

Equalities, Human Rights and Civil Justice Committee
Tuesday 24 February 2026
6th Meeting, 2026 (Session 6)

International Covenant on Economic, Social and Cultural Rights (ICESCR)

Introduction

1. This session forms part of the Committee's ongoing scrutiny of Scotland's implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR), following the UN Committee's Concluding Observations published in March 2025.
2. The Committee held two evidence sessions in April and May 2025 and heard evidence from civil society organisations and the Scottish Human Rights Commission (SHRC), and then from the Minister for Equalities and Scottish Government officials.
3. The Scottish Government published its High Level Action Plan in November 2025, which sets out how it intends to respond to CESCR's Concluding Observations.
4. The Committee will hear from:
 - Kaukab Stewart MSP, Minister for Equalities
 - Elli Kontoravdis, Head of Human Rights Implementation and International Policy
 - Kevin McGowan, Unit Head, Equalities Division.

Background

ICESCR and the Review Process

5. The International Covenant on Economic, Social and Cultural Rights (ICESCR) is one of the core UN human rights treaties. Ratified by the UK in 1976, it guarantees a wide range of rights including the right to work, to an adequate standard of living (including food, housing and clothing), to health, to education, and to social security. These rights apply to everyone without discrimination, and States parties have a legal obligation to respect, protect, and fulfil them.
6. The Committee on Economic, Social and Cultural Rights (CESCR) is the expert UN body responsible for monitoring implementation of the ICESCR. As part of its review cycle, States submit periodic reports. Civil society organisations, national human rights institutions (NHRIs), and devolved governments can submit shadow or supplementary reports. The Committee's Concluding Observations are authoritative, setting out recommendations and concerns based on all the evidence received.

7. While not legally binding in the way domestic law is, the Concluding Observations carry significant normative weight and are part of the UK's obligations under international law.

Scotland's role

8. While foreign affairs and treaty obligations are reserved, many of the rights protected by the ICESCR fall within devolved competence — such as housing, education and health.
9. The Scottish Government has expressed a commitment to incorporating international human rights into Scots law for a number of years. It had a specific commitment to incorporate ICESCR and other treaties in the Human Rights Bill.
10. For background, see SPICe blog [The Human Rights Bill – why has the Scottish Government not legislated and what happens next?](#) (15 November 2024).
11. In a recent [letter from the Minister for Equalities to the Committee](#) (13 January 2026), the Minister said that the Scottish Government is committed to introducing the Bill in the next Parliamentary session, subject to the outcome of the Scottish Parliament election.

Correspondence to the Committee on ICESCR

12. The Human Rights Consortium Scotland (HRCS) shared its [Draft Report to the UN Committee on Economic, Social, and Cultural Rights](#) (CESCR) with the Committee in January 2025.
13. The Committee wanted to understand more about the HRCS's report and the work taking place in Scotland to meet its human rights obligations.
14. In response to CESCR's Concluding Observations (see below), the SHRC [wrote](#) to the Committee (10 March 2025) and said the recommendations are “an essential aspect of accountability for human rights in Scotland.” The Chair, Angela O'Hagan, said she had briefed UN Committee members on the challenges facing Scotland:
 - the need for devolution sensitivity in the Committee's approach
 - the disappointment of many organisations surrounding the failure to ensure that ICESCR rights are incorporated domestically
 - challenges of access to justice
 - the inadequacy of social security, rising poverty and economic security,
 - access to healthcare, and
 - the wide-ranging problems many people face in accessing affordable, accessible and secure housing.

CESCR's Concluding Observations for the UK

15. The [CESCR's March 2025 Concluding Observations for the UK](#) highlighted both positive developments in Scotland and areas where further action is required. These include:

- Full incorporation of ICESCR into Scots law
- A stronger intersectional approach to gender equality – this includes intensified efforts to combat negative gender stereotypes, ensure women have access to justice and strengthen responses to gender-based violence.
- Prevent and combat discrimination and inequalities, with reference to race, disability, Gypsy/Travellers, religious groups, migrants, refugees and asylum seekers – through awareness raising campaigns and affirmative action measures.
- Devolved governments should enhance their refugee integration strategies, focusing on access to social security, healthcare, education (including language courses), family unity and access to labour market and employment services.
- Tackling child poverty and food insecurity.
- Better access to healthcare for marginalised groups.
- Improved outcomes for migrants, disabled people, Gypsy/Traveller communities, and LGBTI people.

