



OFFICIAL REPORT
AITHISG OIFIGEIL

Equalities, Human Rights and Civil Justice Committee

Tuesday 21 February 2023

Session 6



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EQUALITIES, HUMAN RIGHTS AND CIVIL JUSTICE COMMITTEE
5th Meeting 2023, Session 6

CONVENER

*Joe FitzPatrick (Dundee City West) (SNP)

DEPUTY CONVENER

*Maggie Chapman (North East Scotland) (Green)

COMMITTEE MEMBERS

*Karen Adam (Banffshire and Buchan Coast) (SNP)

*Pam Duncan-Glancy (Glasgow) (Lab)

*Pam Gosal (West Scotland) (Con)

*Rachael Hamilton (Etrick, Roxburgh and Berwickshire) (Con)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Zainab Adeleye (Scottish Youth Parliament)

Ramiza Ahmad (Scottish Youth Parliament)

Dr Alison Hosie (Scottish Human Rights Commission)

Rob Watts (Fraser of Allander Institute)

Luis Felipe Yanes (Scottish Human Rights Commission)

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament Equalities, Human Rights and Civil Justice Committee

Tuesday 21 February 2023

[The Deputy Convener opened the meeting at
09:32]

Interests

The Deputy Convener (Maggie Chapman): Good morning, everyone, and welcome to the fifth meeting in 2023 of the Equalities, Human Rights and Civil Justice Committee. The convener, Joe FitzPatrick, is unable to attend today, so I will convene in his absence. Kaukab Stewart is attending as a committee substitute, and I welcome her to the meeting.

The first item on the agenda is a declaration of interests. I ask Kaukab whether she has any relevant interests to declare.

Kaukab Stewart (Glasgow Kelvin) (SNP): I do not.

The Deputy Convener: Thank you very much.

Decision on Taking Business in Private

09:33

The Deputy Convener: The second agenda item is to agree to take item 5, which is consideration of today's evidence sessions, in private. Are we agreed?

Members indicated agreement.

Scottish Youth Parliament Equalities and Human Rights Committee

09:33

The Deputy Convener: The third item on our agenda is to hear virtually from the convener and deputy convener of the Scottish Youth Parliament's Equalities and Human Rights Committee. They will provide an update on areas that we previously discussed with them. I welcome to the meeting Ramiza Ahmad MSYP and Zainab Adeleye MSYP, respectively convener and deputy convener of the Equalities and Human Rights Committee of the Scottish Youth Parliament. You are very welcome.

Members will recall Ramiza and Zainab from our business planning day in September. We are keen to hear what you have to say. Either of you can respond to any of the questions that we might ask, but if there is something that one of you is really keen to say, please type "R" in the chat box, and I will come to you when I can.

I refer members to papers 1 and 2, and I invite Ramiza and Zainab to make some opening remarks.

Ramiza Ahmad (Scottish Youth Parliament): Good morning, everyone. I am Ramiza Ahmad, Member of the Scottish Youth Parliament for Kirkcaldy and convener of the Equalities and Human Rights Committee. I remember everyone from last time. You were all really sweet and generally just really kind. I heard before the meeting that everyone was planning on meeting someone again, so I brought him along: here is our committee mascot, Fernando. I thought that I would bring him back because I heard a lot of talk of, "Is Fernando coming? Is Fernando not coming?", so I brought Fernando.

I will hand over to Zainab to give her introduction.

Zainab Adeleye (Scottish Youth Parliament): Hello, everyone. My name is Zainab Adeleye. I am the MSYP for Glasgow Southside, and I am the deputy convener for the Equalities and Human Rights Committee in the SYP. Thank you so much for agreeing to meet us again. We are really excited to show you the progress that we have made since the last time that we met. Thank you.

The Deputy Convener: Thank you both very much for being here and for agreeing to have this conversation with us. We will now move to questions. Rachael, do you want to kick off?

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): Morning. Nice to see you

again. I first want to ask a very broad question. What have the MSYPs, in their roles, been doing to increase awareness of culture and heritage?

The Deputy Convener: Ramiza, do you want to take that one first?

Ramiza Ahmad: Yes, I will take that first. We met in October and had our SYP sitting. Our committee met, and we discussed how we wanted to take it further in inviting MSYPs to discuss their heritage. We consulted MSYPs online because, at that point, we were still planning things and had not met in person. We had feedback, and a few MSYPs came forward to discuss their heritage. We are taking that forward to see whether we can get any more MSYPs or former MSYPs to continue that discussion a little more. Some people do not know their background 100 per cent, so they are researching that, whereas others do not feel as comfortable. It is kind of difficult to ensure that we get as much as we can but also respect that people may not be okay with sharing things. We are a bit half and half with it.

Rachael Hamilton: Ramiza, how do you take that forward in terms of policy or motions?

Ramiza Ahmad: We put forward our committee motion at the October sitting that we mentioned. I can read it out for you if you like:

“The Scottish Youth Parliament believes that decision makers should take further steps to ensure students who do not speak English as their primary language have their right to education upheld through ensuring there are quality ‘English for Speakers of Another Language’ (ESOL) classes made available in every school and college across Scotland, as well as increased training for educators to help them better include these students.”

Our motion passed with 94 per cent agreement among the membership. We made it not only an opinion motion but an action motion, and we are working on five action points as a result of that. We are on action 1.

Rachael Hamilton: I have another question as a follow-up to that. We have seen a lot of children arriving in Scotland from Ukraine. Have you had any contact with those children and young people, who obviously have little or no understanding of the English language?

Ramiza Ahmad: Recently, I have not been able to do much national work. However, locally, I have spoken to a few young people. We have had a lot of Ukrainian refugees in my constituency, not just in Kirkcaldy but in Fife. I have spoken to young people and, on top of that, I have been trying to do more by speaking to services to understand how big an issue it is so that we can do more consultation and see how we can get help to those students and young people as soon as possible.

Rachael Hamilton: Okay. I will bring Zainab in. Nice to see you again. Do you want to add

anything on the engagement that you have been doing, as MSYPs, with young people, particularly regarding their culture and heritage? I asked a question about young people coming from Ukraine. How do you think that they have been able to participate, particularly in learning the English language?

Zainab Adeleye: Your first question was on culture and heritage. The last time that we met, we spoke about holding an event for Black History Month, which we did successfully. We got members of our committee to come together and talk about black people who inspired them. The theme for that was healthcare. For example, I spoke about the meme that was popular in 2020 about a lady who had Gorilla glue in her hair. A lot is known about her, but not a lot is known about the doctor who helped her. She had gone through many healthcare procedures to remove the glue, none of which had worked. However, because the doctor had a chemistry degree and had gone through all that, he managed to help her. That story was a way to raise awareness of black people whose works are not really out there.

We have not had any contact with the Ukrainian refugees who are coming in, but we have a connection with the Scottish Refugee Council. If we contacted the council, we might hear about how to help them. I know that the Scottish Refugee Council often holds meetings and workshops for incoming refugees, so, if we contacted the council, we might hear about how they are planning to move around the issue.

Pam Duncan-Glancy (Glasgow) (Lab): Good morning. Thank you for joining us and for bringing Fernando with you. It is always nice to see a pet, stuffed or otherwise, online.

I am keen to pick up on cultural awareness, where my colleague Rachael Hamilton left off. When we last spoke, there was an aspiration for us to do something on particular weeks. Can we help with that on an on-going basis? What would you like or do you need politicians in this room and across the chamber to do to support that work?

Zainab Adeleye: I think that Ramiza would agree with me that if we had—*[Inaudible.]*—culture or heritage coming to speak. If we could have a merged event, it would be broadcast and that would raise more awareness of what we are doing. We could have a merged event and people from the Scottish Parliament speaking at it.

Pam Duncan-Glancy: Sorry, Zainab, I missed the last bit of that. I think that you said that you would like MSPs to speak at events throughout the year.

Zainab Adeleye: Yes, at events.

The Deputy Convener: Ramiza, do you want to add to that?

Ramiza Ahmad: Yes. I will bounce off what Zainab said. I made some extra notes so that I would know exactly what I was going to say.

Last year, we were not able to do as much for Asian heritage month and particularly for south Asian heritage month—[*Inaudible.*]. We were struggling to find the basis of what we could cover. This year, we hope that the SYP and the Scottish Parliament can work together to raise more awareness through social media campaigns, by getting MSPs to talk about their heritage in the way that MSYPs plan to do. We want to spend longer planning the month thoroughly and going into depth and working together on it. That will show that we are not just talking about heritage but that young people and the Scottish Parliament are working together to understand people from Asian backgrounds.

Pam Duncan-Glancy: Thank you. That is really helpful. We will have a think about how we can do that.

Convener, may I go on to my question about English for speakers of other languages?

The Deputy Convener: Yes, of course.

Pam Duncan-Glancy: Thank you. Obviously, there has been a lot of focus this week on Ukraine and the illegal war there. We heard briefly about that just now. I take the point about your engagement with those families, but do you know whether access to training in English as a second language here has been stretched? Are there enough resources to make sure that people who come here from Ukraine and other countries get access to that education?

09:45

Ramiza Ahmad: Over the past little while, there has been a little bit of a stretch with more accommodation for Ukrainian citizens and refugees. However, we could be doing a bit more about that and seeing how we could expand it. It is easy for me to just say that a bit more could be done to help those students who are coming here. Moving is enough of a struggle. I have seen recently that there is support, but there is not enough. The council—[*Inaudible.*—and they have to get it independently, on their own. After everything that they have been through, they should not have to act independently when it comes to their learning. A bit more should be done.

