

Wales Civil Society Human Rights Stakeholder Group

**Submission to: Committee on
Economic Social and Cultural Rights**

**Examination of the UK State Party
(ICESCR): Seventh Periodic
Examination**

Date: 13th January 2025

About the Wales Civil Society Human Rights Stakeholder Group

The [Wales Civil Society Human Rights Stakeholder Group](#) is a representative grouping of non-governmental organisations and academics. The Group is established with the aim of monitoring and promoting human rights in Wales. Comprising 70 members from diverse sectors the Group includes UK-national, Wales-national and local organisations with direct links to people with lived experience of human rights with a range of protected characteristics.

Preparation of this Submission

This submission sets out the agreed position of the Human Rights Stakeholder Group in consideration of the issues set out in the List of Issues Prior to Examination of the State Party (23rd March 2023: E/C.12/GBR/Q/7).

For the sake of brevity, the summary below sets out the views of members of the Wales Civil Society Human Rights Stakeholder Group on areas for **urgent action** in relation to articles 1-15 of ICESCR. These calls are informed by lived experience (directly and via service users), and by evidence collated by member organisations over several years.

This submission has been prepared following consultation with members of the Human Rights Stakeholder Group, culminating in a webinar organised in collaboration with the Welsh government on 8th January 2025. The webinar was attended by over 40 non-governmental stakeholders.

Note on Devolution

Wales is a devolved nation with its own parliament, the Senedd; and executive, the Welsh government. While some key powers over socioeconomic legislative and executive action are reserved to the UK, notably on employment rights, equality of opportunity and social security, Welsh institutions have direct control (legislation, policy and delivery) over a number of areas covered by rights set out in the International Covenant on Economic, Social and Cultural Rights (ICESCR). These include health, education and housing. In addition, the Welsh government is empowered to take action to improve the social and economic well-being of people in Wales.

The Committee is urged to consider the allocation of responsibilities amongst governance institutions when issuing its Concluding Observation and recommendations. The commentary below makes it clear where action is required by either the UK government or the Welsh government, or both.

All enquires about this submission should be directed to:

melissawood1509@gmail.com

Articles 1-5

Incorporation, justiciability and promoting rights

Whilst the UK government remains opposed to incorporation of ICESCR in law it should not stand in the way of progressive approaches to implementation of ICESCR in devolved nations. In particular, the UK government should support measures to incorporate ICESCR using devolved legislation in Wales (as well as in Scotland), as well as other human rights treaties.

- The UK government should work with devolved government in Wales (and other nations) to identify where devolved powers might be enlarged to better facilitate implementation of ICESCR at devolved level, in particular in relation to control over equality legislation and social security.
- The UK government should follow the example of Wales and introduce legislation to promote objectives for public policy to prioritise sustainable development, in particular the example of the Well-being of Future Generations (Wales) Act 2015.
- The UK government and the Welsh government should take stronger action to promote awareness and understanding of ICESCR and individual socioeconomic rights amongst the population, including but not limited to, introducing guidance on including lessons on ICESCR in the teaching syllabus.

Use of resources

Much more is needed to address poverty: both the causes of poverty and its consequences.

- The UK government should follow the example of Wales (and Scotland) to bring into effect the socioeconomic duty under Section 1 of the Equality Act 2010.
- The Welsh government should focus on how the Well-being of Future Generations (Wales) Act 2015 might be used more directly to promote rights contained in ICESCR and to tackle poverty, including: by promoting equality in relation to rights set out in ICESCR.

Non-discrimination

Control over law and policy regulating equality of opportunity is reserved to the UK. The UK government should not stand in the way of progressive approaches to equality which promote better implementation of ICESCR in devolved nations.

- The UK government should work with devolved government in Wales (and other nations) to identify where devolved powers might be enlarged to better facilitate implementation of ICESCR at devolved level to promote equality and non-discrimination, including by giving devolved institutions greater control over equality law.
- The UK government and Welsh government needs to take more effective action to address the gender pay gap.

