments to implement the following 12-Point Program for the Prevention of Torture. It invites concerned individuals and organizations to join in promoting the program. Amnesty International believes that the implementation of these measures is a positive indication of a government's commitment to abolish torture and to work for its abolition worldwide.

1. Official condemnation of torture

The highest authorities of every country should demonstrate their total opposition to torture. They should make clear to all law-enforcement personnel that torture will not be tolerated under any circumstances.

2. Limits on incommunicado detention

Torture often takes place while the victims are held incommunicado — unable to contact people outside who could help them or find out what is happening to them. Governments should adopt safeguards to ensure that incommunicado detention does not become an opportunity for torture. It is vital that all prisoners be brought before a judicial authority promptly after being taken into custody and that relatives, lawyers and doctors have prompt and regular access to them.

3. No secret detention

In some countries torture takes place in secret centres, often after the victims are made to "disappear". Governments should ensure that prisoners are held in publicly recognized places, and that accurate information about their whereabouts is made available to relatives and lawyers.

4. Safeguards during interrogation and custody

Governments should keep procedures for detention and interrogation under regular review. All prisoners should be promptly told of their rights, including the right to lodge complaints about their treatment. There should be regular independent visits of inspection to places of detention. An important safeguard against torture would be the separation of authorities responsible for detention from those in charge of interrogation.

5. Independent investigation of reports of torture

Governments should ensure that all complaints and reports of torture are impartially and effectively investigated. The methods and findings of such investigations should be made public. Complainants and witnesses should be protected from intimidation.

6. No use of statements extracted under torture

Governments should ensure that confessions or other evidence obtained through torture may never be invoked in legal proceedings.

7. Prohibition of torture in law

Governments should ensure that acts of torture are punishable offences under the criminal law. In accordance with international law, the prohibition of torture must not be suspended under any circumstance, including states of war or other public emergency.

8. Prosecution of alleged torturers

Those responsible for torture should be brought to justice. This principle should apply wherever they happen to be, wherever the crime was committed and whatever the nationality of the perpetrators or victims. There should be no "safe haven" for torturers.

9. Training procedures

It should be made clear during the training of all officials involved in the custody, interrogation or treatment of prisoners that torture is a criminal act. They should be instructed that they are obliged to refuse to obey any order to torture.

10. Compensation and rehabilitation

Victims of torture and their dependants should be entitled to obtain financial compensation. Victims should be provided with appropriate medical care and rehabilitation.

11. International response

Governments should use all available channels to intercede with governments accused of torture. Intergovernmental mechanisms should be established and used to investigate reports of torture urgently and to take effective action against it. Governments should ensure that military, security or police transfers or training do not facilitate the practice of torture.

12. Ratification of international instruments

All governments should ratify international instruments containing safeguards and remedies against torture, including the International Covenant on Civil and Political Rights and its Optional Protocol which provides for individual complaints.

Declaration of Stockholm

(Adopted by the Amnesty International Conference on the Abolition of the Death Penalty, Stockholm, December 1977)

The Stockholm Conference on the Abolition of the Death Penalty, composed of more than 200 delegates and participants from Africa, Asia, Europe, the Middle East, North and South America and the Caribbean region.

Recalls that:

- The death penalty is the ultimate cruel, inhuman and degrading punishment and violates the right to life.

Considers that:

- The death penalty is frequently used as an instrument of repression against opposition, racial, ethnic, religious and underprivileged groups,
- Execution is an act of violence, and violence tends to provoke violence,
- The imposition and infliction of the death penalty is brutalizing to all who are involved in the process,
- The death penalty has never been shown to have a special deterrent effect,
- The death penalty is increasingly taking the form of unexplained "disappearances", extrajudicial executions and political murders,
- Execution is irrevocable and can be inflicted on the innocent.

Affirms that:

- It is the duty of the state to protect the life of all persons within its jurisdiction without exception,
- Executions for the purpose of political coercion, whether by government agencies or others, are equally unacceptable,
- Abolition of the death penalty is imperative for the achievement of declared international standards.

Declares:

- Its total and unconditional opposition to the death penalty,
- Its condemnation of all executions, in whatever form, committed or condoned by governments,
- Its commitment to work for the universal abolition of the death penalty.

Calls upon:

- Non-governmental organizations, both national and international, to work collectively and individually to provide public information materials directed towards the abolition of the death penalty,
- All governments to bring about the immediate and total abolition of the death penalty,
- The United Nations unambiguously to declare that the death penalty is contrary to international law.

Guideline on Extrajudicial Executions

(Decision 7 of the 1987 International Council, as amended by Decision 2 of the 1989 International Council. Note that Decision 24 of the 1991 International Council added that Amnesty International will treat as extrajudicial executions falling within the mandate killings of people solely for trying to leave the country.)

1. Amnesty International is unconditionally opposed to extrajudicial executions.
 2. Amnesty International is aware that governments sometimes engage in intentional killings of persons without placing such persons in detention or after placing them in detention. Sometimes the government knowingly permits others to carry out such killings and subsequently condones them.
 3. Amnesty International will, therefore, in keeping with its opposition to the death penalty in all forms, take action against such killings perpetrated either within or outside the country when it is reasonable to believe they are part of a consistent pattern or can otherwise reasonably be assumed to be the result of a policy at any level of government to eliminate, or to permit deliberately the elimination of, specific individuals, or groupings or categories of individuals.
- "murder" by the government. There are many killings by state agents, particularly in the area of enforcement of criminal laws, which it is not intended by this guideline to bring into Amnesty International's mandate — for example, killings which the perpetrator believed were necessary for the physical defence of him or herself or others, and killings carried out in deviation from an enforced official policy. The guideline makes it clear that "government" includes the state or local level of government.
3. The guideline mentions "consistent pattern". This is not an essential element of the definition of extrajudicial execution (EJE). An isolated killing can be an EJE according to this guideline, and this is clear from the text. However, the words "consistent pattern" are included to reflect the fact that EJEs are very often extremely difficult to prove, and a pattern will often be necessary evidence in establishing that the government is behind killings.

Commentary

1. This guideline envisages a widening of the mandate regarding deliberate killings of people who are not prisoners. Amnesty International will in its mandate no longer distinguish between the political and non-political character of victims.
2. The guideline specifies that the government must have either "engaged in" or "knowingly permitted...and condoned" intentional killings of individuals. It is essential that the latter concept be properly understood. It is intended to refer to killings which the government *wanted to happen*. Another way of putting this is
4. What Amnesty International will always look for is a wilful government policy of killing people or having them killed. A national law on use of force in law-enforcement which is more permissive than international standards on the subject may be evidence of such a policy, but it will not be conclusive self-sufficient evidence. Nor will it in itself be separate grounds for Amnesty International action. Likewise, failure to prosecute perpetrators of killings will be evidence, but not self-sufficient evidence of government policy. Nor will it be a separate ground for Amnesty International action — it would be highly problematic for Amnesty

International to hinge an action on the prosecution of a particular individual.

5. The definition is applicable in times of armed conflict, but does not include killings which are the "by-product of government attempts to achieve military objectives in time of armed conflict". What is meant by this? The following description of a massacre on which Amnesty International acted several years ago indicates the kind of case Amnesty International will take up in armed conflict (the words in

square brackets have been added for clarity):

"...that the killings did not take place in a [an immediate] context of fighting, that the victims were manifestly non-combatant, that they were being singled out for their imputed political sympathies, that they were deliberately rendered vulnerable to attack, and that the shooting was aimed at civilians and persistent."

Guidelines for Amnesty International's policy on conscientious objection to military service

(Decision 5 of the 1987 International Council. Note that Decision 10 of the 1991 International Council stated that the guidelines should be revised to make clear that Amnesty International's policy regarding those individuals in the armed forces who develop objections to participation in the armed forces applies to conscripts and others in the armed forces, including volunteers, without distinction; and to make express reference to selective objectors.)

1. A conscientious objector is understood to be a person liable to conscription for military service, or to register for conscription for military service (even where there is no military service), who, for reasons of conscience or profound conviction arising from religious, ethical, moral, humanitarian, philosophical, political or similar motives refuses to perform armed service or any other direct or indirect participation in wars or armed conflicts.
 - a) the legal code of a country does not contain provisions for the recognition of conscientious objection and for a person to register his or her objection at a specific point in time;
 - b) a person is refused the right to register his or her objection;
 - c) the recognition of conscientious objection is so restricted that only some and not all of the above-mentioned grounds of conscience or profound conviction are acceptable;
 - d) a person does not have the right to claim conscientious objection on the above-mentioned grounds of conscience or profound conviction developed after conscription into the armed forces;
 - e) he or she is imprisoned as a consequence of his or her leaving the armed forces without authorization for reasons of conscience developed after conscription into the armed forces, if he or she has taken such reasonable steps to secure his or her release by lawful means as might grant him or her release from the military obligations on the grounds of conscience or if he or she did not use those means because he or she has been deprived of reasonable access to the knowledge of them;
 - f) there is not a right to alternative service which is of purely civilian character and under civilian control;
 - g) the length of the alternative service is deemed as punishment, determined on the basis of all relevant factors including:
 - whether the authorities have indicated that the length of alternative service is intended to be punitive as compared with military service;
 - whether the authorities have failed to offer adequate justification as to the non-punitive nature of any period of time by which alternative service exceeds that of military service;
 - whether time spent in alternative service exceeds the total amount of time spent in military service, including basic training or reserve duty.
2. Where a person is detained/imprisoned because he or she claims that he or she on the grounds of conscience described in paragraph 1 above objects to military service, or to registering for conscription to military service, Amnesty International will consider him or her a prisoner of conscience, if his or her imprisonment/detention is a consequence of one or more of the following reasons:
 - a) the legal code of a country does not contain provisions for the recognition of conscientious objection and for a person to register his or her objection at a specific point in time;
 - b) a person is refused the right to register his or her objection;
 - c) the recognition of conscientious objection is so restricted that only some and not all of the above-mentioned grounds of conscience or profound conviction are acceptable;
 - d) a person does not have the right to claim conscientious objection on the above-mentioned grounds of conscience or profound conviction developed after conscription into the armed forces;
 - e) he or she is imprisoned as a consequence of his or her leaving the armed forces without authorization for reasons of conscience developed after conscription into the armed forces, if he or she has taken such reasonable steps to secure his or her release by lawful means as might grant him or her release from the military obligations on the grounds of conscience or if he or she did not use those means because he or she has been deprived of reasonable access to the knowledge of them;
 - f) there is not a right to alternative service which is of purely civilian character and under civilian control;
 - g) the length of the alternative service is deemed as punishment, determined on the basis of all relevant factors including:
 - whether the authorities have indicated that the length of alternative service is intended to be punitive as compared with military service;
 - whether the authorities have failed to offer adequate justification as to the non-punitive nature of any period of time by which alternative service exceeds that of military service;
 - whether time spent in alternative service exceeds the total amount of time spent in military service, including basic training or reserve duty.
3. Where there is a provision for conscientious objection which satisfies the criteria in paragraph 2, a person should not be considered a prisoner of conscience if he or she is not willing to

state to the decision-making authorities the reason for his or her conscientious objection, where this is required by the law of the country, unless this reason can be inferred from all the circumstances of the case.

4. A person should, however, not be considered a prisoner of conscience if he or she is offered and refuses comparable alternative service which is of a purely civilian character and under civilian control.

Amnesty International's stand relating to military, economic and cultural relations and on military, security and police transfers

(These guidelines were adopted by the 1983 International Council and updated on the basis of Decision B17 of the 1991 International Council.)