Pam Duncan-Glancy: When you say “independently”, do you mean that families have to source that training, as opposed to its being readily available?

Ramiza Ahmad: Not in that sense; it is more about when young people are in educational services, whether it is college or schools. Sometimes, not enough is being put through from staff to support them. There are services, but it is mainly staff or, sometimes, the services are not available as often as the students need.

Pam Duncan-Glancy: I appreciate that. Zainab, do you have anything further to add?

Zainab Adeleye: Regarding the question about the training—[*Inaudible.*—I do not really know. However, I do know that although young Ukrainian refugees have access to ESOL in schools, that training is not readily available for adults or those who are over the age of 17; they have to source it. A refugee who is not from Ukraine spoke to me about how, when she came in, she had to source ESOL training. Her application process was rigorous and long, and she complained that, even though her English was not good, she had to do a long application with so much written English. It was so hard for her to apply and she just gave up. She went to an organisation that helped her. The application process for ESOL training for adults or even young people who are older than the school age should be made easier. They should work with charities—[*Inaudible.*—to help them apply.

Pam Duncan-Glancy: In the motion that you read out earlier, you said that “further steps are needed”. Will you set out some of those further steps for us?

Ramiza Ahmad: Do you mean the action plan that we came up with once we had agreed the motion?

Pam Duncan-Glancy: Yes.

Ramiza Ahmad: Just give me two seconds; I will read it out for you.

Our first action, which we are working on, is to talk to relevant stakeholders involved in that work, such as Education Scotland and the Scottish Refugee Council. We have had a bit of an issue recently with getting in touch. I have been at university and Zainab has been busy and because schools are back on, we have had a bit of a struggle with contacting people. However, I have spoken to SYP staff and I have a little bit of local work that I will be doing to understand the Fife services and then I hope that we will expand that work by getting other people on the committee to do the same.

The second action is to make a toolkit to highlight what key aspects should be included in mandatory training. The third action is social media campaigns that emphasise the importance of mandatory training. The fourth action is to speak to decision makers to try to get a commitment to ensure that the motion will be

taken forward. The fifth is to work with you, when possible, on the next stages of the campaign.

Pam Gosal (West Scotland) (Con): Good morning, Ramiza and Zainab. It is always good to see Fernando again.

The ESOL support motion had overwhelming support from the Scottish Youth Parliament, with around 94 per cent of the members agreeing to the motion. The motion stated that the classes should be made available in every school and college across Scotland. Should there be geographical differences—for example, between rural and urban areas—in the roll-out of ESOL support? I will go to Zainab.

Ramiza Ahmad: I will answer first. Can you repeat the question? My microphone has been a bit iffy.

Pam Gosal: Yes, of course. There was overwhelming support from the Scottish Youth Parliament for the ESOL support motion, with 94 per cent of its members agreeing to the motion. The motion was on classes being available for every school and college across Scotland. Should there be geographical differences between urban and rural areas in the roll-out of ESOL support? Should all of Scotland be getting the same ESOL support, or should there be geographical differences depending on where the support is needed?

Ramiza Ahmad: That is a conversation in which two arguments can be made. There are areas where more young people need the support. It can sometimes be the case that urban areas have more people who need support than do rural areas. From consultation, however, it has been found that rural areas are getting near to no support. It would be nice to make sure that it is 100 per cent equal, but we need to make sure that we base it on the area and on how many people need the support and that we then ensure that everyone is getting some form of good support in their area, rather than trying to cover everything equally. That is not impossible, but we struggle to do that, if that makes sense.

Zainab Adeleye: On the back of what Ramiza said, we should make the ESOL support available to the people who need it more. We believe in equality through ESOL. It is the kind of scenario in which A needs water but you give A food instead of water. Although you are doing a good thing, you are not giving them what they need. The ESOL support should be given to the people who need it, and, later on, it should be given to others. It may be a small proportion of people in urban areas who need it first. If, for example, urban areas have fewer people who need support, you give them less support, and if the rural people need more, you give them more until we have a lot of

resources. We are working with minimal resources right now, so it is best to use them wisely until we have excess.

Pam Gosal: Thank you for that response. The motion speaks a lot about ESOL support being available in schools and colleges, but there is not a lot of mention of community learning. You may remember that the last time that we spoke, I was saying that we should be looking at places of worship. I know that mosques, gurdwaras, temples and many other places of worship do a lot with education, especially Sunday school, which could include learning a language such as Punjabi. Should we be reaching out to those communities to help deliver ESOL support as well? Should that be considered, so that we can reach out to those communities?

Zainab Adeleye: Yes. When people come into a country, more often than not they look for people with whom they can connect. Most of the time, that is in places of worship. If they are more than likely to go to a place of worship, it is smart to work with them, because that is where people regularly are.

Ramiza Ahmad: I think that it is important to include people who go to a place of worship. Sometimes, people do not fully know their options. I have helped out a few friends and other people who struggle with English, and they cannot really go to their education services to speak about it—they are quite anxious about doing that or are just generally unable to do so. When you are at a place of worship where people are speaking your first language, you have comfort and are then able to say, “Yes, I need support with my English”. It is important that we can offer that for speakers of any other language as well.

Pam Gosal: Thank you very much for your response.

Kaukab Stewart: Thank you very much. You said that decision makers had to act. I think that you have already responded to my colleague Pam with some of the actions that the Scottish Government could take. I want to widen that out a little bit and ask about the areas that you are prioritising and how they fit with the Scottish Government’s priorities. Do you think that that is a good fit, or are there areas that the Scottish Government should look at that would align with your priorities? Ramiza first, please, if that is possible.

Ramiza Ahmad: Is it okay if you say that again? Sorry; my internet is being a big pain today.

Kaukab Stewart: No problem at all. I will break it down. One bit was about your priorities—the things that you are looking at—and how they fit with the Scottish Government’s priorities, and whether you think that that is a good fit or that the Scottish Government could do things differently.

Ramiza Ahmad: In general, or just relating to our committee motion on ESOL?

Kaukab Stewart: Regarding your committee motion, yes.

Ramiza Ahmad: Okay. Sorry, just give me two seconds as I try to think about the best way to answer that.

Kaukab Stewart: I do not mind if Zainab wants to come in.

Ramiza Ahmad: Zainab, would you like to come in, and I will think of a proper answer? I have got things in my head; I am just trying to say them properly.

Kaukab Stewart: It is fine. Take your time.

Zainab Adeleye: Regarding refreshing the plan to stretch out ESOL, the new ESOL strategy has not been refreshed since 2020. Things have changed since then. I think that the plans regarding how much ESOL is—*[Inaudible.]*—could be refreshed. I think that that would allow people to do what they are trying to do.

Kaukab Stewart: Did you say that the plans on ESOL have not been refreshed since 2020? I could not hear.

Zainab Adeleye: Yes.

Ramiza Ahmad: Yes, 2020. Sorry.

Kaukab Stewart: Brilliant. Thanks so much. Ramiza, are you all right there?

Ramiza Ahmad: Yes. Sorry, I was just going to bounce off what Zainab said. It would be great to see a refresh, especially after the past three years that we have had, to understand where we are now and see where we are going to move on to next. It does not seem to be a huge Scottish Government priority. It would be good if that could get seen to or if we could at least see more focus on it.

Kaukab Stewart: Thanks very much.

Karen Adam (Banffshire and Buchan Coast) (SNP): Good morning. It is nice to see you both again, and it is nice to see Fernando, too—it is a joy.

I want to ask about contested heritage. I am curious and want to get your viewpoint. In towns, villages and cities throughout Scotland, there are statues that perhaps have a negative past associated with them. For example, the statue of Henry Dundas in Edinburgh is being recontextualised in the form of a plaque, because he was in favour of delaying the abolition of slavery. What are your views on that? How can we, as elected representatives, take action on those things and call them out? I will go to Zainab first.

10:00

Zainab Adeleye: The Scottish Youth Parliament has a policy that calls for the removal of all statues, plaques and street signs that commemorate those who were complicit in or benefited from the slave trade. We understand that this is a bit controversial, because of the significance of history in our day-to-day lives, but we support the removal of the statues. Statues are a thing of honour, and, if the statues are still upright, are we honouring the behaviours that those people have shown? It comes down to us asking what we put the statues up for. Are they still there for honour, or do we now see the bad things that those people have done, and do we still believe that they deserve to be there?

Karen Adam: That is really helpful.

Ramiza Ahmad: I go back to the policy that we have at the Scottish Youth Parliament, as Zainab said. On top of that, it is about accepting that these people have made—*[Inaudible.]*—significant changes but weighing the bad with the good. It is good to commemorate what they did, but we have to commemorate the good—I am trying to word this in a good way—and discuss the controversy about the things that they have done in the past.

One thing that has been noticed over time is that, when there is a lack of discussion of the less easy and controversial aspect of things, young people, and the population generally, can often feel as though we are not getting the whole truth or that we are not understanding those people correctly. It would be better if the facts were stated and we said, “These are the things that these people have done. They are amazing and great but, on top of that, they have also done these things.” As Zainab said, we have a policy, and that is what we believe in.

I hope that that makes sense. I know that it is a bit half and half.

