SHRC
Scottish
Human Rights
Commission

Katie Hagman MSP
Convener
Equalities, Human Rights and Civil Justice Committee,
The Scottish Parliament,
Edinburgh,
EH99 1SP
Via email only ehrcj.committee@parliament.scot

Date: 7 October 2026
Our reference:

Dear Convener,

Report: Economic, Social and Cultural Rights in the South of Scotland

On behalf of the Scottish Human Rights Commission (SHRC), I would like to formally share with the Committee the SHRC's report on the current enjoyment of economic, social and cultural rights in the South of Scotland. This is the second report in our programme of local monitoring of economic, social and cultural (ESC) rights across Scotland, following our 2024 report on the Highlands and Islands. The monitoring work was undertaken under section 4(1)(b) of the Scottish Commission for Human Rights Act 2006.

The report demonstrates significant challenges in the current enjoyment of economic, social and cultural rights across the South of Scotland. Drawing on direct testimony from rights holders alongside a review of more than 200 reports and policy documents, it provides an indicative assessment of where rights are progressing, where they are deteriorating, and where public services and policies appear to fall short of international human rights standards.

Of particular concern is our assessment of Minimum Core Obligations. These are the most basic and non-negotiable standards below which economic, social and cultural rights should not fall. The report finds that the Minimum Core Obligations relating to the right to food are not being met, while obligations relating to housing, water,

health and culture are only partially met. In practice, action to mitigate hunger remains heavily dependent on charitable and community provision, while people also experience serious problems including unaffordable and poor-quality housing and barriers to accessing essential healthcare.

Another significant concern is evidence of regression or deterioration in the enjoyment of rights. Our assessment finds failures to meet the principle of non-retrogression in relation to health, education and culture. Rights holders described increasingly centralised and difficult-to-access health services, pressures arising from school closures and budget reductions, and cuts to libraries, leisure facilities, community spaces and cultural programmes. The report also identifies deterioration in the right to work.

Across all the rights examined, there is not a single right for which all the conditions of adequacy required under international law are fully met. The report identifies three particularly important cross-cutting barriers: accessibility, affordability and fragility. Services may exist but remain practically inaccessible because of transport, geography, digital exclusion, poverty, disability or caring responsibilities; the costs associated with food, housing, transport, energy and accessing healthcare place rights beyond reach for some people; and essential support is too often dependent on third-sector organisations, volunteers and short-term funding.

The report calls for an overarching and systemic response. Urgent action is required to meet Minimum Core Obligations, including eradicating rooflessness, alleviating hunger and ensuring universal access to essential food, ensuring universal access to affordable, acceptable and quality sexual and reproductive healthcare, and addressing barriers to cultural life. It also recommends stronger domestic protection of ESC rights and access to justice, more flexible and localised approaches to policy and service delivery, and clear, measurable action by the Scottish Government, local authorities and relevant NHS Boards to improve the adequacy of services.

The Equalities, Human Rights and Civil Justice Committee has an important role in scrutinising these findings and the response of the Scottish Government and other relevant duty-bearers. We would particularly encourage the Committee to consider how the report’s findings should inform scrutiny of public service reform, resource allocation and future legislation, including the proposed Scottish Human Rights Bill.

Ultimately, we hope this report contributes both to tangible improvements for people in the South of Scotland and to a stronger, more systematic approach to the realisation of economic, social and cultural rights across Scotland.

The SHRC would be happy to provide further evidence to the Committee on the findings and recommendations in our report.

Yours sincerely,

Professor Angela O'Hagan
Chair

Enclosed: Economic, Social and Cultural Rights in the South of Scotland Report