Committee evidence

16. On [29 April 2025](#), the Committee heard from:

- Lucy Mulvagh, Director of Policy, Research and Impact, Health and Social Care Alliance Scotland (the ALLIANCE)
- Charlie McMillan, Interim Director, Human Rights Consortium Scotland
- Clare MacGillivray, Director, Making Rights Real
- Lorne Berkley, Strategic Lead: Policy and Rights, Scottish Commission for People with Learning Disabilities (virtual attendance)
- Professor Angela O'Hagan, Chair, Scottish Human Rights Commission

17. Each organisation submitted a shadow report to the CESCR review in January 2025. Their contributions focused on how international human rights obligations can better shape law, policy, and lived experience in Scotland.

18. On [6 May 2025](#), the Committee heard from:

- Kaukab Stewart MSP, Minister for Equalities
- Alexandra Devoy, Human Rights Policy Lead (Treaties and International), Scottish Government
- Cat McMeeken, Deputy Director, Equality

Evidence summary

Key points raised by the civil society organisations

- The organisations indicated their continued support for a human rights bill, but shared their deep frustration at the delay.
- They made calls for stronger data in order to be able to monitor equality and human rights obligations.
- They highlighted the persistent inequality and structural discrimination across housing, education, social security, and employment.
- It is important to understand the impact of intersectionality and how different forms of discrimination can increase disadvantage so that a human rights approach can be applied which recognises lived experience.
- The need for culture change - rights should be embedded in public bodies, budgeting, and day-to-day decision-making.
- There was broad support for the forthcoming Tracker Tool, and a strengthening of powers of bodies such as the SHRC, the Children and Young People's Commissioner Scotland, to improve scrutiny and transparency.

Key points raised by the Minister for Equalities and Scottish Government officials

- Confirmed a commitment to introducing the Human Rights Bill, despite the constitutional complexities.
- Recognised the Parliament's central role in scrutiny and implementation.
- Placed strong emphasis on participation, accountability and intersectionality.
- Spoke about expanding the powers and remits of the SHRC, the Children's Commissioner and the SPSO, through the Human Rights Bill.
- The work to create a human rights treaty tracker to improve transparency and accountability.
- The importance of embedding a human rights approach across different portfolios for human rights realisation.

Follow up correspondence

19. The Minister wrote to the Committee on [17 September 2025](#), in response to follow up questions from the Committee after hearing her evidence on 6 May 2025.

20. The Minister told the Committee that the Scottish Government:

- had published a detailed [Discussion Paper](#) on its latest proposals for the Human Rights Bill. The Paper aims to consolidate the extensive developmental work undertaken to date on incorporation, and to support further engagement with stakeholders.
- is on track to launch the first phase of a new digital Human Rights Tracker by March 2026.
- intends to publish a high-level action plan on the ICESCR Concluding Observations before the end of the year.

Scottish Government's High Level Action Plan

21. The [Scottish Government high level action plan in response to the Committee on Economic, Social and Cultural Rights](#) (26 November 2026) sets out the activity being taken to respond to the Concluding Observations made by the UN Committee on Economic, Social and Cultural Rights (UN Committee) during the seventh State party review in February 2025, in relation to devolved matters.

22. Since the publication of the Concluding Observations, the Scottish Government says it has engaged widely with stakeholders to help shape its response to the Committee's recommendations. It views the High Level Action Plan as a key milestone in its broader programme to "strengthen the implementation of human rights in Scotland."

23. When the Minister gave evidence to the Committee on [6 May 2025](#), she said that there had been over 130 recommendations to the UK as the State Party, of which 49 recommendations relate to areas that are devolved to the Scottish Government.

Committee consideration

24. The Committee is asked to note the information provided above.

Clerks to the Committee
February 2026