Karen Adam: It makes sense, and I am really grateful for your contributions, because we need to know whether recontextualising is enough. Zainab, you made the point that you feel that statues are erected in honour of somebody and are not just a reflection of history in a moment in time. Even if we are looking back on these things, looking forward in how we give honour and show history is important so that we do not repeat mistakes. It was really interesting to hear your views on that, so thank you.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Thank you very much to the panel. I have really enjoyed the session. Thank you to both of you for what you have already said.

I want to cover how you engage with young people. You talked a lot about that when you

answered questions from my colleague Rachael Hamilton, so I will not totally go over that, but are there areas or schools where it is more difficult to get that engagement, or is it the case pretty much across the board that, if you contact local authorities or schools, the MSYPs get access to other young people? Are you encountering any difficulties? If so, is there anything that we as a Scottish Parliament committee can do to help you with that?

Ramiza Ahmad: When it comes to trying to consult young people or just generally to have a conversation, there are many times when people are quite open and want to hear more or want us to listen to them, whether they are schools, educational services or organisations. Organisations are a big one, and sometimes youth organisations are keener than schools or other educational institutions to get to know us a bit more. They want us to hear what they have to say.

As Pam Gosal mentioned, people often go to places of worship, and I sometimes find it easier to consult young people there. It is a great way, even for the Scottish Parliament and MSPs in general, to consult people if you cannot consult them otherwise. You will always find people in places of worship, and they will always want to be heard or have a discussion. It will be a civil, calm and peaceful discussion with people of all ages, which is great.

Sometimes, however, people do not understand who an MSYP is, what we represent or the work that we do. We can be disregarded or put to the side, and speaking to people can be difficult at times. It would be great to have more awareness of who we are and what we represent so that more young people know who to go to.

Zainab Adeleye: My personal experience of going to schools et cetera has not been good, mostly because the people do not know who we are. For example, last September, MSYPs in my constituency decided to go into schools for a consultation. We were met at the front desk with, "What is the SYP?", because they do not understand the importance of students' voices being heard through us, and we are seen as a secondary issue. We are not seen as the main way that students' voices can be heard.

The Scottish Parliament can help us by emphasising our importance to young people or by making sure that young people know that the Scottish Youth Parliament is important and that we are elected to be the voice of young people. If our importance was emphasised, we would get different results.

Fulton MacGregor: You will know that part of an MSP's job is to go to schools in our constituencies and regions. Would it be helpful if

MSPs, as a matter of course, when speaking to modern studies classes, or whatever we have been asked to speak on, were to make sure that part of their presentation makes schools and classes aware of the Scottish Youth Parliament? Would it be helpful to do some joined-up sessions with local MSYPs?

Zainab Adeleye: Yes, that would be helpful, because it would show that we are their representatives and they can easily contact us because they have easy access to us. However, many people do not know about our work or existence. If that was part of the presentation, it would give us better outreach. Whether it is a modern studies class or another event, it would be good if MSPs were to invite their local MSYPs to come with them, if that is possible, and say, as a starting point, "This is your local MSYP, and here's their email address."

The Deputy Convener: Fulton, do you have any more questions? Ramiza wants to come back in.

Fulton MacGregor: I am happy for Ramiza to come back in. I have no other questions.

Ramiza Ahmad: Fulton has made a great point about how we can do that. I agree with Zainab that bringing MSYPs to such events would be great. A lot of MSPs tried to get to know the MSYPs when they were elected, but they could also keep the MSYPs updated on what they are doing, invite them to events and work together with them a bit more.

Generally, it is about showing people the work that we are doing. When we were at school, we were taught what an MSP does. We would hear from an MSP, who would come to the school. Perhaps the MSP could speak on our behalf and say what an MSYP does and explain the similarities and the differences between the roles, which I did not know until I joined the SYP. Although my SYP experience has been great, before I joined the SYP, I did not know what changes and impacts I could make, whatsoever. In school, I was told that it was a youth parliament and that I could do some things, but I did not realise what work I could do, who I could talk to and the opportunities that I could get from it. That would really make an impact, and a lot of young people would become more interested in the SYP.

The Deputy Convener: Thanks very much, both of you, for that. We are coming to the end of this session, but I want to give Ramiza and Zainab the opportunity to make us aware of anything that you have remembered from previous questions and want to make sure that we are aware of. Also, is there anything that you would like us to consider about how our committee works with your committee or, more generally, any way in which

we can support the Scottish Parliament to work with the Scottish Youth Parliament?

Ramiza Ahmad: The questions have been great. I loved how everyone remembered everything that we said and took it into consideration. It is really sweet. I also really liked that everyone missed Fernando a little.

It was great to know that people took into consideration the cultural awareness months. Zainab and I would emphasise that, if we can work together on social media campaigns or events, it will create a huge awareness, and the young people of Scotland who come from different cultural backgrounds will feel that they are being represented a lot more. It is easy to say, "We have these people in the Youth Parliament who are representing us," but, when people see that they have a similar heritage or background, they will be more inspired.

I would like to add one more point, which is about the reconsideration of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, if that is all right.

The Deputy Convener: Of course; carry on.

Ramiza Ahmad: The SYP has been slightly frustrated that a timetable has not been published for the next stages of the UNCRC bill. It has been almost two years since the bill was passed, and the cost of living crisis has led to more rights issues for young people. It is disappointing that we are no further forward and have no further information. We want young people to continue to be updated and included in the process, if that is possible.

The Deputy Convener: Thanks very much. The committee will discuss what to do about that well-made request.

Zainab, do you have any final thoughts or comments?

Zainab Adeleye: I want to go back to the question that Karen Adam asked about the statues and give my personal opinion on that. Yes, the statues should be taken down because statues are a thing of honour, but they could be replaced by things like writings on the ground. We should not erase history. Whether we like it or not and whether it was pleasant or not, history happened. We need to make sure that we do not erase history, because those who fail to learn from history are bound to repeat it. That is a popular saying that I really believe. We could have writings on the ground to show that, although we do not support those people, we recognise that that history happened and that people deserve to know about it.

I also want to talk about the research on the right to food that we are conducting in the SYP

and that will come out in March. I ask the committee members, please, to help by meeting your local MSYPs to discuss the findings and to help promote those findings. We were talking about the outreach of the SYP. If MSPs could meet with their local MSYPs, that would be really good.

The Deputy Convener: Thanks very much for that, Zainab.

We will draw the session to a close now but, before you go, Ramiza and Zainab, I thank you very much for joining us and for your contributions. You have given us a lot to think about. You have raised quite a few points, and we, as a committee, can discuss how to take forward those issues. We are interested; please keep us up to date. Let us know how things go with your action plan and how you are getting on with the work that you are doing. If there are specific things that you would like us to do to support you or to share on social media and elsewhere, please contact our committee clerks, and we will do what we can to support you.

We will keep in touch. Later this morning, we will have a conversation about the requests that you have made of us and the comments that you have made and about how we can continue to work together over the coming months. Ramiza and Zainab, thank you very much.

I suspend the meeting briefly while we change our panels.

10:15

Meeting suspended.

10:18

On resuming—

Minimum Core Obligations

The Deputy Convener: Welcome back, everyone. The next item on our agenda is to take evidence on minimum core obligations from a human rights budgeting perspective.

I welcome, from the Scottish Human Rights Commission, Dr Alison Hosie, research officer, and Luis Felipe Yanes, legal policy development officer. Alison is the commission's lead on human rights budgeting, and Luis leads on economic, social and cultural rights. Alongside them is Rob Watts—welcome back, Rob—who is an economist at the Fraser of Allander Institute. You are all very welcome. Thank you for joining us.

I refer members to papers 3 and 4 in our pack, and I invite our witnesses to make some opening remarks. I believe that Luis will kick things off.

Luis Felipe Yanes (Scottish Human Rights Commission): Thank you. We have different areas of expertise, so, at some point—I apologise for the informality—I might say, “Ask Ali,” or she might say, “Ask Luis.”

I thank the committee for providing us with the opportunity to discuss minimum core obligations. We are excited to be able to do so, as it is a really important area of economic, social and cultural rights and one that is often not carefully considered and understood.

It is useful to start with a general understanding of what minimum core obligations are. Under international legal standards, as developed by the United Nations Committee on Economic, Social and Cultural Rights, which is the treaty-monitoring body in the UN that monitors compliance with the covenant that was ratified by the United Kingdom, minimum core obligations are those obligations that are essential and of such importance that, if they are not complied with, the purpose of the covenant will not be met. They have to be complied with—they are not subject to progressive realisation or available resources.

I will provide the committee with a very simple definition: minimum core obligations are the obligations relating to economic, social and cultural rights that a country needs to comply with at all times and in all circumstances, regardless of the resources or the overall conditions of a country. If minimum core obligations are not met, a country is not complying with its international legal obligations.

We can understand minimum core obligations as being in two categories. One category relates to results. The obligations in that category are

often viewed as obligations of entitlement. For example, in relation to food or education, they mean having the right to have access to essential food stock or the right to have access to the most basic forms of free primary education.

The other category is obligations of conduct. We are no longer talking about entitlements; we are talking about the way that the state has to behave and act. Using health as an example, we are not talking about access to a specific medical service; we are talking about an obligation—a minimum core obligation—to set forth a public health plan. That is an obligation of conduct and not necessarily an obligation of result.

It is important to raise the fact that, as of now, since the UK ratified the International Covenant on Economic, Social and Cultural Rights in 1976, minimum core obligations should be met in Scotland today, and duty bearers should be working tirelessly to ensure that they are complied with. The process of incorporation, which I am sure that we will talk about today, reaffirms the legal commitments and ensures that there can be legal accountability when minimum core obligations are not met, but that does not mean that, as of now, given the ratification of the covenant, they should not be met at present.