1. MEC "Target Sector" work

[The International Council] Reaffirms

- 1.1 That Amnesty International should disseminate its external information on human rights in different countries in a systematic way to parties which are active in the military, economic and cultural fields (MEC "target sectors").
- 1.2 That the purpose of this activity may sometimes be to prod these parties into using their influence in support of human rights within Amnesty International's mandate in their dealings with the governments concerned. However, in such cases, note should be taken of the possible limitations and pitfalls as elaborated in 1982 International Council (ICM) Decision 22 ("Guidelines for Approaching Companies", reproduced in document POL 34/05/82). Where applicable, all approaches to MEC "target sectors" should conform to the provisions of those guidelines.
- 1.3 That potential effectiveness should be the guiding principle determining when to approach MEC "target sectors", which ones to approach and the requests to be made of them ("timing and targeting").
- 1.4 That this type of work should be undertaken by the International Secretariat (IS) with respect to international MEC "target sectors", but recognizes that the bulk of the work will be "decentralized", and calls on sections as well as the IS to give it the necessary priority.
- 1.5 That all Amnesty International action is bound by the following principles:

a) Amnesty International does not address itself to the general economic or political system in operation in any country; only to that country's observance of human rights within Amnesty International's mandate. Consequently, Amnesty International abstains from drawing conclusions of a "political" nature from its information;

b) Amnesty International takes no stand on the legitimacy of military, economic or cultural relations being maintained with countries where human rights are violated and takes no position on punitive measures of any kind, such as sanctions or boycotts.

1.6 That when approaching MEC "target sectors", Amnesty International should inform them of the above principles, of its statutory objects and of its concerns in the relevant country or countries.

1.7 That approaches to MEC "target sectors" should be frank and open rather than of a secretive or confidential nature.

Requests

1.8 The International Executive Committee (IEC) to explore and report back on:

a) The prospects and means of urging agencies responsible for international aid to require potential receiving governments to provide information about human rights in their countries along with the normal economic data.

b) Whether Amnesty International should press for human rights issues

to be included in codes of conduct for transnational corporations, in particular in the case of the proposed code of the United Nations.

2. Legislation on MSP transfers

Supports

- 2.1 The introduction of legislation and regulations in all supplier countries, requiring the human rights situation in receiving countries to be taken into consideration prior to decisions being made about military, security and police (MSP) transfers.

Proclaims

- 2.2 That Amnesty International's position is such that such laws should prohibit MSP transfers from taking place unless it can be reasonably demonstrated that such transfers will not contribute to human rights violations within Amnesty International's mandate. Such laws will aim to ensure that the sender should take responsibility for the use of MSP transfers in practice, such laws may be broader and more comprehensive than Amnesty International's position.

Resolves

- 2.3 That in campaigning for legislation on MSP transfers Amnesty International can make comments on existing or drafted legislation relating to Amnesty International's objectives and position.
- 2.4 That Amnesty International may express its support in principle for those clauses of the proposed legislation which accommodate Amnesty International's objectives and position, and oppose the repeal of such clauses once they have been enacted.
- 2.5 That the legislation should be precise in its terms and concrete in its procedures, avoiding ambiguities and minimizing the scope for interpretation which could contradict the purpose of

the law. It should provide for the legislature to be notified of all information necessary to enable it to exercise proper control over the implementation of the law, for all MSP transfers to be publicly disclosed in advance, for reports to be issued on the human rights situation in the receiving countries and for effective channels to be established for receiving information from non-governmental organizations.

- 2.6 That once legislation has been enacted, Amnesty International could submit its information on the human rights situation in relevant countries to the appropriate bodies designated by the legislation to consider such information.
- 2.7 That, where feasible, support should be given to practical efforts to complement these types of control with suitable mechanisms at the international level, which could include registering all MSP transfers on a global or regional scale; and requests the .EC to keep this matter under review.

Urges

- 2.8 All Amnesty International sections in supplier countries to strive for the introduction of appropriate national legislation in their home countries. The IS should assist these efforts by sections, particularly by coordinating joint section initiatives where practicable.

Resolves

- 2.9 That in supplier countries where no Amnesty International section exists, or at the request of an Amnesty International section with regard to its own country, the IS could make such approaches. In any country where there is no Amnesty International section, but Amnesty International groups, the IS should in principle consult with such groups before making any approaches.

Further resolves

- 2.10 That, on grounds of potential abuse, Amnesty International should take no part in the drafting of human rights training programs for MSP personnel from countries where human rights within Amnesty International's mandate are systematically and persistently violated. However, this would not prevent Amnesty International from clarifying that international human rights instruments should routinely be part of the training of all MSP personnel.

3. Action on MSP transfers

Affirms

- 3.1 That Amnesty International is in principle opposed to MSP transfers which are used for human rights violations within Amnesty International's mandate.
- 3.2 That Amnesty International neither supports nor opposes sanctions against governments guilty of human rights violations.

Resolves

- 3.3 That Amnesty International sections may ask "searching questions" of the supplier government and companies in their home countries about the use to which intended MSP transfers will be put by the receiver government.
- 3.4 That in supplier countries where no Amnesty International section exists, or at the request of an Amnesty International section with regard to its own country, the IS could ask "searching questions". In any country where there is not Amnesty International section, but Amnesty International groups, the IS should in principle consult such groups before asking "searching questions".
- 3.5 That such questions could draw attention to the danger of the MSP transfer

being used in the receiving country for the violation of human rights within Amnesty International's mandate, but should contain no demand, explicit or implicit, that the transfer be stopped. Where appropriate, such actions could be publicized.

- 3.6 That all such actions must be approved by the board or executive of the Amnesty International section concerned in prior consultation with the appropriate IS staff, whose role is to advise on country strategy and on the probable impact and effectiveness of alternative proposals.
- 3.7 That in the event of serious disagreement between the Amnesty International section and the IS staff, the section should refer the matter to the IEC for decision if it wishes to pursue its preferred course.

Further resolves

- 3.8 (a) That Amnesty International may oppose MSP transfers that can reasonably be assumed to contribute to human rights violations within Amnesty International's mandate.
- (b) That a call for the cessation of an MSP transfer requires the mutual agreement of a section of the supplier country and the IS. In case of disagreement, a section may refer the issue to the IEC for final determination.
- 3.10 The 1991 International Council decided that all proposed calls for cessation of MSP transfers require the mutual agreement of the section supplier country and the IS. In case of disagreement a section may refer the issue to the IEC for final determination. However, the International Council did not amend the old paragraph 3.10 in the light of its decision. The IEC is presently preparing an amended text for the guidelines.

[The old text of paragraph 3.10 reads as follows:

That all proposed calls for cessation of MSP transfers be referred to the IEC which should consider the effectiveness of a proposed action which, among other things, should involve assessing its consistency with the country strategy. The IEC should report and explain its decision to the relevant section.]

Asserts

3.11 That Amnesty International's opposition to certain human rights violations committed by governments extends to the conscious collusion or unconscious collaboration of non-governmental parties in their commission, be they individuals, organizations or corporations. In such cases, on the authority

of the IEC, Amnesty International may expose, publicize, appeal to, or campaign against, such parties with a view to their ceasing their collaborative actions.

3.12 That all accusations, explicit or implicit, of complicity, collaboration or collusion on the part of second governments or non-governmental parties in the commission by governments of human rights violations within Amnesty International's mandate be confined to specific instances according to the relevant provisions of this decision; and that any such accusation be made only with the approval of the IEC in each case.

Amnesty International's stand against abuses by opposition groups

What is the mandate of Amnesty International?

Amnesty International works to prevent some of the gravest violations by governments of people's fundamental human rights. The main focus of its campaigning is to:

- **free all prisoners of conscience.** These are people detained anywhere for their beliefs or because of their ethnic origin, sex, colour or language who have not used or advocated violence;
- **ensure fair and prompt trials for political prisoners;**
- **abolish the death penalty, torture and other cruel treatment of prisoners;**
- **end extrajudicial executions and "disappearances".**

This mandate is based on human rights principles proclaimed by the international community through the United Nations and other intergovernmental bodies. These international standards define the obligations of governments in protecting the rights of individuals. Amnesty International's main task is to ensure that governments respect these commitments.

Does Amnesty International take sides in political conflicts?

Amnesty International is impartial. It does not support or oppose any government or political system. Nor does it support or oppose the views of the prisoners whose rights it seeks to protect. It is concerned solely with the protection of human rights, within its mandate in each case, regardless of the ideological, political or other conflicts involved.

What is Amnesty International's stand on abuses by opposition groups?

Amnesty International opposes abuses by opposition groups: hostage taking, the torture

and killing of prisoners and other arbitrary killings.

Does Amnesty International take a stand on violence?

Amnesty International takes no position on the question of violence. It does not identify itself with any of the parties to a particular conflict, violent or non-violent, nor does it presume to judge in any situation whether recourse to violence is justified or not. It deliberately restricts itself to working for the protection of the human rights that fall within its mandate and does not comment or act on issues that fall outside those terms of reference.

Does Amnesty International act as a mediator?

Amnesty International has sometimes been asked to act as a mediator between governments and opposition groups. It cannot do so. It works by making clear its opposition to specific human rights violations, publishing details about these wherever they occur and making recommendations to the responsible authorities. The organization does not negotiate either with governments or with those in opposition.

What about opposition groups that control territory?

Some groups in opposition to governments have acquired characteristics that in practice make them similar to governments. Amnesty International expects them to respect international human rights standards and appeals to them to do so. When considering whether a group has such characteristics, several factors have to be taken into account. For example, does the group control people in its territory in a way similar to the exercise of government jurisdiction? Is it able to implement procedures for the protection of human rights and

humanitarian law in its territory? Is it recognized by governments and international organizations? An appeal from Amnesty International to such a group or to a government does not imply any legal or international status or recognition; it is aimed strictly at securing the protection of the human rights that Amnesty International seeks to defend everywhere.

Humanitarian law sets out the standards by which all parties to an armed conflict — governments and opposition groups alike — must act. Amnesty International's policy on opposition groups is guided by these standards, much as its work with governments is based on international human rights law.

What does Amnesty International ask governments to do?

When governments infringe the human rights Amnesty International defends, the organization urges them to take all necessary steps to restore these rights. It also holds governments responsible when they act indirectly through, or in complicity with, "death squads" and assassins. Where offences are committed by opposition groups, Amnesty International considers that it is within the jurisdiction of governments to determine criminal responsibility and to bring those responsible to justice. The exercise of such authority by states must conform to their commitments in international law.

Part 3

**Official texts about
Amnesty International organization**

The Working Rules

(The Working Rules were first adopted by the International Council in 1976. They were subsequently revised in accordance with decisions of the Council and the International Executive Committee.)

These rules do not and cannot cover all questions that arise in Amnesty International's activities. They give the framework within which all members are expected to work. The principle underlying the rules is that all parts of the Amnesty International movement should follow consistent policies and procedures since statements or activities by any member, group or section may be taken as representing the organization as a whole.