I also want to make sure that we understand that minimum core obligations are part of a set of four really important, inherently intertwined and interdependent obligations that are attached to economic, social and cultural rights. ESC rights are subject to progressive realisation, which means that they have to be improved over time, and efforts need to be made to ensure that the realisation of rights can happen over time, but they are dependent on the maximum available resources. Therefore, it is necessary to ensure that proper funding is allocated, mobilised and spent in such a way as to ensure that you can progress rights. There is a lot of overlap with why that is really relevant to the work that Ali and the commission have done in relation to human rights budgeting.

The third component is those obligations that are of immediate consequence, which include the minimum core obligations that we are talking about today.

The final component, which it is really important to mention, is non-retrogression, which involves ensuring that the level of enjoyment of the right is not regressed in any way. If it is regressed, there is a very strict test of the reasons for that—reasons have to be provided.

I will conclude by sharing our recent publication, “Building a new human rights framework for Scotland”, which gives our overall analysis of the key legal features for the new human rights bill. In

it, we explain what the new human rights bill needs to guarantee to ensure that it is maximalist, internationalist, multi-institutional and world leading, as the national task force indicated it should be. Our analysis is mostly based on international legal standards and best comparative examples across the world.

It is useful to mention the four essential elements that we have said need to be guaranteed in relation to minimum core obligations. First, we recommend that an obligation should be placed on relevant duty bearers to ensure that the minimum essential levels of economic, social, cultural and environmental rights for people to be able to live a dignified life are always met.

Secondly, those essential levels must be defined in further secondary legislation after a participatory process has taken place, which includes taking careful consideration of those with lived experience, technical expertise and policy makers.

Thirdly, the secondary legislation should be reviewed every 10 years to ensure that those essential levels are a reflection of the technological, societal, financial and environmental realities of Scotland. The process should continue to ensure that the views of those with lived experience, technical expertise and policy makers provide the basis for any changes.

Fourthly, the bill should include an impossibility test that allows duty bearers to avoid responsibility only if they are able to prove that, in spite of all their efforts, they could not comply with achieving their minimum core obligations.

We look forward to discussing minimum core obligations today. In future, we will be happy to talk more about what we consider to be the key and essential legal features from a human rights perspective for the human rights bill.

The Deputy Convener: Thank you very much, Luis.

Ali and Rob, are you happy for us to move straight to questions, or would you like to say a few opening words?

Rob Watts (Fraser of Allander Institute): I will take just two minutes to make some opening remarks.

The Deputy Convener: Go for it.

Rob Watts: It is great to be back. I am an economist at the Fraser of Allander Institute, so I do not have a background in human rights and law. For some of the more technical legal questions, I might need to defer to the experts, but I do have some understanding of how minimum core obligations could be applied to the process of setting a budget and to decisions on its content. I

also have some thoughts on practical next steps that we might take.

In the briefing that I prepared last year, I set out some of the principles and concepts that underpin human rights and how they might be applied to the budget, and one of those is minimum core obligations. Minimum core obligations could be a useful tool to help to scrutinise and, ultimately, influence budget decisions. Part of the challenge is that minimum core obligations are not always clearly defined. It is important to understand that minimum core obligations started out as a concept, not as a list of standards. Our task is to apply that concept to Scotland's human rights framework and to establish what those obligations mean for us.

I look forward to the discussion.

The Deputy Convener: Thanks very much. I will start off with questions.

Luis Felipe Yanes mentioned the importance of participation and of having a participatory process to determine what we mean when we talk about "minimum core obligations", as Rob Watts said. We do not necessarily have a list of things, but what are they? Can you outline how that participatory process should take place so that we have Scotland-wide understanding of what the obligations are before we, I hope, meet them?

Luis Felipe Yanes: Absolutely. That is a really important question. One of the exciting things about the legislation is that it would be quite a world-leading process and one that has not necessarily been done before. Minimum core obligations have usually been defined through judicial interpretation. As Rob Watts said, you might have a wider concept that is applied on a case-by-case basis. We can discuss some examples later, if that would be relevant.

There are two or three stages in the process. At the first stage, the legislation needs to include a wider concept or definition. We have suggested that there should be minimum essential levels of economic, social, cultural and environmental rights that are necessary to live a dignified life, but there are different concepts. Some countries have looked at a more survivalist approach—what is necessary to survive—and have used that as a bare minimum. Other countries have taken the approach that it means having a dignified life. You need the definition first, and that needs to be what grounds and guides the process of making up the list.

We have carefully considered and explored what would be the best approach. At times, it might be tempting to have a model involving, for example, a citizens assembly to define minimum core obligations. Our analysis is that there are potential risks relating to the process taking place

in that space, particularly because we want to ensure that the most vulnerable are heard carefully and are considered as a priority.

Participation in the process cannot be seen as a matter of consensus. It cannot be about reaching a consensus and voting. Through the process, we need to hear everyone in the country, including those who are most vulnerable and those with technical expertise, and then come up with a final view. We think that the process could last for two to three years.

In our view, one of the best models would involve setting up an independent commission or committee—like the mental health review panel, for example—with various types of expertise on it, including those with more technical legal expertise, policy makers and people with lived experience. It would convene a process of hearing from as many people as possible and would ensure that a prioritised scheme was put in place. We should ensure that those who potentially have less of a strong voice and those who do not necessarily have the ability to express policy considerations are met and are defined in that process. The idea is that the proposals would then be presented to the Government and the Parliament, for secondary legislation to be introduced. Those are the sort of steps that we would seek.

10:30

The really relevant point is what we should not confuse participation and acknowledgement of people's lived experience with consensus, because there is a risk that, if we reach a consensus, those who are most vulnerable might not be prioritised in the scheme.

The Deputy Convener: Does Ali Hosie have anything to add?

Dr Alison Hosie (Scottish Human Rights Commission): No, I have nothing to add. What has been said is as we discussed.

The Deputy Convener: Okay. That is great.

Rob Watts: The Parliament carries out consultations. This is not that. This is not a window through which the public can engage if they want to; this is on-going active engagement with duty bearers and rights holders. Generally speaking, to get there, we have to build capacity for understanding the contents of the human rights obligations of the Government and public authorities in order to help them when they engage in that process.

Another thing to note is that human rights infrastructure such as these guys—the Scottish Human Rights Commission—already exists in Scotland. Properly resourcing the existing

infrastructure is an essential first step in getting the participatory process right.

The Deputy Convener: That is helpful. It is particularly helpful to have that distinction between our normal consultation process and what we need to do with this.

I will bring in Karen Adam.

Karen Adam: Hello. Can everybody hear me?

The Deputy Convener: Yes, we can.

Karen Adam: There is a slight delay, sorry. Good morning. It is great to hear from all the witnesses today.

A crucial part of the committee's work involves delving more into core obligations. What would those look like in practice? We have heard some suggestions that minimum core obligations should be more relative than universal. I find that almost counterintuitive when it comes to what core obligations should be. I would like to hear your views on whether we should have a flexible, relative approach or a more universal, catch-all approach.

Dr Hosie: That is a good question. The first point is that the threshold of the minimum cannot go below the globally set universal minimum. As Luis Felipe Yanes noted in his opening statement, the universal approach outlines a set of obligations and, if those were not complied with, the whole purpose of the treaty would disappear—the obligations in the treaty would no longer make any sense. The obligations need to be complied with at all times, regardless of the resources that we have as a country. The UN committee has, over many years, developed a universal minimum through its general comments and statements.

As Rob Watts said, unfortunately, that information has not been nicely collated by the UN in a neat package, but that needs to be our starting point. Luis Felipe Yanes has produced "SHRC: Building a new human rights framework for Scotland", which we will leave with you, and that brings together the past 30 years of general comments and statements relating to all the different rights. It draws that information, where it exists, together.

In other words, that baseline is a universal minimum, so the obligations cannot fall below that. That is standard. They can only go above it. The only approach to minimum core obligations as a universal standard is that which has been set up by the UN committee; it is the interpretive authority in relation to the treaty.

If we think about the matter carefully, we see that countries that have domesticated the concept of minimum core obligations in one way or another, by adopting them in their judicial

interpretation or by enacting elements of them in different pieces of legislation, have always done so based on the universal minimum, regardless of their resources. Some countries do not have the resources that the UK and Scotland have. We can use the example of Colombia: when you look at its practice of judicial interpretation of *mínimo vital*, you can see that it is higher.

Perhaps Luis Felipe Yanes is best placed to give examples from other countries.

Luis Felipe Yanes: The concept can be a bit counterintuitive and sound problematic, but the reality is that the relative minimum, as applied in most countries—we can talk about examples such as Germany, Colombia, Belgium, Switzerland, Brazil and Argentina—is always beyond the universal minimum. If you convene a process to define the minimum core obligations, the starting point is the global minimum.

The UN committee is trying to make sure that it sets a standard for every country in the world, so it is very minimalistic. For example, the right to food is about providing the basic essential nutrition that is required to be able to survive. It is not even about adequate food or nutritious, rich, nice or cultural food; it is about the basics. That is the starting point, and the relative minimum relates to how far we, as a fair country, are willing to go beyond that threshold to ensure a dignified standard of life, which is what we are proposing. Something that goes beyond the basic universal minimum is the relative minimum.