Publicity and publications

1. The term "publications" refers to news releases, newsletters, reports, films, sound or video tapes, leaflets and posters intended for public use. All publications must be in accordance with Amnesty International's mandate and respect the organization's standards of accuracy and impartiality.
2. Amnesty International Publications (AIPs) are issued by the International Secretariat (IS) under the authority of the IEC.
3. Amnesty International sections are responsible for all Amnesty International publications, other than AIPs, issued in their country or territory. This applies to their translations of AIPs and external documents issued by the IS as well as to publications drafted by Amnesty International groups in the section. All publications must clearly indicate the authority under which they are issued (for example, "published by the Mexican Section of Amnesty International").
4. Any publication prepared by an Amnesty International section that includes information other than that based on recent external Amnesty International information must be submitted for comment and approval to the IS. Sections are advised to consult the Secretariat before issuing any major publication on a country or issue, even if it is based on external Amnesty International information, to ensure proper coordination of international efforts.
5. Amnesty International sections are required to draw up guidelines for their membership on relations with the news media in their country or territory. They are to appoint a press officer responsible for coordination of all such relations and for liaison with the Press Office of the IS.
6. Any news release, information material or statement to be issued to the news media by an Amnesty International section, other than that based on recent external Amnesty International information, must be submitted for comment and approval to the IS.
7. An Amnesty International section wishing to mention or list names of prisoners in a publication or statement is required to use only names of prisoners whose cases have been allocated to groups in that section or mentioned in recent external Amnesty International information.
8. Groups must strictly observe the instructions in all prisoner dossiers about publicity on particular cases.
9. Amnesty International sections are responsible for the preparation and use of audio-visual materials in their country or territory. Care must be taken to ensure that they reflect Amnesty International's mandate and conform to its standards of accuracy and impartiality. In particular, the abuse of national symbols should be avoided.
10. The IEC has the authority to review and if necessary prohibit any document

or statement by an Amnesty International section if there is reason to believe that it would create undesirable international repercussions. The IEC also has the right to disclaim publicly any publication not issued in accordance with the procedures and guidelines established by the ICM.

Statements on members' countries

11. Amnesty International sections are not empowered to make statements or to issue publications about the human rights situation in their own countries or territories, apart from matters to do with ratification of treaties and changes in legislation on the death penalty. Any exceptions to this rule must be decided by the IEC in consultation with the section concerned.
12. In response to inquiries about human rights violations in its own country or territory an Amnesty International section is required to explain that responsibility for Amnesty International policy on such matters lies with the IEC. The section may refer such inquiries to the IS or provide without further elaboration any available Amnesty International external information and state that Amnesty International has taken action on behalf of individual prisoners if this is the case.
13. Amnesty International sections may be provided with copies of AIPs and external documents on their own countries or territories, if they so request, and may distribute such documents.

External relations

14. Amnesty International sections are required to appoint people responsible for contacts with their own government, visits to embassies and contacts with other organizations, and to draw up guidelines and procedures for such contacts.
15. It is not the responsibility of an Amnesty International section to make

representations to its own government about human rights violations in its own country or territory. Such representations are the responsibility of the IEC and of other sections acting on information provided by the IS. An Amnesty International section may make representations to its own government about violations of human rights in its own country or territory only if authorized to do so by the IEC. In making any such authorized representation the section should always stress that its action reflects the concern of the international movement.

16. Amnesty International members should not write to third party governments (governments in countries other than their own or the target country) or representatives of third party governments unless they are specifically requested or authorized to do so by the IS.
17. Relations with international non-governmental organizations and inter-governmental organizations are the responsibility of the IS acting under the authority of the IEC. Amnesty International sections, groups and members should not write to headquarters or officials of intergovernmental bodies (such as the United Nations) or to international non-governmental organizations unless specifically requested to do so by the IS. Sections wishing to approach non-governmental organizations in other countries must consult the Amnesty International section of that country or the IS if there is no section.
18. Amnesty International may provide and exchange external information with other organizations and may send representatives to attend their meetings and speak on matters within Amnesty International's mandate. However, no public actions such as news conferences, demonstrations or public meetings may be organized or sponsored jointly by Amnesty International and any other organization without the

approval of the relevant Amnesty International section governing body. Nor may any group or member sign any other organization's appeals or resolutions in the name of Amnesty International without section approval. The IS advises against any such joint activities with other organizations, particularly on country-related matters. It should be emphasized to other organizations that Amnesty International does not undertake joint activities with other bodies in order to protect its independence and impartiality. This policy does not reflect either approval or disapproval of the aims or judgements of other organizations.

Case work and campaigns

19. Amnesty International sections are expected to inform the IS of their plans for participation in campaigns and actions announced in the Action Calendar issued by the IS. Any plans for other major section campaigns should be discussed with the IS to ensure proper international coordination.
 20. Any action initiated by one section (including international appeals on behalf of one prisoner) which would involve members and groups in other sections must not be undertaken without prior consultation with the IS. This includes actions by coordination and professional groups.
 21. Amnesty International sections, groups and members are required to send any new prisoner-related information they collect to the IS. Sections, groups or members who wish to do research work are required to consult the IS.
 22. Amnesty International groups are required to follow carefully the instructions and recommended actions provided in the *Amnesty International Handbook*, the "general instructions" and "recommended actions" included in each prisoner dossier, and to observe carefully the difference between adoption and investigation cases
- as explained in "Status of Case" documents in each dossier. The decision to adopt or investigate any case rests with the IS. No unusual action should be undertaken without prior consultation with the relevant coordination group, section or IS.
23. If a case has been closed by the IS, group activities on the prisoner's behalf must cease. Private initiatives may be undertaken on the prisoner's behalf, but all correspondence must be signed by someone other than the group members who have previously been writing about the case to the authorities.
 24. Exiles, refugees and other foreign nationals who are members or supporters of Amnesty International are not permitted to send letters to government authorities in their own country. Where such nationals are members of local groups, they should not be involved in case work on their own country but should work on behalf of other prisoners.

Missions/Amnesty International travel

25. The term "mission" refers to visits to countries by an individual or team to conduct business on behalf of Amnesty International relating to its concerns, or to discuss membership questions on behalf of the IEC. All Amnesty International missions must be approved and funded by the IEC. The briefing of Amnesty International missions is the responsibility of the IS.
26. It is not the responsibility of an Amnesty International section to plan, brief or collaborate with an Amnesty International mission sent to its country or territory.
27. An Amnesty International section shall be notified in advance of a mission to its country or territory, subject to considerations of security and confidentiality. If the section has been notified

of the mission, it may respond to inquiries only by confirming the arrival of the mission and stating its terms of reference.

28. No visit to a country by any Amnesty International member shall be considered an Amnesty International mission unless it has been approved as such by the IEC.
29. Coordination group members are required to consult the IS before travelling to the countries with which their group is concerned. This procedure applies even when they are travelling in their private capacity.
30. Amnesty International members travelling in their private capacity are not authorized to undertake Amnesty International business such as research or work related to relief or individual prisoner cases (including those allocated to their group) without first consulting and receiving the approval of the IS. This procedure does not apply to visits involving normal consultation and discussion within the movement on organizational matters.
31. Amnesty International groups wishing to send members to countries to visit prisoners or prisoners' families are required to consult and obtain the approval of the IS in advance and if possible to obtain the consent of the family before making such a visit. Any other activities (such as distribution of relief, visits to lawyers or contacts) in the course of such a visit are also subject to the approval of the IS. Such visits are not Amnesty International missions and members are not empowered to speak or act in the name of Amnesty International.
32. Amnesty International members travelling in their private capacity or on behalf of other organizations should make every effort to avoid the impression that they represent Amnesty International or are travelling on Amnesty International business. If

asked, they must stress that they have no authority to make any statement related to Amnesty International or its concerns.

33. Amnesty International members travelling in their private capacity to countries in which there are major Amnesty International concerns are advised to inform their section beforehand.

International cooperation

34. All constituent bodies of Amnesty International are expected to cooperate with other parts of the movement in working for the aims of Amnesty International.
35. Local groups must observe the guidelines for double and triple adoptions. Coordination groups must cooperate closely with the relevant coordination groups in other sections. Professional groups must cooperate closely with related professional groups and committees in other sections.
36. Amnesty International sections are required to inform the IS of the names and responsibilities of the elected officers of the section, staff members and other individuals or groups appointed to undertake functions on behalf of the section board. They are also required to inform the Secretariat of the changes of address of their section office, groups and other bodies within the section.
37. Amnesty International sections are required to submit an annual report on their activities to the IEC.
38. Amnesty International groups are required to submit reports on their prisoner-related activity to the IS and their sections every six months. New information obtained about any case should be reported immediately to the IS.
39. Coordination groups and professional groups are required to submit reports

on their activities to the IS and their sections twice a year.

40. No Amnesty International section, group or member shall ask a section, group or member in another country or territory for information about human rights questions or prisoner cases there.
41. Correspondence from Amnesty International members to the IEC must be channelled through their section. Correspondence to the IEC or its individual members should be sent to the Secretary General's Office at the IS.
42. Amnesty International sections may make complaints to the IEC and, if they are not satisfied with the response, to the ICM. In the event of disagreement between a coordination or other group and any part of the IS, the relevant Amnesty International section may bring the matter to the attention of the Secretary General. If the disagreement involves a question of Amnesty International policy and is not resolved the matter shall be referred to the IEC and, if necessary, the ICM. Every effort shall be made to resolve any dispute without publicity.

Finance, fund-raising and relief

43. Amnesty International sections are required to appoint a treasurer and to submit standardized financial reports each year to the International Treasurer.
44. Amnesty International sections are required to adhere to the Guidelines for the Acceptance of Financial Contributions and Fund-raising to Amnesty International.
45. No fund-raising project shall be carried out by a constituent body of Amnesty International in another country where there is an Amnesty International section without the consent of that section.

46. Amnesty International sections must appoint a relief officer to ensure the section's adherence to Amnesty International's relief policy and procedures and advise groups and members on their relief activities. Relief payments to individual prisoners, released prisoners or prisoners' families must be made in accordance with the recommendations of the IS and be reported to the secretariat every six months.
47. An Amnesty International section or coordination group may operate a relief program on behalf of the IS only with the agreement of the Relief Committee and the section concerned.

Membership, internal structures and information handling

48. Amnesty International sections and groups are required to observe the guidelines for sections and groups adopted by the ICM.
49. Recognition of an Amnesty International section is the responsibility of the IEC. The section's statute must be in accordance with the Amnesty International Statute. Any changes in a section's statute concerning aims, methods and objects must be approved by the IEC before they come into force.
50. Amnesty International section governing bodies are responsible for the proper functioning of the Amnesty International membership in their country or territory. The governing body reviews the activities of the members and groups, ensures their proper functioning and has the power to close groups or terminate membership or recommend such action to the IS when the work of such groups or individuals is prejudicial to Amnesty International.
51. Amnesty International section governing bodies are responsible for approving groups before asking the IS to register them.

52. Members of the IEC and of the IS and other Amnesty International bodies shall, in the exercise of their Amnesty International functions, refrain from any action incompatible with their functions. In particular they shall not seek or accept instructions from any national or international entity, other than Amnesty International bodies.
53. Members of Amnesty International section governing bodies and senior staff members are required to observe the guidelines, "Public Role of Members of Amnesty International Section Governing Bodies and Senior Staff Members", recommended by the ICM.
54. Coordination groups are required to observe the rule that members of the group should not be nationals of the country involved, exiles from that country or individuals with political affiliations or interests which would reduce their political objectivity.
55. Coordination groups are required to consult the IS before establishing information contacts outside their own country.
56. Amnesty International sections, groups and members are required to observe strictly the guidelines on responsible handling of information. All internal documents issued by the sections and coordination groups should be clearly marked as internal.
57. Amnesty International sections are required to appoint a member responsible for security who should maintain contact as necessary with the IS and recommend measures to protect the section's offices, information and activities.
58. Consistent failure on the part of Amnesty International sections, groups and members to observe security instructions, including those listed in the *Amnesty International Handbook* and all prisoner dossiers, may be drawn to the attention of the IEC and may result in restricted access to sensitive materials.

Independence and Impartiality

Independence and impartiality are fundamental principles in the work of Amnesty International. They affect all the movement's world-wide activities, from painstaking research into individual cases to mass publicity campaigns. These principles can be tested by looking at Amnesty International's policies, and by studying its information and its working methods.