Karen Adam: That is really helpful.

The Deputy Convener: Does Rob Watts want to add anything?

Rob Watts: I will give a brief reflection from an economist's perspective. When I think of this issue, I often relate it to poverty. We have statutory child poverty targets. In that regard, one of the headline figures relates to relative poverty, and there is a reason why most economists defer to that figure. We think of poverty as being below the minimum level of resources that you need for an acceptable standard of living, but what people consider to be acceptable changes over time, which is why we defer to the figure for relative poverty. If we went for the universalist or survivalist definition of minimum core obligations—Luis Felipe Yanes talked about the right to adequate food equating to just enough food to survive—that might not be meaningful or legitimate for a future Scotland, so surely there needs to be some flexibility to build on that.

The Deputy Convener: That is helpful. Karen Adam, is there anything else that you want to explore?

Karen Adam: No. I am grateful for those answers. The witnesses have explained things really well to me, particularly from an economist's point of view. The use of a relative rather than a universal approach was ringing alarm bells with me, so it was great to have that explained. Thank you.

Pam Duncan-Glancy: Good morning. Thank you for your opening statements and for answering the questions so far; it has been really helpful. I want to look more specifically at what we have just discussed. The evidence that we have had said—Dr Hosie, I think that you mentioned this when you last gave evidence—that our levels of, for example, food poverty and food bank use suggest that we are not really delivering a minimum core. Where are we, by international standards? If we have a global minimum core, but there is also the concept of a relative minimum core, where are we on that? Where should we as a committee be looking at when starting to consider a minimum core?

Dr Hosie: That is a really good question. When you are thinking about the global minimum core and any relative level, the most important thing to recognise is that the universal level is so basic that we cannot drop below it. If we are achieving a minimum relative core, we will be achieving the universal level, but if we are not, we need to look at whether we are achieving the lower level.

It comes down to how we monitor the situation. We need to look carefully at whether we are meeting that minimum core. To be honest, right now, we are not measuring what we need to measure: we do not have the detail available to us to be able to say where we are. We have lots of different bits and pieces of evidence, but—we were talking about this in preparation for today's meeting—there is a lot of evidence that we do not have access to.

The committee will be more than aware of the issue with disaggregated equality data, but we as a commission could have a strong monitoring role. However, we do not have the resources or the correct powers to do that properly.

South Africa has a really good system in which it can compel the provision of evidence. It can compel public authorities to provide information, whereas when we have written to different public authorities to ask them for information on certain things, they have not replied, and they do not have to reply. Potentially, their legal departments will tell them that is advisable not to reply to us. If they do not have to do it, they do not provide the data.

You could look at certain things, such as how you can better place our organisation and others like it to have access to the right information to

make those assessments. That would be the first part.

Luis Felipe Yanes: I can add to that. It is a really important question, Pam. We can talk about it theoretically, but this is about what is happening on the ground right now. For example, in the report that we presented to the UN Committee on Economic, Social and Cultural Rights on the current status of the enjoyment of ESC rights in Scotland a few weeks ago, we expressed concern about two specific issues: high levels of food insecurity and high levels of homelessness.

As Ali said, we do not have access to sufficient data, the ability to collect data, or the powers or the resources to unequivocally say, “Scotland is breaching its minimum core”. We can express concern—we are highly concerned—but we do not know whether we are passing the threshold and we do not know the impacts of that threshold. That is the problematic position that we are in. We see things of concern and are willing to do the work, but we are not really able to do so. We are unable to say that, in a systematic way, “This is what is happening in Scotland”, or, “This is what is happening in the regions”. Take food insecurity. That position might be quite different in the central belt from how it is in island communities, which might require a different type of action from local authorities. Again, we are not able to make that determination.

Rob Watts: That is a hard question to answer. When I was doing a briefing last year, I found that there are always examples that you can point to that look like minimum core issues. My briefing was on people with learning disabilities. A number of people with learning difficulties are effectively detained in hospital even though there is no medical need for them to be there. That is simply because we cannot put together a care package in the community. Article 19 of the United Nations Convention on the Rights of Persons with Disabilities is about the right to independent living in the community. That example looks to me like a minimum core issue.

To answer your question well, we would have to work on the definition. By doing so, you could have a more system-wide, objective assessment of where we are rather than just picking out examples. To get to that point, we need to work on defining minimum core obligations and then we will know what we are measuring.

I will raise an issue that we might come on to. When we talk about measurement and data, do we want to use a measure to define what we mean by “minimum core”, or do we want to define what a minimum core obligation is and, from there, decide what to measure? I would say that we need to do the first bit before we can do the second bit and answer your question comprehensively.

Pam Duncan-Glancy: Thank you—I appreciate that. That is an interesting way to put it: what do we do first? We will need to have a wee think about that and probably come back to you guys for your expertise on it.

I want to pick up on your point, Luis, about measurement and data. Is the availability of data and the gathering of evidence and data, as well as your ability to compel that data to be provided, an issue? Are both things an issue, or is it just—

Luis Felipe Yanes: Both.

Pam Duncan-Glancy: Both. Okay. That links into my next question. How can we measure whether we are meeting those obligations? Also, how can we measure whether the state has used all its resources? How can we measure whether we have maximised the resources in terms of the relative provision? Where do we start?

Luis Felipe Yanes: That is a great question. I will let Ali start and I will jump in at the end.

Dr Hosie: Effectively, there is a three-stage process that relates to the process of how we approach the budget, which you have heard me talk about many times. First, you monitor your human rights obligations. Once you have a clear picture of compliance with the minimum core based on whatever indicators you have set up, you see what the key issues are and where progress has or has not been made. You then explore that in relation to your resources—that is, the resources that are required to be generated and allocated on the basis of that need. The final stage is when you scrutinise and monitor how the budgeting process has been done, where the money has been spent and what impact that has had on the basis of that initial assessment of your needs.

For the committee to approach human rights budget scrutiny, it would have to have all the data available on the current enjoyment of minimum core obligations—that is, the issues that are at stake—and then cross-cut that with how the Government plans to spend or prioritise its resources on the basis of that.

10:45

Another point on monitoring goes back to the question about the relative or universal minimum core. As Luis mentioned, we are already signed up to the convention, so we should already be monitoring the universal level. However, if we were to develop a more relative set of minimum core obligations, once that is agreed, you would want to focus on monitoring that. As I have said, if you are achieving the relative minimum core, you will be achieving the universal core. If you are not, you would need to dig a bit deeper to make sure

that you are achieving the universal core. However, if you are not compliant with the relative level, you might still be compliant with the universal core because it is such a low level.

You also have to be able to monitor the minimum core and your progressive realisation. One of the key things around compliance with the minimum is that it then becomes very comparative. You would need to be able to monitor what happened in the previous year and in the previous cycle. The more disaggregated data that you have, the better. You will be able to see things as they change. You need to understand why things have gone up or down, and how that is impacting on different groups.

The final stage is budget monitoring. At this point, we have minimum core and progressivity, so we now look at where available resources have been placed and we can maybe see the decisions that have been based on the evidence of need.

However, when you ask in relation to generation of resources, that goes back to the point that I made to the committee last time about how we approach the budget. Instead of approaching it on the basis of knowing the size of the budget and considering how to divide it up, even if you are aware of your minimum core and what your needs are, you turn that round and start with your obligations and where the need is in relation to your minimum core. You then look at what you need to do to improve that, what resources are required to do that and how you will generate those resources. That is the way to start.

I know that there are complications in relation to Scotland and its tax powers—that is something else that I have talked about before—but there are different things that we can do and that are starting to do. There is also more that we could do. You start from what you need and work out how to divide that among the areas that require the resources.

Luis Felipe Yanes: I will add two points on that. In your first question, Pam, you asked whether the issue is lack of available data or lack of powers, or both of those. The situation is exacerbated by the fact that it is both. It would be less problematic if there was wide data available, but things would still be problematic at times, because it depends on the data that is available. Sometimes, if it is not sufficiently disaggregated, although you might try to determine what is happening, you might still not be able to do that well.

A great example, as Ali mentioned, is the South African Human Rights Commission. It has a power under the constitution—its enabling law—to compel the provision of information, and it creates its own indicators. Therefore, you could create a list of issues or set of questions that you send.

Just to imagine how creative and innovative we might be, we could have a list of questions asking for specific data from local authorities and different public bodies. For example, we could ask them to provide information on the number of people who are accessing health services as a result of some issue.

In that scenario, you have a list of questions and you create indicators, which you monitor yearly or quarterly. That is key to how you create indicators based on the data. That gives you an understanding of the wider issue but not of the individual issue. We have to get into that discussion. It can give you a picture of whether, for example, there are huge levels of homelessness in the country but not of who the victims of that are, which would require a different approach. That is just looking at wider issues and not necessarily the victims themselves. There are two areas to explore.

Finally, we in the task force have proposed that, including in our work on the potential human rights scheme in the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, similar to the children's rights scheme in the UNCRC, if the scheme is working effectively, for example, a duty bearer would, in their reporting mechanism, have to provide some of that data that we urgently need to know. That is about planning. How will I allocate resources? How will I tackle the problematic issues within my remit? How do I then report on the progress of that? The potential for the scheme to become a more coherent way of meeting the obligations, planning and reporting would be fundamental. There is a lot to think about as regards the relevance of a potential human rights scheme in the new bill.

Pam Duncan-Glancy: Thank you—that is really helpful. There is a lot to do.