Is Amnesty International political?

Amnesty International works to prevent some of the gravest violations by governments of people's fundamental human rights. It does not support or oppose any government or political system. The main focus of its campaigning is to:

- *free all prisoners of conscience.* These are people detained anywhere for their beliefs or because of their ethnic origin, sex, colour or language, who have not used or advocated violence;
- *ensure fair and prompt trials for political prisoners;*
- *abolish the death penalty, torture and other cruel treatment of prisoners;*
- *end extrajudicial executions and "disappearances".*

In carrying out this mandate, Amnesty International does not support or oppose the views of the prisoners whose rights it seeks to defend. It addresses the human rights involved in each case, regardless of the ideology of the government or the beliefs of the victims.

Is Amnesty International linked to any party or government?

Amnesty International is independent. It began in 1961 with a newspaper appeal calling on people to press for respect for human rights in all countries, regardless of ideology. Today the movement has more than 1,100,000 members, subscribers and supporters in over 150 countries and territories; it is open to

anyone who supports its goals. It is independent of all governments. It is not part of any political grouping nor does it undertake joint sponsorship of activities with other groups.

How does Amnesty International collect information?

When Amnesty International hears of political arrests or people facing torture or execution, it concentrates first on getting the facts. At the International Secretariat (IS), the Research Department collects and analyses information from a wide range of sources, including governments, local organizations, official and unofficial news media and independent observers. Amnesty International also sends fact-finding missions to countries to observe trials and interview government officials. No source of information is ruled out on political grounds alone: the aim is to build up a picture of the human rights situation that is as thoroughly corroborated and complete as possible.

How does Amnesty International ensure accuracy?

Amnesty International makes a clear distinction between facts and allegations. The credibility of all sources of information is carefully assessed. To protect the impartiality of the research, staff do not have responsibility for decisions concerning their own country. Furthermore, to ensure the quality of its information, all statements issued by Amnesty International go through a series of vetting procedures, including legal scrutiny.

What is Amnesty International's stand on human rights in different countries?

Amnesty International works on the basis of a single, universal standard: the human rights proclaimed by the international community through the United Nations and other bodies. Working with the most reliable information available to it, Amnesty International seeks effective ways of helping victims wherever it is aware that these rights have been violated.

Techniques include long-term adoption of individual cases; publicizing patterns of human rights abuses; delegations to talk to government representatives; or in cases where torture or death are feared, a network of volunteers to send urgent telegrams signalling international concern. Each technique (or combination of methods) is used pragmatically to get results in the best interests of the prisoners, and inevitably varies from country to country. For this reason, the whole range of the movement's work must be taken into account when assessing its overall impartiality. Amnesty International always seeks and remains open to dialogue with governments. It does not grade governments according to their human rights records or try to compare one country with another.

How does Amnesty International choose its cases?

All cases are assessed strictly in the light of Amnesty International's mandate and the reliability of the information received. Each case is decided on its own individual merits and the organization always carefully considers the most effective way of aiding the victim concerned.

Amnesty International always makes its own assessment of the facts. For example, in deciding whether a person should be considered a prisoner of conscience, Amnesty International is not bound to accept the assertion of a government, the interpretation of a court or the claim of the prisoner as to whether or not he or she has advocated violence. So if the person has been convicted of a violent criminal offence or has been accused of belonging to an organization which advocates violence, this does not necessarily prevent them from being considered a prisoner of conscience.

In allocating cases to groups, safeguards have been adopted to ensure overall impartiality:

- Local Amnesty International groups are not allocated cases of prisoners held in their own countries, nor do they collect or issue information on their own countries.
- Each group is allocated cases with con-

trasting geographical and political backgrounds.

- Groups are not asked to work on cases in countries which are in conflict with their own when this could in any way jeopardize the prisoner in question or give the impression that Amnesty International is itself politically biased.

How does Amnesty International deal with opposition groups and governments?

Amnesty International opposes abuses by opposition groups: hostage taking, torture and killing of prisoners and other arbitrary killings. It holds that responsibility for dealing with such abuses rests with governments, acting in conformity with international standards for the protection of human rights. In its approaches to governments, Amnesty International respects certain standards: it informs the authorities of missions sent to their countries, seeks meetings with their representatives and submits the reports of those missions for comment to the governments before publication.

Amnesty International — A Worldwide Campaign

The problems that Amnesty International confronts are to be found in every region and under all political systems — a sobering fact that results in enormous demands being made on the organization's resources for fact-finding and action. Since it was founded, Amnesty International has worked on behalf of more than 40,000 individual prisoners, held at some point in virtually every nation in the world — although the difficulties of collecting accurate information from some countries are formidable. Its annual report regularly includes entries on more than 140 countries. If you are interested in learning more about the work of Amnesty International or obtaining a copy of the most recent annual report, you can contact the local section or group in your area, or write to the International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.

How is Amnesty International funded?

Amnesty International is financed by donations from its members and supporters. This financial independence is vital. Rules about accepting contributions are strict in order to ensure that no funds received affect Amnesty International's integrity, make it dependent on any donor or limit its freedom of activity. No funds are sought or accepted from governments.

Minimum Requirements for Sections

An Amnesty International structure in a country* may be given "section" status by the International Executive Committee (IEC) if it meets a range of criteria resulting from past decisions of the International Council and the IEC**.

For further details contact the Membership Unit of the International Secretariat (IS).

In summary, the Amnesty International structure must demonstrate that there is in the country a certain level of Amnesty International activism, and a structure capable of:

- supporting, coordinating and supervising Amnesty International activity throughout the country
- developing campaigning on Amnesty International's concerns throughout the country
- representing Amnesty International in the country
- representing Amnesty International's membership in the country within the international movement.

Criteria

Amnesty International structures must generally meet the following criteria in order to be eligible for section status within the movement.

Basic level of activism & experience

1. There must be an active membership at local level — not less than two groups and 20 members*** — which in promotion of Amnesty International's mandated concerns maintains a reasonable level of participation in basic Amnesty International activities, including making direct appeals on behalf of victims of human rights violations and seeking the active contribution of others to campaigning on Amnesty International's concerns.
2. There must be a reasonable number of members who have undergone a basic training in the aims and methods of Amnesty International.

Relationship to the international movement & adherence to basic Amnesty International principles

3. The structure must have a statute which reflects the objects and methods of Amnesty International as contained in the Amnesty International Statute, articles 1 and 2. This statute is to be approved by the IEC.
4. The structure and all its constituent parts must act in accordance with the Amnesty International Statute and the working rules and guidelines adopted from time to time by the International Council and the IEC. Of particular importance are the guidelines regarding security and responsible handling of information and the guidelines on section work on one's own country. The structure shall take no action on matters that do not fall within these provisions.
5. The structure's composition and the circumstances in which it operates must be such as to ensure its political independence and freedom of action. The structure is responsible for ensuring that the impartiality and political balance of Amnesty International as a whole is reflected in the work and image of the section in the country.
6. The structure must not operate in violation of the law of its own country.
7. The structure must be willing and able to participate in the consultation and decision-making process of the international organization.
8. The structure should be able to deal with material in the working language of the international movement (English).
9. Any arrangements for subdivisions of the structure must be consistent with the one country/one section principle.

Democratic leadership and accountability

10. There must be democratic rules, clear lines of authority and democratic accountability; this includes clear democratic procedures for the election of officers, provision for appeals against decisions, amendments to the statute.
11. Within the framework of international accountability, the supreme decision-making body of the structure must be a general meeting which receives for consideration annual activities and financial reports, major policy proposals and a general plan and budget for the next period. There must be provision for an extraordinary general meeting as well as regular ordinary meetings.
12. There must be a governing body, such as an executive committee or board, which represents the membership of the section and which meets regularly.
13. The governing body is responsible to the IEC for the proper functioning of the Amnesty International organization in that country and for ensuring consistent and effective work for concerns within the Amnesty International mandate.
14. The structure must submit comprehensive annual reports on its activities to the IEC.

Membership

15. The statute must specify the terms and conditions of membership including the conditions for exclusion or expulsion from membership. Provision for appeal to a higher authority, eg general assembly, must be made. While recognizing that restrictions on membership may be necessary, these should not be more rigorous than the political, social and legal situation in the country demands and should be made subject to review from time to time.
16. There must be policy and program for

recruiting new members and developing membership from a broad spectrum of the community.

17. There must be policy and program for membership training.
18. There must be policy and procedures for establishing, supporting, monitoring and closing local groups, coordination groups, professional groups and any other membership structure which may be developed within the country.
19. If external organizations are to be eligible for membership, the statute must contain provisions which conform to the requirements of 1985 International Council 44 (Policy & Guidelines on Affiliated Membership).
20. Up-to-date membership records and mailing lists must be maintained and these should be made available to the IS if requested.
21. The structure must inform the IS of the names of national officers and staff, and notify the IS of any change of mailing or office address of the national structure or groups registered with the IS.

National campaigning activities

22. The structure should promote awareness of the work and aims of Amnesty International on a national level.
23. There must be systems for handling material sent by the IS and for making Amnesty International information available to members and to the general public as appropriate; this includes distribution of the *Amnesty International Newsletter* and other Amnesty International publications in the country and the development of subscriber programs as appropriate.
24. Where appropriate there should be a program of translation into national languages.
25. There should be a program for de-

veloping relations with the national press and with national organizations and institutions, and guidelines for use by members in these relations.

26. There should be procedures and a program for contact with the national government on matters relating to Amnesty International's concerns, apart from human rights violations within the government's jurisdiction (such approaches are the responsibility of the IEC and the IS).

Finance

27. There should be a fund-raising program and the structure should make such financial contribution to the international movement as is determined by the International Council.
28. The structure must ensure its financial independence and observe Amnesty International international guidelines on acceptance of financial contributions and fund-raising.
29. There must be adequate systems for recording and reporting income and expenditure, and the structure must submit annual statements of its finances to the international treasurer.

Granting & withdrawing section status

Granting section status

At its December 1990 meeting the IEC decided the following in relation to applications for section status:

1. A potential section should demonstrate that they can operate at a basic level of section functioning for approximately one year after notifying the IEC of intention to apply for section status.
2. Before being granted section status the potential section must demonstrate that during this time it has met each of the minimum requirements and responsibilities. [See part 1]

3. The potential section will be required to report, at the time of applying for section status, on *activities carried out* and *specific policy, procedures and plans* adopted, in relation to these requirements and responsibilities.
4. The IEC will grant section status when it is satisfied, based on the application report and other reports as appropriate which are consistent with the application report, that the applicant meets the criteria.

The IEC noted that:

5. Decision 50 of the 1982 International Council gave the IEC the authority to waive a requirement "where considered advisable or necessary in the existing circumstances".
6. The reference in the Statute to the minimum requirement of two groups and 20 members represents the lowest common denominator, taking into account the existence of very small countries, but in most situations a structure of this size would be unlikely to meet the operational requirements of a section as specified in the criteria.

Withdrawing section status

Article 40 of the Statute details the process to be followed for section status to be withdrawn:

1. The IEC may withdraw section status if a section:
does not act within the spirit of the object, mandate and methods set out in Articles 1 and 2 or does not organize and maintain basic Amnesty International activities or does not observe any of the provisions of this Statute.
2. Before taking such action:
the section and...all other sections will be informed in writing of the grounds on which it is proposed to deprive it...of membership, and such section...shall be provided with an opportunity of presenting its case to the IEC.

3. Once the IEC has decided to take such action:

the section may appeal to the Membership Appeals Committee.

Public role of members of section governing bodies and senior staff members

In order to maintain the independence of sections, the International Council recommended the following rules to sections (decision 50 of the 1982 International Council):

1. To be a member of a section governing body or a senior staff member is incompatible with holding an elected or appointed top level position in the administrative, policy-making, law-giving, defence and law-enforcement system of a country; it is also incompatible with holding other elected or appointed positions which play a determinant role in foreign policy or domestic law-enforcement decisions of a country.
2. To be a member of a section governing body or a senior staff member is incompatible with holding a position in top ruling bodies of political parties.
3. An Amnesty International member should not accept membership of a section governing body or a senior staff position while holding any of the above-mentioned positions. If elected or accepting appointment to any such

post he or she should resign from the section governing body or senior staff position.

4. In some situations a person's previous employment or activity may prove incompatible with being a member of a section governing body or senior staff member.
5. In any situation of uncertainty as to whether or not a present position or previously held position should be treated as coming within the above rules, the section and/or the member concerned should seek and abide by the opinion of the IEC.
6. These guidelines also apply to leading members of Amnesty International groups in countries or territories without a section.

Notes

(a) Somewhat similar guidelines were adopted in September 1979 by the IEC regarding the public roles of IEC members.

(b) Sections may want to draw up for themselves similar guidelines which would relate to appointment or election of individuals to posts within the section at local and regional levels.

(c) The IEC will take these guidelines into consideration when approving the creation of groups without a section.

End notes

* This term is used for convenience. "Sections" are usually based on nation states, although in certain circumstances an Amnesty International structure based on a territory may be given section status. See part 6 for Amnesty International's policy.

** Decisions 50 and 60 of the 1982 International Council, decision 28 of the 1979 International Council, decision 44 of the 1985 International

Council and decision 15 of the 1987 International Council, and decision of the IEC in December 1990)

*** This minimum requirement, contained in the Statute, takes into account the existence of very small countries, but the IEC has stated that in most situations a structure of this size would be unlikely to meet the operational requirements of a section, as specified in the criteria.

Requirements for Local Amnesty International Groups

The following requirements reflect decisions taken by representatives of the membership at International Councils.

Minimum requirements (adopted by 1982 International Council decision 50)

1. The group shall be registered with the section, or where there is no section, with the IS.
2. The group must have an organized structure and sufficient active members — not less than five — to ensure effective and continuous work, to elect officers, and to maintain a reliable mailing address. In particular where there is no section, some of its members need to be able to deal with material in the working language of the international movement (English).
3. All members of the group shall agree to work in accordance with the Amnesty International Statute and the working rules and guidelines adopted from time to time by the IEC and the section, as appropriate. Of particular importance are the guidelines regarding security and responsible handling of information and the guidelines on section work in one's own country.
4. From an early stage of the formation of the group its members shall participate in Amnesty International training program in order to gain a clear understanding of Amnesty International's aims and working methods and to develop training programs for new members.
5. The group shall maintain a reasonable and consistent level of Amnesty International activity in promotion of Amnesty International's mandated concerns and shall submit reports on its work every six months to the section and, where necessary, to the IS. Where there is no section, a group shall submit its reports to the IS.
6. The group must acquire a sound financial basis so as to ensure its financial participation in the movement. It must safeguard its financial independence through observance of Amnesty International international guidelines on acceptance of financial contributions and fund-raising.
7. The group must not operate in violation of the law of its own country.
8. The composition of the group and the circumstances in which it operates must be such as to ensure its political independence and freedom of action. This is of particular importance for a group where there is no section.

Recognition: A group shall be formed and recognized only with the consent of the section, or where there is no section, with the consent of the IEC.

Temporary or permanent closure: Temporary or permanent closure of a group where there is a section is governed by the rules for groups of the respective section. Where there is no section, external changes in the political circumstances in which the group exists and operates or internal developments within the group which seriously affect one or more of the above minimum requirements may lead to the temporary or permanent closure of the group by the IEC.

Exemption: Any one or all of the requirements for groups may be waived by the IEC in relation to a particular group, where considered advisable or necessary in the existing circumstances.

Explanatory notes

Paragraph 1: Pending a review of all guidelines for participation in Amnesty International work "Amnesty International group" for the purposes of determining section International Council voting entitlement only will

be taken to mean a group registered at the IS as having been allocated an action file or RAN dossier.

Paragraph 5: There has been much discussion in the movement concerning the basic campaigning activities which should be expected of Amnesty International groups. It has been agreed that local Amnesty International groups should work on Amnesty International's mandated concerns by endeavouring to engage in the following general activities:

- appealing directly on behalf of the victims of human rights violations
- seeking the support of others in Amnesty International's work
- contributing to the financial support of the movement. (1987 International Council decision 15)

"Appealing directly on behalf of the victims of human rights violations" can include: let-

ters, telexes, telegrams, phone-calls, delegations.

"Seeking the support of others in Amnesty International's work" can include: persuading local individuals, groups and organizations to sign and send letters; leaflet, poster and petition distribution; publicity stalls; local media contacts; addressing meetings.

"Contributing to the financial support of the movement" means fund-raising.

These campaigning activities can take place in the context of action forms such as:

- RAN dossiers and action files, involving longer-term commitment
- medium-term country/theme campaigns
- short-term appeals (eg, urgent actions, newsletter appeals).

Revised guidelines for the acceptance of funds and fund-raising by Amnesty International

(Adopted by the 1987 International Council. Note: By decision 77 of the 1991 International Council, the principles of these guidelines are to be applied to decision-making on the acceptance of sponsorship.)

1. Statement of Purpose

This document offers guidelines for the raising and receiving of funds by Amnesty International. Their purpose is to safeguard the integrity and independence of the organization by setting forth general principles to guide the decisions taken by members and the responsible organs of Amnesty International. The guidelines also include approval procedures and reporting mechanisms.

2. General Principles

- 2.1 **Amnesty International is an organization dedicated to the defence of specific human rights as defined by its statute.** Hence, funds sought by and given to Amnesty International must be in consonance with the objective of the Statute.
- 2.2 **Amnesty International is and must remain a broadly based and self-supporting organization.** Hence, funds raised and received by Amnesty International must neither narrow nor diminish its volunteer and popular support.
- 2.3 **Amnesty International is and must remain, and be seen to remain, an independent and impartial organization.** Hence, funds requested and accepted by Amnesty International must in no way incur financial dependence, real or apparent, upon any political or interest group singly or in combination, nor limit the freedom of activity and expression enjoyed by the organization, nor direct its areas of concern.

3. Application

- 3.1 No donation with conditions attached

that are inconsonant with the Statute may be accepted by any constituent body of Amnesty International.

- 3.2 No donation from national governments may be accepted by any constituent body of Amnesty International.
- 3.3 No donation may be accepted which would compromise the overall independence and impartiality of Amnesty International or give reasonable grounds for suggesting that its work for human rights was influenced or directed by the donors.
- 3.4 No donation may be accepted from any individual, agency or institution which would substantially meet the cost of establishing or maintaining a constituent body of Amnesty International.
- 3.5 No donation may be accepted which would make a constituent body of Amnesty International directly or indirectly dependent for its overall level of program on the resources made available by the donor.
- 3.6 No donation may be accepted which, by earmarking for work on a specific country or otherwise, would distort the previously agreed priorities of a constituent body of Amnesty International.
- 3.7 No donation may be accepted which requires that a constituent body of Amnesty International adjust its programs to rules established by the donor.
- 3.8 No donation may be accepted on terms which give to the donor the commercial right to advertise a donation to Amnesty International or associate the donor's name, symbol or other identification with Amnesty International

in any manner not specifically agreed in advance by the recipient body of Amnesty International. Such reporting or association should be referred to the relevant decision-making body of Amnesty International at the time of seeking approval of the benefit.

4. Donations which require approval

- 4.1 If a constituent body of Amnesty International is offered or receives a donation (or donations) from any single source during a budgetary year which amounts to five per cent or more of that body's expected income for that year (and is more than £100), notification of the gift identifying its source, amount and purpose is to be made before final acceptance, according to the approval procedure.
- 4.2 If a constituent body of Amnesty International is offered or receives a donation which amounts to less than five per cent of that body's expected income for the budgetary year but whose source, intent or consequence appears questionable, notification should be given according to the approval procedure.
- 4.3 If a constituent body of Amnesty International receives an anonymous donation, it may accept this at the discretion of its governing body. In each instance judgement must be made in accordance with the principles in these guidelines. Where the intent or consequence of acceptance appears questionable, notification should be given according to the approval procedure.
- 4.4 Whether grants or donations from public bodies such as legislatures, local authorities, intergovernmental organizations or the judiciary can be accepted is to be decided according to the approval procedure on the basis of specific cases.
- 4.5 Whether grants or donations from indi-

viduals, agencies or institutions based outside the country concerned can be accepted is to be decided according to the approval procedure on the basis of specific cases where these grants or donations amount to five per cent or more of the section's expected income for the budgetary year. The International Executive Committee (IEC) will only approve such funding in rare cases when satisfied that such funding causes no risk for the section of dependence on foreign funding and that the funding will not endanger Amnesty International's independence, impartiality or image in the section or country concerned or in the movement as a whole.

5. Other benefits which require approval

- 5.1 The acceptability or otherwise of benefits from governmental sources other than direct grants is to be decided according to the approval procedure. These benefits would include tax-exempt status, programs which permit conscientious objectors to work for Amnesty International in lieu of military service, subsidized employment schemes, sponsorship by government-owned bodies such as airlines, free use of meeting rooms, and so on.
- 5.2 Whether benefits from public bodies such as legislatures, local authorities, intergovernmental organizations or the judiciary can be accepted is to be decided according to the approval procedure on the basis of specific cases.
- 5.3 In deciding whether such indirect benefits can be accepted, the principles of application described in 3 above must be followed, as for donations. In addition, any indirect benefit should in principle be available to other organizations and not be specific to Amnesty International, and should have no political evaluation of Amnesty International related to it.

- 5.4 The examples of indirect benefit mentioned above are not exhaustive; in all cases of doubt approval must be sought according to the approval procedures.

6. Approval procedure and reporting

- 6.1 For a group or other constituent body of a section, notification is to the governing organ of the section, which is to judge the acceptability of the benefit in the light of the above general principles and their application.
- 6.2 For a section or constituent body of Amnesty International which is not part of a section, notification is to the IEC, which is to judge the acceptability of the benefit in the light of the above general principles and their application.
- 6.3 Annual financial reports are to be prepared by the constituent bodies of Amnesty International in accordance with Amnesty International's agreed procedures.
- 6.4 Sections must report each year in the standardized financial reports on any donations or grants which require approval in order that the IEC can monitor the application of these guidelines.
- 6.5 Sections must also report each year, in their annual reports to the IEC in June, on any indirect benefits such as tax-exempt status, use of conscientious objectors and so on.
- 6.6 The IEC, in the case of sections, and section boards in the case of groups, should monitor the application of these guidelines on a routine basis to ensure consistency and to identify any emerging problems.
- 6.7 In its reports to the International Council Meeting, the IEC should report on the decisions it has taken on the application of these guidelines.