Did you want to add something to that, Rob?

Rob Watts: Yes, briefly. When we talk about indicators, we are talking about monitoring. We need to put the question to the Government and to public authorities, because how can they be satisfied that they have met their obligations if they do not have the data available? That comes back my earlier point about capacity building in government and whether analysts really understand the content of human rights obligations and are providing the relevant information to ministers and other duty bearers.

The Deputy Convener: Rachael wants to come in with a brief supplementary, and then I will come back to you, Pam.

Rachael Hamilton: My question is to Luis and is about the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. We heard from the MSYPs that they are

disappointed that the Scottish Government has failed to bring forward a timetable for amendments and for bringing the bill back to Parliament. What can the SHRC do, using its current powers, to hold the Government to account?

Luis Felipe Yanes: I do not want to give a very long response, given the history of how the commission was set up and how some of the powers that it does not have were seen as not needed. Maybe there is a quite different reflection on that now. We have a wider power to promote human rights, which is quite broad. It includes being here, for example, and explaining and providing guidance and general expertise. We have a power to intervene in legal proceedings. It is not about raising proceedings; we can only intervene in specific proceedings. We do not have a power to raise proceedings, so we cannot litigate or hold the Government to account, for example.

We have a power to do an inquiry, but the framing of that power is quite limited. In reality, if we are to do an inquiry, we have to investigate all relevant public authorities of a similar nature. For example, if we were concerned about homelessness in Glasgow, we would, as part of an inquiry, have to investigate all local authorities in Scotland. Given our current level of resources, that makes it effectively impossible for us to ever do an inquiry. Broadly speaking, those are our current powers.

We have been engaging quite extensively on the potential new powers that the commission could have in the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. If that bill is brought back and passed, such powers would allow us to raise proceedings under the UNCRC. Of course, there is the Children and Young People's Commissioner for Scotland, so it would be about working more collaboratively and not necessarily just on our own.

Rachael Hamilton: May I ask another question on that?

The Deputy Convener: Okay.

Rachael Hamilton: Rob, when you last gave evidence to the committee, which was very useful, you talked about enshrining rights in Scots law that will place obligations on the Scottish Government to deliver a minimum core element of each right for everyone. Clearly, the Scottish Government has come across a stumbling block with the bill. How would the bill work when the minimum core element is not being delivered?

Rob Watts: Honestly, I do not know how to answer that. I can get back to you. I am not across the detail of the bill.

Rachael Hamilton: That is okay. I will make it a little bit simpler, without using that example. Your

point was that enshrining rights in Scots law would deliver the minimum core element—or the Scottish Government would be under an obligation to deliver that. How would that actually work in practice? I was using the bill as an example, but we are talking about enshrining rights into Scots law. Is the issue that it is not really possible to deliver the minimum core obligation without making that part of legislation?

Rob Watts: I am going to sub Luis in, but I think that your question is about how you go from having minimum core obligations written down to making them happen in practice, and I think that that comes into the judicial process, but I do not know. I do not know whether Luis has anything more useful to add.

Luis Felipe Yanes: Yes. I would split it into two processes. I really want to emphasise that the Government is under an obligation to meet minimum core obligations today, and there are questions about whether the Government is meeting them. We will leave you the full list of what they are.

There is no process for holding anyone accountable in Scotland if those obligations are not met. That is the nature of our wider legal arrangement, in which international law is not directly applicable in any judicial setting. In other countries—the Netherlands, for example—the Government could be held to account even if there were no internal process for defining anything. As we do not have that power, we cannot hold the Government to account. It should be meeting the obligations because there has been a commitment to do so since 1976, when the United Kingdom ratified the International Covenant on Economic, Social and Cultural Rights.

Through the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, we want to be able to make sure that duty bearers have to act to comply with their legal obligations and, if they fail, to be able to bring them to court. That is different from what happens today. There is a bit of a split. They should comply with their obligations, but, unfortunately, if they do not, we cannot do much. That is the reality. A committee such as this has an important scrutiny role because there is no judicial ability to intervene.

Rachael Hamilton: Okay. I have jumped on to question 10. Deputy convener, do you want me to finish this part?

The Deputy Convener: I will go back to Pam Duncan-Glancy and then come back to you at the end.

Pam Duncan-Glancy: I suspect that Rachael and I may be about to ask the same thing—I hope that I do not cut across you, Rachael.

On that final point, what options are available to us to uphold the minimum core? What have we got now and what will we need in the future so that, if we see a circumstance—Rob Watts highlighted a good example—where we may not meet the basic minimum, we can enforce it? What powers do you, the courts, individuals and parliamentarians need?

Luis Felipe Yanes: Do you mean pre-incorporation or post-incorporation—or both?

Pam Duncan-Glancy: That is a good question. I mean both: now—I am conscious that, as we have heard, we should be enforcing the minimum core now—and post-incorporation as well. The purpose of incorporation is to make rights more real for people, surely.

Luis Felipe Yanes: Now—today—the starting point is the list that we will leave for you, with clarity on the obligations and their international legal standards. The next step is to scrutinise that and find relevant information. The committee might do that by requesting responses from specific public authorities. For example, you could ask local authorities how they could report on various issues. You could see whether the Scottish Housing Regulator could provide data or you could call on Government ministers or the NHS to provide information. It could also be done by exploring funding for a specific project that the committee or we might do that would look into determining the current reach. The reality is that, even if we had the powers, we do not currently have the resources to give such a level of determination.

We could take that first step now and you could provide that scrutiny. When we get the information and see the picture that it presents, the scrutiny that you might want to present in Parliament and to the Government will be possible. That is the pre-incorporation situation.

The post-incorporation situation will require various modifications. We can talk about a wider view of the bill at a later stage, but we believe that Parliament and this committee have an important role to play in the scrutiny of wider human rights issues and legislation. The commission would have to have modified powers, including, as Alison Hosie mentioned, the power to compel information. Ideally, there needs to be some reflection on how our inquiry power might be modified and how we might have a softer power of investigation. In some countries, an inquiry into such issues ends with a binding, non-judicial determination, and there is therefore less need for the judiciary to intervene. The scheme is very important for that.

11:00

The final bit is the judicial intervention, which requires a few things. We have talked about the impossibility test. There is a very strong inability to defend yourself, so there has to be a very big threshold if you are not complying.

There also needs to be reflection on wider issues to do with access to justice. We have called on the process of incorporation to ensure that our routes to judicial and non-judicial remedies are in accordance with international legal standards, particularly with what we call the accessible, affordable, timely and effective—AATE—framework. Remedies need to be accessible, affordable, timely and effective. We have big questions about how accessible, affordable, timely and effective our judicial and non-judicial routes to remedy are.

This is no longer a wider structural issue about monitoring; it is about the individual. What can the process do for individuals who are suffering and whose minimum core obligations are not being met? As I said, there are questions around ensuring that there are accessible, affordable, timely and effective remedies.

It is also essential that institutions such as national human rights institutions—the SHRC, for example—are able to provide support and guidance and have powers to litigate on individuals' behalf. Taking the burden away from individuals and marginalised communities and supporting those who might require it is also an important step.

Dr Hosie: We are talking quite theoretically today, but I will give a practical example of the impossibility test. When it comes to cultural rights, the state has to provide access through local authorities to libraries, pools and other communal facilities. If there were a massive flood and many people were deprived of their home, some of those facilities might have to be used to provide temporary accommodation. That is an example of the impossibility test: the local authority cannot provide those services because they are being used for another purpose that is more important.

Pam Duncan-Glancy: Is there usually a time limit on an impossibility test? Your example reminds me of what happened during Covid, when libraries and other public centres were closed in order to house vaccination centres. Is there therefore a timescale attached?

Luis Felipe Yanes: No, and there needs to be guidance in order for the judicial interpretation to be clear. The state would have to demonstrate why it still could not provide the services. If it said, “We were still in the process of doing X, Y and Z, and still accommodating people—buildings were flooded so we couldn't move people”, that would

clearly fall within that. If, however, you were able to say, “We see clear inaction and quite incoherent policy making. The state was using resources to do that. It was building new facilities that were completely unnecessary, but it was not providing services”, that would clearly be beyond the threshold required.

Kaukab Stewart: Good morning, everyone. I am usually on the Education, Children and Young People Committee, but I have come over to this committee today. I would like drill down into how the minimum core obligations apply in education. We accept that everyone has the right to education—that they have a place. In Scotland, the curriculum is based loosely on Bloom’s taxonomy, but sitting beside that is Maslow’s hierarchy of needs. Where do the minimum core obligations fit in with that? We can think of them as a pyramid that is sitting on sand. Are the core obligations the sand underneath that hierarchy of needs, or are they part of it? That is my opening gambit. Luis, you look as though you are itching to get in with a response.

Luis Felipe Yanes: I think that I was purposely sat in the middle. [*Laughter.*] It is a great question. Looking at the issue from the universalist approach that is defined by the committee, it is about trying to build a degree of consensus among all countries, so it is going to be minimalistic.

For example, the words “provision of the most basic forms of free primary education” are not necessarily a good indicator. The provision of free primary education is, of course, in the words of the text. Article 13 of the international covenant guarantees the right to free primary education, so the minimum core has to be, at the very least, free basic primary education. That raises the question of what Scotland does. We have free secondary education, and we have free undergraduate higher education to a degree. Are we satisfied with the universal minimum standard of just saying that there should be a basic form of free primary education, or do we want to go beyond that? Do we, at the very least, say that there should be free secondary education, free inclusive secondary education or free good secondary education? It can be very much up to Scotland to define that. The standard cannot be below that, but it can be above it.