Appendix

1. A group or other constituent body of a section should apply to the governing body of the section, which judges the acceptability or otherwise of the particular donation or benefit.
2. Sections, or constituent bodies of Amnesty International which are not part of a section, should apply to the IEC.
3. The IEC has delegated decisions on acceptance of funds to the Treasurer and Chairperson in consultation with the Secretary General.
4. If a particular application raises major issues of principle, it can be referred to a full IEC meeting for decision.
5. Sections wishing to ask the IEC to judge the acceptability or otherwise of a particular benefit should send full details to the IEC, via the Secretary General's office. Sections should try to give as much information as possible.
6. When a request for approval arrives at the International Secretariat, the Campaign and Membership Department is asked to comment on the implications for the section. If relevant, the Administration Department is asked to confirm, in the case of donations, etc. whether the amount is more than five per cent of the section's annual income.
7. This information is sent with the section's application to the Chairperson and Treasurer, together with a comment from the Secretary General. In consultation with the Secretary General, they decide on the acceptability of the benefit in question. If the benefit is not accepted, the section is informed by the IEC of the reasons for the refusal and is given an opportunity to respond to the reasons and to request a review by the IEC of the decision in light of the response.

8. The section or constituent body is to be informed of the IEC's decision as soon as possible or in any case within three months after receipt of the application.

Guidelines on Amnesty International sections' activities concerning violations of human rights in their own countries

(These guidelines were adopted by the 1987 International Council, revising previous guidelines adopted by the Council in 1979.)

1. Individual cases

- 1.1 No group or section shall be involved in work for or appeals on behalf of a victim or victims of human rights violations within Amnesty International's mandate in the country or territory of that group or section.
- 1.2 A section may request, for its own information, a list of victims of human rights violations in the section's own country or territory, whose cases are being or have been worked on by Amnesty International. This information will be provided by the International Secretariat, subject to considerations of security and confidentiality.

2. Representations to governments

A section may not make representations to the authorities in its own country or territory concerning human rights violations in its own country or territory, except in accordance with guidelines 3, 4 and 8. In all cases, except those in which such representations are permitted by guidelines 3, 4 and 8, such representations are the responsibility of the International Executive Committee (IEC) and of other sections acting on the basis of information provided by the International Secretariat (IS). In all cases in which representations are permitted by guidelines 3, 4 and 8, they should be consistent with the international strategy on the country. When there is disagreement between the IS and the section concerned on this point, the IEC will take the final decision.

3. Ratification of treaties and changes in legislation

- 3.1 A section may make representations to its own government with a view to persuading the government to sign, ratify and/or accede to those interna-

tional treaties determined by the IEC or to change or refrain from changing legislation relating to the death penalty. Neither these representations nor any public statements relating to these representations require authorization from the IEC.

- 3.2 A section may seek changes in the legislation in its own country or territory with a view to bringing the legislation into conformity with standards laid down by international law, and may oppose proposed changes derogating from such standards. It may also seek changes in its national legislation concerning other specific matters falling within the statutory concerns of Amnesty International. These representations shall be made with the advance agreement of the IEC. Such advance agreement of the IEC may be given in relation to specific representations or generally. Public statements related to such representations do not require authorization from the IEC.

- 3.3 Sections in countries which supply military, security and police (MSP) assistance are, in general, urged to work for the introduction of legislation in their own countries — and against the repeal of such legislation once enacted — which would prohibit these transfers to other countries where they can reasonably be assumed to contribute to human rights violations within Amnesty International's mandate. The term "MSP transfers" includes training of foreign MSP personnel as well as the supply of equipment. These activities would normally be publicized and do not require authorization from the IEC.

- 3.4 Representations to one's own government on refugee matters shall be made

in accordance with the guidelines for Amnesty International's work on behalf of refugees.

4. Death penalty

- 4.1 A section may work towards the abolition of the death penalty and against legislation to reintroduce it in its own country. A section may make representations to its own government concerning changes in legislation and ratification of international covenants and treaties relating to the death penalty.
- 4.2 In making representations to its own government with regard to the death penalty, a section may illustrate its point with individual cases from its own country in conjunction with cases from other countries.
- 4.3 It is not the responsibility of a section to work on behalf of an individual case of the death penalty in its own country or territory unless authorized to do so by the IEC.

5. Missions

- 5.1 It is not the responsibility of a section to request, plan, brief or collaborate with an Amnesty International mission sent by the IEC to the country or territory of that section. Some missions, however, solely focus on issues which are elsewhere in these guidelines referred to as concerns upon which a section may act without IEC approval (see guidelines 3, 4 and 8 relating to legislation, death penalty and refugee work). For such missions, the IEC may decide to ask a section whether it wishes to be involved or not.
- 5.2 A section shall be notified in advance of the visit of an Amnesty International mission to its own country, subject to considerations of security and confidentiality. If a section has been notified of the visit of an Amnesty International mission to its country,

it may respond to inquiries by confirming the arrival of the mission and stating the general concerns of the mission. The section may make no other public statements concerning the visit without the advance agreement of the IEC.

6. Public statements and publications

- 6.1 Responsibility for the approval of all public statements or publications concerning human rights violations in a country with an Amnesty International section rests with the IEC. Sections are not empowered to make public statements or to issue publications concerning the human rights situation in their own country except as permitted by guideline 6.3. The term "publications" includes news releases, newsletters, articles, films, sound or video tapes and posters.
- 6.2 A section may make public statements concerning the ratification of treaties and changes in legislation in accordance with guideline 3.
- 6.3 In response to inquiries about human rights violations in its own country the section may give Amnesty International external information to whoever is seeking it. In doing so, however, the section should make it clear that responsibility for Amnesty International action and policy rests with the IEC, that the information emanates from the IS and that the section is not in a position to comment on the analysis or conclusions. Where appropriate, the IS should provide the section with a question-and-answer sheet to help members respond to such queries. In such situations sections may ask the IS for information which it may distribute and about actions it has undertaken. The IS must supply the information within less than a month. In urgent situations, and the section having notified the Secretary General of this urgency, the delay must be no

longer than a week. The section may state that Amnesty International has taken action on behalf of individual prisoners, if it has been informed of this by the IS.

Explanatory Note

When a current publication, news release or campaign deals with human rights violations in the section's own country, the section will be able to supply copies of the material to those who ask for it. It may also make commercial or other arrangements for distribution of the publication in its country.

During the period of initial publicity, the section may distribute material to journalists. This must be done in consultation with the IS to ensure coherent international and national distribution. All requests for interviews, comments or other public statements about the publication, news release or campaign must be referred to the IS.

- 6.4 Translations of Amnesty International publications and external documents into the language of the country which is the subject of the report are the responsibility of the international movement. The section may do the translation itself or participate in the translation, as it prefers. The final text must be authorized by the IS for use.

7. Collection of information

- 7.1 It is not the responsibility of any section to investigate or collect information about actual or possible violations of human rights in its own country or territory. Such investigations and the evaluation of all information received from any source relating to such violations are the responsibility of the Research Department of the IS acting under the authority of the IEC.
- 7.2 Members of any section may in their personal capacity and not as members of Amnesty International forward

allegations of human rights violations falling within the mandate of Amnesty International in their country to the IS. The details of Amnesty International's mandate and the address of the IS should always be provided by the section to any individual (whether a member of Amnesty International or not) who wishes to communicate such allegations. It is not the function of a section to act as a channel.

- 7.3 No section is required to collect information on the death penalty in its own country. However, in the course of its activities on the death penalty in its own country, a section may, if it wishes, collect information on the death penalty which it considers useful for the work of the international movement.
- 7.4 No section should make inquiries of a section in another country concerning prisoners or human rights violations in such other country.

8. Refugees and asylum

The guidelines for refugee work will prevail. In that context, a section may monitor and make representations on government policy on individual cases or general refugee matters. Sections may not assist people to emigrate except with the authorization of the IS.

9. Relief

The Amnesty International relief program is conducted according to the relief guidelines adopted by the International Council (ICM). Sections may only distribute relief to former prisoners and their families in their own country or territory if the prisoners have been imprisoned in another country.

10. Human rights education

Amnesty International education material produced by a section does not have to exclude human rights violations within Amnesty International's mandate in the section's own

country, when based on external Amnesty International material. It must be explicitly pointed out that the information has been prepared by the IS and references to current individual cases should normally be avoided. When deciding whether to include information provided by the IS on human rights violations in its own country, the section should bear in mind that the inclusion of such information should not distort Amnesty International's emphasis on the fight against human rights violations worldwide.

11. Military, security and police transfers

- 11.1 A section may call upon its own government to prevent the export of specific items of military, security or police equipment which Amnesty International believes are used by the recipient government for human rights violations within Amnesty International's mandate. This provision applies also to the transfer of technology or expertise such as training. Such demands may be made only on the authorization of the IEC.
- 11.2 Where the link between specific transfers and particular human rights violations is feared but not established, in consultation with the IS a section may ask "searching questions" of the home government and supplier company. These questions should not demand that the transfer be stopped, but may point to the danger of it being used for human rights violations and should inquire about safeguards.

12. Consultation with the membership

- 12.1 Where security and political considerations allow, internal membership meetings of a section may discuss human rights issues of general concern in their own country, illustrating the issues with individual cases as need be. It is a condition of such discussions that all participants are reminded of the

guidelines for work on own country and the limited framework of the discussions. Such discussions should avoid arriving at formal conclusions regarding individual cases, except where these guidelines permit sections to work on individual cases (guideline 4). The discussions and any conclusions reached must not be publicized in any way, unless such publication is authorized by these guidelines (guidelines 3 and 6). Where such publication is not permitted, sections may forward an account of their discussions to the IEC for its consideration subject to the limitations imposed by guideline 7.

- 12.2 International meetings on a single country should not involve section members from the country concerned. Where a meeting is convened to discuss several countries in the same region, or an issue touching on several countries and including the country from which the section representative comes, the individual may attend. They may not however participate in any discussions relating specifically to their own country. These limitations would not apply where the issue was one which fell within the exceptions outlined in guidelines 3, 4 and 8.

Application of the guidelines

1. These guidelines apply to Amnesty International sections and to groups and members in countries without Amnesty International sections.
2. The IEC may allow exceptions to the guidelines when they feel this would be in the best interests of Amnesty International's work for prisoners.
3. All communications with the IS and the IEC in relation to these guidelines should come from the body authorized by the section.
4. Where authorization is given by the IEC to the governing body of a section, it is recognized that this

authorization may include groups and members acting under the authority of the section.

5. All communications with the IS and the IEC in relation to these guidelines should be channelled through the office of the Secretary General. The IEC may delegate its authority for decision-making to the Secretary General who will at such times be acting on behalf of the IEC. The IEC is responsible for ensuring that communications from sections in connection with these guidelines are dealt with as rapidly as the extent of the required investigation permits.
6. Furthermore, in the spirit of these guidelines, nationals (meaning citizens of a specific country) and ex-nationals (meaning people who have changed

their citizenship) should never play a leading public role in Amnesty International actions on the country concerned or sign Amnesty International letters or appeals to countries where they could be identified as potentially "hostile". They should not be members of a coordination group on that country. In local groups, nationals or ex-nationals should not work on cases from or sign any letters or appeals to their country of origin.

Note

Nothing in these guidelines shall preclude any member of Amnesty International from involvement in any issue relating to his or her own country in a private capacity or as a member of any other organization, for example a domestic civil liberties body, provided that it is made clear that such member is not acting as a member of Amnesty International.

Guidelines for coordinating International approval of section publications and news releases

(Adopted by the International Executive Committee in 1991, revising guidelines previously used following a decision of the International Council in 1979. They have been updated following the 1991 International Council and the December 1991 meeting of the International Executive Committee.)

Fundamental principle

The fundamental principle is stated by the report *One Movement, One Message, Many Voices*. This report, adopted by the International Council (ICM) in 1987, stressed the need for a dynamic, multicultural public information program. Sections are responsible for adapting Amnesty International material to reach a wide public in their countries in such a way that "while it becomes easily accessible to the different audiences, the essential, carefully nuanced content of the information remains."

The report sums up the objective thus:

"The result will be that while the message of the movement remains an internationally consistent and carefully researched analysis of human rights issues within the framework of a single mandate, impartially and universally applied, the public in each country will receive that message in formats and styles, whether printed, visual or oral, that are best suited to their tradition and cultures."

Sections are responsible for ensuring that the information issued in the name of Amnesty International in their country (whether by individuals, groups or other structures within their section) respects the basic tenets of our work worldwide:

1. **Amnesty International's mandate**
Amnesty International information must conform to the movement's international mandate. Amnesty International does not comment on or take action on issues outside its mandate.
2. **Amnesty International's accuracy**
Amnesty International information must conform to high standards of accuracy. It must clearly distinguish between allegations and facts.

3. **Amnesty International's impartiality**
Amnesty International's information must be presented in a way that makes it clear to everyone that the movement does not support any government or political system, take sides in political conflicts or endorse the views of the people whose rights it seeks to protect.

These principles must be respected by everyone when acting or speaking as an Amnesty International member or on behalf of the movement. They apply to all our public communications, regardless of media, regardless of audience."

Putting the principles into practice

The vast majority of material used by sections need not be the subject of consultation with the International Secretariat (IS). It does not require approval by an international body in the movement.

This includes, for example:

- promotional material introducing Amnesty International to the public;
- campaign leaflets, posters, videos, advertisements or other such items being used in the section's own country on the basis of current IS research and campaign circulars;
- fund-raising letters and appeals that draw on current Amnesty International external information;
- news releases translated or adapted from international news release texts or any other external Amnesty International information;
- section newsletters;
- translation or adaptations of Amnesty International external or internal information.

All together these items account for well over 95 per cent of the total information output of the movement.

Where the item, such as a section newsletter article, appears not to conform to the fundamental principles spelled out above, the IS or other section may raise the matter with the section in question. This may require some mutually agreed international initiative to resolve the problem or may simply signal an aspect of its public information work to which the section needs to be more alert in future.

There are three specific measures that all sections should take to clarify their responsibility:

1. All documents, sound or video tapes should clearly state the name and address of the section issuing them.
2. All translations should clearly state the name and address of the section or entity responsible for the translation. They should also state, in the case of translations or adaptations of circulars or publications issued by Amnesty International at the international level, the language of the original document, its source and the fact that the original is the official text.
3. Where material in section newsletters does not come from Amnesty International, there should be a regular statement indicating that such material does not necessarily reflect the views of research findings of Amnesty International.

Where international coordination and consistency are vital

The above policy and practice allow sections considerable freedom and enable them to exercise their proper responsibilities. They also encourage a great deal of diversity, reflecting new and important trends in our movement.

There are two aspects of public information work that *do* require a high degree of international coordination if for no other reason than that we are living in a single, fast-moving world without boundaries when it comes to contemporary information flow. These two areas concern work with the news media and the release of new information in any format on countries and victims.

On these two points, the ICM-adopted report is clear:

"To ensure consistency of information, sections who wish to issue news releases on reports using information they have received themselves or who wish to react publicly to events on which Amnesty International has not yet adopted a position, must ensure that such news releases, independent information or statements of position are cleared with the International Executive Committee (IEC), which has delegated this responsibility to the IS".

To put this into practice, a distinction must be made between the practical realities involved.

The news media

In the case of news releases or other sorts of statements to the news media that:

- deal with or include information on human rights violations that has *not* already been issued by the IS;
- deal with issues in the section's own country on which international consultation is *necessary* under existing guidelines;
- deal with unfolding events on which *no* international statement has yet been sent to the movement as a whole;

the section must obtain international approval before issuing the news release or making the statement to the news media.

Reports, videos and high-profile initiatives

In the case of reports, videos (or sound tapes) and other high-profile initiatives that:

- include information on human rights violations drawn from sources *other* than IS-researched material;
- develop Amnesty International responses or policy statements that *go beyond* the positions already adopted by Amnesty International at the international level;
- touch on issues or situations that the section knows to be *unusually sensitive*

within the movement or in the outside world;

- are aimed at *international events* (such as conferences, meetings or festivals) or reach audiences in several countries (by media such as international broadcasts);

the section should consult the IS in advance of starting work on the project — or at the earliest possible stage — to discuss what consultation would be appropriate and what approval, if any, may be required.

Procedure

Decision-making in this area, under the 1979 ICM decision, rests with the IEC. The IEC has delegated this to the Secretary General. The Secretary General, in turn, has adopted procedures that place the role of central co-ordination for such communication in the Press and Publications Department (P&P), and the central record of section requests for approvals or consultation is maintained by P&P. In many cases, where others may be the appropriate experts to comment on the substance of a section's proposals, it will still be up to P&P to determine who best and how best to respond to the section itself.

On proposed news releases and statements, response must be very quick — at least to agree a timetable for consultation and/or approval with the section.

On other types of initiatives, the response time can vary.

P&P may request the Secretary General to raise an issue with the IEC. But delegated responsibility for implementing the ICM policy will continue to rest with the IS.

The death penalty, refugees and military, security and police transfers

Since distinct policy guidelines and procedures on these three specific areas have been adopted separately, this fact needs to be taken into account. The IS follows the specific policies and procedures already in effect:

i) The Death Penalty

The provisions of the Work on Own Country Guidelines adopted by the

ICM are the basic guidelines to be followed both by sections and the IS.

Sections are free to make public statements concerning their efforts to abolish the death penalty in law in their own country other than statements based on information already contained in external Amnesty International documents.

ii) Refugees

Section public statements or publications on various aspects of refugee work require international consultation and/or approvals stipulated in the International Refugee Guidelines, as amended from time to time. This is an evolving area of our work, dealing with some particularly complex and sensitive issues, and therefore, to ensure consistency and effective international coordination, the April 1989 International Refugee Meeting on Refugee Work and the 1989 ICM envisaged that a relatively high level of consultation with the IS and international approval would be required for the time being on such matters.

iii) Military, Security and Police Transfers

The agreed procedure of the movement is contained in Decision 24 of the 1983 ICM, Decision 46 of the 1991 ICM and ICM-adopted Guidelines on Amnesty International sections' activities concerning violations of human rights in their own countries. The implications for section publications and news releases are:

Searching Questions: Sections may ask "searching questions" after consultation with the IS. Such consultation also applies to making public statements based on such initiatives.

Demands for Cessation: Sections may demand cessation of exports and transfers only with the authorization of the IEC. Making public statements about such demands also requires international authorization.

Guidelines for approaching companies

(Adopted by the 1982 International Council)

A. Preamble

(i) Definition and Scope

For the purpose of these guidelines, the term "company" should be understood as including any entrepreneur, corporate body, institution or agency from the business world having a commercial, financial or trading relationship with the government, a government agency or any other body in the country which is the object of Amnesty International's concern.

Approaching such companies in general means approaching the management. Where appropriate, such approaches can be supported by an approach to the company's workforce.

It should be noted that these guidelines, which are regulated by the provisions of International Council (ICM) Decision 26 of 1979, are concerned only with approaches to companies undertaken in the spirit of Amnesty International "target sector" work; that is to say, they are analogous to approaching such influential groups as churches, trade unions, professional bodies and so on. They do not cover cases where there is evidence of economic enterprises themselves initiating or facilitating directly governmental violations of the human rights which Amnesty International defends. Such cases are governed by the terms of Referred Resolution 16 of the 1979 ICM, which was accepted by the International Executive Committee (IEC) at its December 1979 meeting.

It should also be noted that these guidelines are not intended to cover approaches to international financial institutions or international economic agencies (such as the International Monetary Fund, the World Bank and so on), which should be made either directly by the International Secretariat (IS) or by sections on the request of the IS.

(ii) Principles and Purpose

In accordance with ICM Decision 26 of 1979, Amnesty International does not address itself to the general economic or political system in operation in any country — only to that country's observance of human rights within Amnesty International's mandate. Accordingly, Amnesty International abstains from drawing conclusions of a "political" nature from its information.

In the same spirit, Amnesty International does not call for sanctions against governments or other bodies guilty of human rights violations. Similarly, Amnesty International takes no stand on the legitimacy of economic relations as such between a government guilty of human rights violations and those who have a commercial or financial relationship with it. Further, Amnesty International implies neither guilt nor innocence on the part of a company doing business in a country whose government violates human rights or having economic relations with the government itself.

Amnesty International's actions are grounded on the principle that the governments of all countries, however diverse their political systems, are bound by and therefore should be expected to comply with the human rights which Amnesty International defends. In pressing governments to accept their human rights responsibilities, Amnesty International often seeks the support of certain bodies which Amnesty International believes could be instrumental, directly or indirectly, in furthering its aims with particular governments. Such bodies are known as "target sectors" and comprise institutions or groups of people with a common interest, occupation, profession, set of religious or other beliefs, or other shared affiliation.

Similarly, in approaching com-

panies. Amnesty International's purpose, in general terms, is to further its aims, directly or indirectly. However, as a rule, approaches to companies present more complexities than working with other types of target sectors. The complexities arise largely from the different roles played by different foreign companies in the countries of Amnesty International's concern, or the multiple roles that any one company might perform.

For example, a company may be active, directly or through a subsidiary or associated company, in a region of the country or a sector of the economy which is characterized by a significant number of human rights violations. On the other hand, its activities may centre on an area where such practices are not common. Alternatively, a company may have a close and intimate relationship with a particular government such as handling its public relations, funding its major projects, acting as its financial adviser or performing some other consultative role. By way of contrast, another company may have just a low-level trading or commercial relationship with an independent enterprise in the country concerned.

In sum, a foreign company's role in a given country, its leverage with the government concerned and its inclination to use that leverage can vary greatly depending on the nature and degree of its stake in the economy, its relationship with the government, and on a host of other factors often difficult to measure or assess.

Consequently, when approaching companies in the furtherance of its aims, Amnesty International should be conscious of the possible limitations and pitfalls and be ready to adapt the content and details of its approach according to the situation of the particular company.

B. Procedure and Action

1. In deciding which countries to select as the object of Amnesty Interna-

tional's approaches to companies, priority should normally be given to those countries for which an action is scheduled in the Action Calendar.

2. The companies to be approached should normally be selected on the basis of such considerations as the extent of human rights violations in the region of the country or sector of the economy in which the company operates or trades, and the potential leverage of the company (or of the economic sector to which it belongs) on the government concerned.
3. Approaches could also be made according to a "company strategy" followed by a section whereby one or more home companies with extensive international trade or investment links are systematically approached on various countries in which Amnesty International has concerns. The Action Calendar would again be the guide as to which countries to approach those companies on at any given time.
4. Multilateral approaches by different sections to transnational companies with branches in two or more countries should be coordinated by one section.
5. Outside the framework of the Action Calendar, companies could be approached as part of an unscheduled action request by the IS or, where appropriate, as part of the activities of certain other techniques such as country action dossiers, regional action networks and other group-level activities, including activities connected with adoption work.
6. However, prior to approaching companies to intervene on behalf of a named prisoner of conscience, groups should inform the responsible section body of their intention. Unless the IS has specifically warned against approaching companies in that particular case, or in some other way suggested that the case is a complex one, the section body should use its own

discretion on whether or not to proceed. If in doubt, the advice of the IS Research Department should be sought.

7. All approaches to companies should be taken with the knowledge of the section, which generally should monitor contacts with companies and ensure compliance with both Amnesty International policy and guidelines.
8. The initial approach to a particular company should include an introduction of Amnesty International and an explanation of its mandate, its general principles and its concerns. Special attention should be given to its impartiality and universality.
9. Appeals for action on the part of the company during the first or subsequent contacts should usually contain a request which is specific enough to enable the company's subsequent compliance with it to be verified. Such re-

quests should be followed up after a suitable period.