The other really important aspect—again, it is very minimalistic—has to do with non-discrimination in education. Whatever form of basic education you are providing, it has to be provided in a non-discriminatory manner. The minimum core has to be that you cannot just provide for men and not for women, or for one specific ethnic minority and not for another. That is very clear in relation to the basics.

Kaukab Stewart: I will come back to that point—I had international comparators.

I will stick with education. Rob, you mentioned the word “survive”. I am passionate about education, and everyone should thrive through education. However, we know about the impact of poverty. Resources can be put into front-line education—a child has a place, a classroom, a teacher in front of them, their books and so on. However, we know that children might be living in unsafe housing, in precarious personal circumstances and all of that—I am alluding to the poverty-related attainment gap. What is your opinion of the minimum core in education? Should resources be targeted at housing and health? We know that these things are all interconnected and I am not expecting a black-and-white answer, but it would be good to hear your opinion.

Rob Watts: I have brought with me the UN general comment on health. It is not related to education, but it is kind of on the same point. It starts dictating what the minimum core obligations could be, and it lists some. I thought that it would all be about defining what is meant by a minimum standard of healthcare, but actually it talks about ensuring access to

“the minimum essential food which is nutritionally adequate and safe”,

and to

“basic shelter, housing and sanitation”

and so on.

When we think about education, we are thinking about whether we are resourcing schools and whether everyone has access to school, but there are other factors that determine a child’s ability to achieve a good education, and we probably want to think about that when we are defining a minimum core obligation around the right to education. That is where the point comes in about this being a minimum floor.

Kaukab Stewart: Is the example of free school meals a good one? A child could be sitting in a classroom with the best teacher in the world and everything in front of them, but if they are hungry, have not had their breakfast and are not going to eat, their priority will be their hunger. That will prevent them from thriving in education and learning, so the investment and the money need to go into feeding and housing children, for instance, or maternal healthcare. It is a complex picture. With the right to education, the sand goes into all sorts of different areas.

Rob Watts: Correct me if I am wrong, but I think that it depends on how we want to define minimum core, and I do not want to start saying what it should look like. We probably do not want to say, “Use free school meals as your definition”, but we

might want to say that we should ensure that every child has a nutritious diet, and providing free school meals could be a way of achieving or measuring that.

Kaukab Stewart: That is a fair point, but that is not what I meant. I was just using it as an illustrative example. I would like families to have access to good, nutritious food.

I realise that time might be a little tight, deputy convener, but if I can just—

The Deputy Convener: Ali Hosie might want to come back on that point. We have time.

Dr Hosie: I wanted to say that we should not just fixate on the minimum core obligations but think about progressive realisation. As Rob said, the universal minimum is there, and there is no point in setting a relative minimum in Scotland if we are going to fail to achieve it at the first and every subsequent outing. You want to set it at a level relative to dignity that is, perhaps, above the universal minimum, but it must be achievable, apart from in impossibility situations. Then you want to look for your stretch targets—your benchmarks—to show that you are making progress. You would think that every child having a meal in their tummy when they come to school is a basic target, but what should that mean for every child? What should be the level of nutrition? There are different elements that you could put into the measurement over time. Instead of thinking just about the minimum core, think about what you are trying to achieve overall and look at those elements as the steps against which you want to measure progress.

The Deputy Convener: Rachael wanted to come in quickly on that specific point.

Rachael Hamilton: Thank you, deputy convener. Excuse my scepticism, but the Patient Rights (Scotland) Act 2011 set out a 12-week minimum treatment guarantee. That is a legal obligation, yet it is being failed all the time. How can we set minimum core obligations when even a legal mandate is not being followed?

Luis Felipe Yanes: The difficult questions come to the person sitting in the middle. [*Laughter.*] That is a really good point and an important question. I would not say that that example necessarily falls within the scope of minimum core obligations. It could be made into a minimum core obligation but perhaps not yet.

I will reiterate Ali Hosie's point about how we define minimum core obligations as being non-negotiable. In my opening statement, I mentioned the obligations that must always be met regardless of the conditions and the available resources. That would put into the participatory process that we mentioned a question whether an obligation is one

that we see as being non-negotiable, not subject to the availability of resources and essential to living a dignified life or whether it is actually more a part of what we call the progressive realisation obligations.

To reiterate, regarding the education question, as I mentioned, there are two ways of looking at minimum core obligations that are not necessarily contradictory. One relates to conduct—how the state conducts itself, how it operates and how it implements obligations—and the other relates to outcomes and entitlements.

I have in front of me the list of obligations regarding the right to education. Some are on the process side of things, such as:

“ensure the right of access to public educational institutions ... on a non-discriminatory basis”.

Under that, you do not have to guarantee access, but the access that you guarantee must be non-discriminatory. That is a conduct obligation and is clearly non-negotiable: you must ensure non-discriminatory access to education.

On the entitlement or result side of things, the obligation is to provide basic, free primary education for everyone. There are two different types of obligations: those that relate to outcomes and those that relate to conduct. It would be up to Scotland to decide whether it wants a mixed model or whether it wants to determine obligations on only a process basis or an outcomes basis.

To answer your question, it would depend on how Scotland defines the obligations. It would be troubling if it defined as an essential minimum any obligation that, it was foreseeable, it could not comply with.

The Deputy Convener: Thank you. That was useful.

Kaukab Stewart: I will move on to the international situation, which I am curious about. You just reminded us about the right to free primary education. We know that there are countries that do not provide that. The other word that I picked out was “retrogressive”. I would like to hear a little more about that and measures such as limiting the education of women and girls. What role can the commission, other Governments and any of us play? What can we do about that? That is happening now: rights that are already there are being taken away. It is highly concerning.

11:15

Luis Felipe Yanes: There are differences between the roles of Parliament, Government and the committee in relation to what happens in this country and elsewhere, and there is a difference between the type of scrutiny that the committee could do of its own Government and what it could

potentially do internationally. The UN Committee on Economic, Social and Cultural Rights, for example, has raised acute concerns about certain countries in relation to the provision of free primary education and the discriminatory basis of access to some education. I will not list the countries, because it is standard, under the Paris principles of the European Network of National Human Rights Institutions, not to engage on the work of other countries, and our mandate is in relation to Scotland.

We have talked about the issue to some degree in our work on non-retrogression. As the obligation is usually perceived, non-retrogression is prohibited, so you should never, de facto—in practice—or in law, introduce retrogressive measures, but there are, of course, certain circumstances in which retrogression is permissible. Ali Hosie mentioned incidents of flooding. You might have circumstances in which you want to limit access to some service in order that people can be able to enjoy another. Covid is an example to some degree. There is a question of limitations, but there is also a question of retrogression. Financial crisis tends to be an example of resources needing to be remobilised and moved elsewhere in order to guarantee services.

The question to highlight is about how non-retrogression interacts with minimum core. The standard is always this: if you have no other choice and you have to introduce a retrogressive measure, you should never start by doing so on a minimum core obligation. It is your last resort. If, for example, you have to cut funding from the provision of free primary education or from different areas, free primary education should be the last area where you cut funding because it is part of your minimum core obligation. You would have to ensure that the retrogressive measures that are put in place prioritise minimum core obligations and those who are the most vulnerable.

Kaukab Stewart: You have used flooding as an example of circumstances in which the right of women and girls to education could be withdrawn. I do not see that as a suitable measure in response to an emergency such as the building collapsing. It would be a matter of ideology, and that is not covered, is it?

Luis Felipe Yanes: No. I meant it in a wider context and not necessarily targeted to a specific group. The covenant is clear on equality and non-discrimination, and the instances in which a situation such as the one you describe would be permissible are very limited. To be honest, I cannot come up with an example now—that is the level of prohibition. It is questionable for countries to introduce such restrictions, of course, and it is

up to members of the Parliament and Government to enact their policy on pressuring other countries in that regard.

Dr Hosie: I will add something on retrogression in the domestic situation. The maximum available resources obligation also applies there. You have to have looked at all possible alternatives before making a retrogressive step, and one such alternative is to ask: are there other ways in which you can raise resources before you make cuts?

Fulton MacGregor: Good morning, panel. Thank you very much for your evidence so far. You have covered quite a lot of the area that I was going to ask about, as often happens to the last questioner. I am thinking about the incorporation of the UNCRC into Scots law that we hope will happen very soon. What would be the result if it were not possible to agree a comprehensive list of minimum core obligations?

Dr Hosie: The issue is about looking at what you are asking for. The universal minimum core already exists; it is not about agreeing a set of obligations. There is already an agreed list of minimum core obligations that we will leave you with.

For the next level, if you want to have a more relative measure, in relation to the minimum core, to achieve a life of dignity, there are a couple of points. The first is the idea that Luis Felipe Yanes mentioned about there not having to be a consensus. We are not looking towards a citizens assembly-type consensus with a vote; it is not that kind of process. It is not an election.

Secondly, there will not be an issue if incorporation is done correctly. We are ensuring that we have a universal baseline. There is already a comprehensive set—well, it might not be completely comprehensive, but there is a set—of minimum obligations that have been agreed by the Committee on Economic, Social and Cultural Rights, and we are already subject to them, so the issue about not reaching a consensus will not be a thing. What has to be clear is that, if the baseline is to be the universal standard, this is what we have. We are incorporating international standards as they already are. The next stage is about what level we can have above that universal minimum, with which we are already meant to be complying.