10. Approaches to companies should be frank and open. Confidential or "off-the-record" talks or understandings which would inhibit reporting the substance of the discussions to the section, the IS or the international movement should therefore normally be avoided. It is also desirable to keep open the option of making the discussions public at a later stage if judged to be appropriate. An obvious exception would be when prisoners or any other individuals in the country concerned might be endangered.
11. Approaches to companies on human rights questions should never be combined with a request for funds. If the management should offer a donation during the course of the discussion with Amnesty International representatives, clarify that your visit is not for fund-raising purposes.

Section Development Committee decision making criteria and operating procedures

(Adopted by the Section Development Committee, 1991)

1. Introduction

In 1989 the International Council established the Section Development Committee (SDC). Decision 30 of the Council asked the SDC to "work out the objective criteria and procedures by which it will work".

Decision 30 then required the SDC to:

- monitor and obtain information on the various forms of development cooperation within the movement
- make decisions on all projects involving recurrent expenditure
- make decisions on all projects involving a major one-off development grant
- review the decisions of the IS on all projects involving a minor one-off development grant

The SDC has completed its first task. The system by which the SDC will work is described below. It is hoped that everyone in the movement will adhere to the system and that it will be applied to all forms of development cooperation. If this happens the SDC is confident that fair, balanced and real development of the movement will continue.

2. Defining development projects

The SDC has decided on a definition of development cooperation which has two parts.

The first category involves just a slight expansion of the past ways of considering intersection development cooperation. Here, development cooperation includes all projects and programs which occur *between sections* and *between sections and country coordinating structures*. The second category includes all projects and programs which involve the transfer of money from international and/or section sources.

3. Common assumptions about development

The SDC is convinced that all development cooperation projects should be based on a

number of common assumptions. It is important to stress that the SDC will *not* decide whether a particular development cooperation project actually meets these common assumptions. Rather the SDC expects that those who have been responsible for planning a development cooperation project will have considered, and made every effort to make sure that there is consistency between the project and the following assumptions:

- (a) All development projects will result in an expansion in the quantity and quality of people acting on behalf of Amnesty International's mandated concerns.
- (b) All development projects will be consistent with a country's economic, social and cultural characteristics.
- (c) All development projects should enhance the self-sufficiency of the section or country coordinating structure.
- (d) All countries, irrespective of relative size, wealth and status, will see themselves as developing.
- (e) All intersection development cooperation projects will result in mutual benefit to both partners.
- (f) All development projects, including intersection and section/non-section coordinating structures will be subject to the fundamental development principles outlined below.

It is worth restating that the responsibility in relation to these assumptions lies with those planning the project. The SDC will only want to know that full consideration has been given to the assumptions.

4. Prerequisite development principles

The situation with the prerequisite development principles is different from that which applies to the assumptions. The SDC believes that all development projects must meet the prerequisite development principles. This

means that those planning intersection projects must ensure that the principles are meant. It also means that the SDC will consider projects only after it is convinced that the project meets the prerequisite development principles.

The five prerequisite development principles are described below.

The Priority Need Principle

- All development projects must aim to meet a specific need which, in the context of the development of Amnesty International in a particular country, has been demonstrated as a priority need which cannot be funded from local resources. Minimum operating facilities in a particular country may be regarded as priority needs.

The Planning Principle

- All development projects must be located in a broader local planning framework which is consistent with the priorities of the international two-year plan. Planning frameworks will normally contain a clear statement of goals, implementation strategies, resource implications and evaluation measures.

The Participation Principle

- All development projects must reflect input and endorsement from the wider membership either by direct membership participation, or through the appropriate representative structure.

The Accountability Principle

- All projects must be subject to an open process of accountability to the local membership and to the international movement.

The Evaluation Principle

- All development projects must be subject to an evaluation process and report which links project outcomes with identified need.

It must be stressed that if, after consultation and advice, it is the view of the SDC that a project does not comply with the Prerequisite Development Principles, the request will not be considered for funding.

History of Amnesty International development in the applicant country

The SDC will review the development of Amnesty International in the applicant country and give particular emphasis to the degree to which the organizational infrastructure is supported by local resources. Under this criteria, the SDC will examine both the size and type of past development grants and relevant evaluation reports.

Comparative size of the application

The SDC has a limited budget allocation and will take into account the size of the application, the relative distribution of international resources across regions, its impact on the overall SDC budget and the subsequent capacity of the SDC to fund other development projects.

Country specific characteristics

Where a development project application contains specific reference to a country's special demographic, social, cultural and/or economic characteristics, such characteristics may be included in the considerations of the SDC.

The SDC will notify all applicants of the decision outcomes.

5. Decision making by the SDC

Under the terms of the International Council decision, it is the responsibility of the SDC to make decisions. There are two types of grant and two areas for decision making.

Type of grant

As outlined in the original paper *General Revenue Grants* will replace recurrent grants. These grants will be directed towards management and administrative infrastructure systems. Over time it is expected that a section will demonstrate self-sufficiency in the systems needed to maintain its organizational infrastructure.

Specific Purpose Grants will replace the term one-off grant. These grants will be directed towards projects which are for new developmental initiatives. It is expected that over time the pattern of grants to a section would move from general revenue grants to specific purpose grants.

Type of decision

The *first* concerns financial transfers from international sources. Here the SDC must make decisions on all development cooperation projects which involve financial transfers for general revenue grants and financial transfers for development projects which involve specific purpose grants.

The *second* concerns development cooperation projects between sections and between sections and country coordinating structures. These will be subject to the current policy prohibiting direct financial transfers except where it can be shown that such transfers are the most cost efficient and practical way for achieving the goals of the project.

Before making any decisions on projects the SDC will review all requests to ensure that alternative resource sources are not available. In the normal course of events this will occur at the time of the initial application.

The various roles to be played by the SDC are discussed later in these guidelines.

6. The decision making criteria

The SDC will be required to decide between requests that not only meet the Prerequisite Development Principles, but have merit in their own right. In making decisions *between* project applications the SDC will adopt the following criteria.

Relative strategic importance

The SDC will take into account the IEC's assessment of the relative strategic importance of the development of Amnesty International in particular countries.

The advisory role

The SDC will provide advice as to whether specific development projects comply with the Prerequisite Development Principles.

The regional liaison role

In order to make reasonable decisions, provide advice and receive and share information, the SDC has decided to allocate a regional liaison role to individual committee members.

7. The role of the SDC

In order to implement the terms of the Inter-

national Council decision the SDC will adopt the following roles.

Information role

The SDC will produce a *Development Cooperation Bulletin*. The Bulletin will be produced twice each year and it will include:

- a summary of the development issues raised at each SDC meeting
- a brief description of some of the projects approved at each SDC meeting
- information received by SDC members and the Membership Unit on intersection development projects. SDC members will attempt to collect information on *current* and *planned* development projects, and on non-financial resources which might be made available for specific development projects.

The bulletin, together with the information role played by the SDC will be one way of putting people in touch with one another. At the request of sections or country coordinating structures, the SDC will provide information on ways in which specific needs may be met and development projects resourced.

8. The application process for international funding

The following is a description of the process by which the Assumptions, Prerequisite Principles and Criteria will be operationalized. The mechanism by which applications will be processed is described below and an attempt has been made to provide a system which clearly indicates the roles and responsibilities of the section, the IS Membership Unit (MU) and the SDC. The system is explained in the step-by-step manner which project applications are expected to take.

8.1 Preparation of the application

- a) The section, Country Coordinating Structure (CCS) or groups with country coordinating structures will initially prepare a written submission according to the *Project Guidelines* and application form prepared by the SDC. This application will then be sent to the SDC care of the IS.

- b) Copies of the application will be sent by the MU to the SDC member responsible for the region and the Chair of the SDC.
- c) The MU will have the responsibility of formally processing the application. This will entail making sure that the application has the relevant information and attachments as set down in the *Project Guidelines*. If necessary the MU will obtain the relevant information.
- d) The relevant regional SDC liaison member has the initial responsibility for deciding if the application conforms to the Prerequisite Development Principles. In order to make this initial assessment the SDC will seek and receive an opinion on this matter from the MU. If during the course of this process any difficulties are encountered, the relevant regional SDC liaison member will take responsibility for interpreting the principles, providing advice and arranging for additional information. This will be in consultation with those making the application and the MU.

8.2 Decision making

- a) *Applications made by sections and non-section structures for specific purpose grants at a total value below £1,500.*

Grants in this category will be decided by the MU under authority delegated by the SDC. The MU will ensure that the project meets the Prerequisite Development Principles and will make decisions using the Criteria described above. Decisions of the MU will be reviewed by the SDC at its biannual meetings.

- b) *Applications made by sections and non-section structures for specific purpose grants at a total value above £1,500.*

Grants in this category will be decided by the SDC at its biannual meetings.

- c) *Applications made by sections and non-section structures for general revenue grants at a total value below £1,500.*

Grants in this category will be decided by the relevant SDC member. Decisions of the SDC member will be reviewed by the full committee at its biannual meetings.

- d) *Applications made by sections and non-section structures for general revenue grants at a total value above £1,500.*

Grants in this category will be decided by the SDC at its biannual meetings.

NB In relation to all general revenue grants and specific purpose grants over £1,500 for non-section structures, the MU will assume responsibility for forwarding applications to the SDC. Should disagreement occur between the SDC decision and MU recommendation, the matter will be referred to the IEC prior to the implementation of the SDC decision.

8.3 Direct inter-section financial transfers

Applications involving direct financial transfers between sections will be subject to the same procedures outlined above. The application should be prepared and submitted by the section receiving the transfer. As stated these will be subject to a policy prohibiting direct financial transfers except where it can be shown that such transfers are the most cost efficient and practical way for achieving the goals of the project.

Where parties choose the direct transfer of funds, they must refer the particular development cooperation project to the SDC for prior approval.

8.4 Reporting and evaluation

All approved projects will be expected to furnish the SDC with a financial report and evaluation of the project. This may take the form of either a specific report on the project sent directly to the SDC, or the report may be incorporated into the section annual report to the IEC and the standardized financial report. If the latter form of reporting is adopted, it should be done in such a manner as to relate expenditure to the original budget.

8.5 Implementation

The SDC will notify the project applicants of decisions taken.

8.6 Schedule of meetings

The SDC will meet twice yearly to consider applications. The months in which the meet-

ings will take place will be announced by the SDC at the beginning of each two-year cycle. While the committee will endeavour to reach decisions on all projects submitted prior to a meeting, it cannot guarantee a decision on projects submitted less than six weeks prior to a meeting in the event of delays in processing the application.

8.7 Emergency procedures

In order to accommodate projects which meet the Principles and Criteria, but which would be jeopardized by waiting for a committee meeting, the following decision-making procedure will be applied. The relevant SDC liaison member and the SDC chair will have powers to approve projects. These decisions will only refer to situations that could not have been foreseen in the regular planning process of those making the application.

9. Summary of Responsibilities

Project applicants

- prepare applications according to the Assumptions and Prerequisite Principles

- submit financial and project evaluation reports to the SDC

Membership Unit

- ensure applications conform to the procedures
- provide an opinion on the extent to which the application conforms to the Prerequisite Principles
- approve applications for specific purpose (non-recurrent) projects not exceeding £1,500

Section Development Committee

- make decision on all applications exceeding £1,500
- assist with advice and liaison with MU and relevant regional people
- revise and interpret Principles and Criteria as they apply to specific projects
- receive and review reporting documents

Notes