Fulton MacGregor: Does anyone else from the panel want to come in?

The Deputy Convener: Rob, do you want to come in?

Rob Watts: No.

Luis Felipe Yanes: I can give you a wee bit of the background to one of the reasons why we suggested the use of the task force in the process. I have mentioned examples such as Germany,

Belgium, Switzerland, Colombia and Brazil, which have such a process, in which the minimum core obligations are justiciable. That has mostly been through judicial interpretation. Some countries, such as Germany, have a constitution—a basic law. The interpretation of the constitutional court has gone into what Germany calls “existenzminimum”, and that has led to definition on a case-by-case basis. Belgium, for example, enacted law in the 1970s that recognised what is called “minimax” or “minimum de moyens d’existence”. In Colombia, “mínimo vital” is recognised by the constitution. There are things that have come from a lot of judicial interpretation, and that has to do with a body that is independent from Government and Parliament holding them to account on people’s rights.

We wanted to make sure that the process was sufficiently well done and that there was sufficient guidance. The wording of consensus can be tricky. We want to make sure that the absolute rights of the most vulnerable are guaranteed and that institutions are held to account on them, but that does not mean that people should negotiate their rights and their basic entitlements. It means that we have to be able to listen carefully to wide considerations from lived experience, technical experts, policy makers, parliamentarians and Government. There needs to be a list that ensures the absolute minimum of guarantees, even if some people disagree or do not find it satisfactory, perhaps because it implies prioritising some more marginalised groups over the wider population.

Fulton MacGregor: I thank the panel for those helpful answers.

You have referred a few times to the red lines of minimum core obligations. Can you—*[Inaudible.]*—duty bearers if those red lines are indeed crossed? Again, that is in the context of incorporation if the bill is passed.

The Deputy Convener: Fulton, you broke up a little there. Ali and Luis, did you get the question, or do you want Fulton to repeat it?

Luis Felipe Yanes: I think that we got it. It is about what happens if red lines are crossed in relation to compliance on minimum core obligations, right? Okay.

I mentioned that to some degree when answering Pam Duncan-Glancy’s question. I would divide it between the cases of a structural nature and the individual case. There is a need to ask what happens in cases where there are determinations of, let us say, a duty bearer not meeting their minimum core when that has been found out through indicators in the data. For example, we might see that 15 per cent of people in X local authority are homeless and do not have access to basic shelter. That information is

obtained through regular reporting, monitoring or an inquiry and could trigger different impacts. There could be binding recommendations—you need to do X, Y and Z—or general, non-binding recommendations, such as scrutiny from NHRIs or the committee. That is the case when you are not able to identify a victim but know that 15 per cent of the population in X area is affected. That is an example of cases of a systemic nature.

Then there are cases of an individual nature. That is what happens when an individual or group of individuals directly alleges that something is happening to them that violates their basic rights under minimum core obligations. That should trigger a non-judicial route to remedy—there is a lot to explore about the role of the Scottish Public Services Ombudsman, for example, and the type of determinations that a complaint-handling mechanism could entail—and then the final stage will be a judicial review. What can the courts do or determine about non-compliance with minimum core? What type of excuses can the public authority provide? We talked about the impossibility case, for example.

The final point on that, which I mentioned previously, is about thinking carefully about the degree to which our current routes to judicial and non-judicial remedy are accessible, affordable, timely and effective. If there is to be real justiciability, we need to reflect on the big issues of access to justice in Scotland for breaches of human rights.

Dr Hosie: May I add to that? The goal of the incorporation legislation is not that cases should result in court at the first opportunity. Court is a last resort. We do not want to suddenly have a massive influx of cases. When we talk about meeting a minimum core, if we have a massive influx of cases, we will have a real problem because of the level that the minimum core is at. We should not be at such a level.

We need to look at the needs of the country through that lens and address issues through budgetary generation, allocation and spend. The minimum core is the backstop when things go wrong. There is a fear that the new legislation will suddenly result in a massive wash of court cases, but that should not be the case.

Rachael Hamilton: My final question is about comparisons with other countries where the minimum core obligations system is working. The Netherlands has been mentioned, but its health system is quite different from ours. Can you give us an overview of how the system is working in reality anywhere?

Luis Felipe Yanes: There is not really a comparison for what we propose for Scotland. The process would be world leading in the sense that

no country has had a process of defining minimum core obligations. It is what I call a legislative approach to minimum core obligations. That involves taking people's views into account and then bringing proposals to Parliament for there to be final legislation that plays into them. We have wide concepts that are provided in constitutions, legislation and judicial interpretation, and we can determine whether those are met on a case-by-case basis. They might be composed of different values in the constitution.

11:30

Colombia is an interesting example, because the interpretation of *mínimo vital*—vital minimum—is from three values of its constitution: the value of the welfare state, the value of human dignity and the value of solidarity. The courts might say, “This forms part of the vital minimum.” At times, that can be about dignity and solidarity. Yes, it is a difficult thing to do, and it requires a lot of resources, but it is essential if our constitution requires us to be a country of solidarity. That needs to be put in place.

There are good examples of how you do things on a case-by-case basis, but a lot of judicial intervention is required. That is normal in countries with a civil law jurisdiction in which the role of the court is prominent and there is wider legal acceptance that that is what the court does. We thought that the mixed legal system in Scotland and the nature of how the courts operate were not fit for purpose in that regard, in the same way as is the case with the similarities relating to Germany, Belgium, Colombia and Argentina. Therefore, we are using some of those examples—the value of human dignity, the value of minimum essential levels and the way that the committee has developed things—but making something quite unique.

Rachael Hamilton: I am sorry to interrupt, but how would a minimum core obligation work in increasing the rights of some people who have lower health, education and life expectations? The minimum core obligation would be universal, so people who have better life expectations or health outcomes would be getting the same commitment as those from poorer backgrounds. How does that work?

Luis Felipe Yanes: That is an absolutely fantastic question, because it fits into something that we have been concerned about: there is a risk that we become too obsessed with minimum core obligations. As I said in my introductory remarks, we have to see minimum core obligations as being part of a group of four obligations. Rights must be progressively realised, that should be based on the maximum available resources, and we have to ensure that there is no retrogression. All of that

has to happen while meeting the minimum core obligations.

The example that you provided is important. It touches on the importance of how we understand progressive realisation in relation to taking concrete, deliberate and targeted steps. How do we prioritise those who are most marginalised and vulnerable, and take concrete, targeted steps to progress their rights? Two things therefore need to happen at the same time. We need to meet the basic minimum core obligations for everyone, and we have to ensure that we are progressing and realising the rights of everyone, particularly the most marginalised and vulnerable.

There is a risk of looking at the issue only with regard to progressive realisation and thinking, “This is it. These are ESC rights. This is what the bill will do. This is what the process will do.” It is not about just that; there are other relevant areas. If you do not have progressive realisation, you have what we sometimes call a minimum ceiling, and a minimum core is a minimum floor. What you do beyond that is particularly relevant, as is how you prioritise those most marginalised through targeted steps.

Rachael Hamilton: It would be interesting to find out how narrowing the equality gap through the private and public contribution to the health system works in the Netherlands, but perhaps that is for another day.

Rob Watts, in the previous session, you said that an MCO should withstand changes in leadership or government and that we should take politics out of this. How would that work in practice, particularly given the current political and global pressures that we face?

Rob Watts: I guess that it comes back to how we set up the participatory process and, out of that, how we get an outcome that has legitimacy and meaning for Scotland and that can withstand the test of time. I will probably defer to what was said earlier about that process. You do not need to reach consensus and then have a vote; it is not a citizens assembly model. If you can get that right, the politics will be taken out of it. We should bear in mind that we are talking about a minimum, so you would imagine that it would be very difficult for any Government to challenge that once it had been established politically.

We are coming towards the end of the session, so I will make a final wider point. A lot of work needs to be done on defining minimum core obligations in Scotland and how we measure those, and on ensuring that duty bearers and rights holders understand their obligations and rights. There is a danger that all that work is seen as being the end goal and an aspiration, but we

need to remember that we are talking about not an aspiration but an immediate minimum.

Rachael Hamilton: Alison Hosie, do you want to add anything in answer to my original question?

Dr Hosie: What I was going to say has gone completely out of my head.

Rachael Hamilton: My question was about international comparisons. Luis Felipe Yanes talked about retrogression and about equality among different groups.

Dr Hosie: It is still completely out of my head. I had a good point to make as well. [*Laughter.*]

On the politics, the UK—and Scotland, through the UK—signed up to a variety of treaties and covenants. The obligations exist irrespective of who is in power. The minimum core is that basic level, as Rob Watts said, so it does not matter who is in power. There are minimum levels to which every country, including ours, has already signed up.

When we are talking about rights and delivering rights, we need to take that out of the political agenda and look at what the minimum core is and at what progressive realisation we are looking to achieve. Those elements are not, or should not be, part of a political process.

The Deputy Convener: I thank all three of you for coming along this morning and giving us your thoughts and views. I can pretty much guarantee that this will not be the last time that you speak to us on the issue. Rob Watts's final point is really important. All the work that we are doing is not an end in itself; rather, we are doing it so that we ensure that we are meeting all three other commitments that Luis Felipe Yanes talked about a couple of times today. We really appreciate your contributions.

11:38

Meeting continued in private until 12:21.

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