- The UK government should take note of the progressive approach taken in Wales in declaring itself a ‘nation of sanctuary’ for asylum seekers and refugees.
- The Welsh government should more clearly and directly identify how socioeconomic human rights will be embedded and given effect through policy and delivery in areas including: its gender equality review and action plan; its LGBTQ action plan, and its disability action plan.
- The Welsh government should provide more comprehensive data on outcomes using human rights indicators, including indicators to monitor progress in areas covered by socioeconomic rights which fall under devolved competence (e.g. articles 11, 12 and 13).

Article 6-8

Employment rights.

The Group notes that in work poverty continues to be an issue across the UK and that the national minimum wage is not high enough to provide an adequate standard of living

- The Welsh government should provide more support for those unable to access paid employment due to caring responsibilities.
- The childcare offer in Wales should be expanded to those in education and seeking employment.
- Asylum seekers are denied the right to work in Wales. Whilst immigration is a matter reserved to the government in Westminster, Welsh government should explore how more support could be provided to those living in destitution with no recourse to public funds, to meet its ambition of becoming a Nation of Sanctuary.
- Whilst the expansion of the Flying Start programme for all two year olds in Wales is welcome, provision should go further than the current 2.5 hours a day.
- Welsh government must do more to address the lack of independent advice services in Wales so people in low paid and insecure employment are better able to claim their rights.

Article 9

Social security

The Group notes that the current arrangements for provision of social security are inadequate, inhumane and degrading.

- The UK government should take immediate action to reverse the injustice of the measures introduced by so-called welfare reform legislation, including removing the 2 child limit and benefit cap.
- The UK government should increase the level of social security income support to enable people to live a dignified life.

- The UK government should end the benefit sanctions scheme as this does not achieve its purpose of assisting people into work but is driving people further into poverty.
- The UK government and Welsh government should do more to support families, and in particular children, with no recourse to public funds: including, ensuring the universal provision of free-school meals.
- The UK government should work the Welsh government to examine where devolved powers might be enlarged to better enable the provision of support for children in Wales, including the power to offer a child support payment.
- The Welsh government should ensure that it use all powers available to comply with the Welsh Benefit Charter which aims to make claiming social security support more straightforward.
- The UK government and Welsh government should take steps to improve and secure access to advice services on social security, including in relation to all rights covered by ICESCR.

Article 10

Support for the family.

The Group notes that current arrangements for provision of social security fail to ensure adequate support for the family and have the effect of driving more families into poverty.

- The calls for urgent action made in relation to other article dealt with in this submission are equally relevant to article 10.

Article 11

Poverty

The Group notes the impact of austerity and social security reform, and lack of attention to socioeconomic rights in recent UK government legislation and policy as a factor to increase poverty in the UK.

- See calls for action in relation to article 9 above.

Food

The Group notes the increasing reliance on food banks across the UK as symptomatic of increasing poverty and food poverty.

- The right to food is not being met for many across the UK, including in Wales.
- The UK government should end its reliance on food banks as an attempt to meet its obligations under article 11 and should recognise the responsibility for government to ensure adequate provision, including by ensuring adequate levels of social security and wages.

- The UK government should take steps to promote food security, including by increasing levels of and access to social security income support, and taking steps to ensure a decent minimum wage.
- The UK government and Welsh government should take steps to encourage healthy eating and to tackle obesity amongst the general population, but in particular amongst children.
- See calls for action in relation to article 9 above.

Housing

Housing is devolved to Wales. The Group notes the ongoing unacceptable and inhumane level of homelessness across the UK.

- The Welsh government should take all possible steps to make the right to adequate housing part of Welsh law as per its previous commitment to incorporate the right to adequate housing.
- The UK government should take steps to reverse the dehumanizing impact of restrictions on access to housing and public funds for asylum seekers.
- See calls for action in relation to article 9 above.

Article 12

Physical and mental health

Health is devolved to Wales. The Group notes that the right to health is not realized for many across the UK, especially people in poverty. The long-term lack of support and gradual defunding of the NHS is extremely concerning. The Group notes that the list of issues barely scratches the surface of the crisis facing the NHS.

- While this submission offers some suggestions for areas where action is needed, it should be recognised that the UK government needs to take immediate action to reverse decades of underfunding of the NHS.
- There is an urgent need to increase funding and support for the NHS.
- There is an urgent need to improve preventative healthcare to reduce the need for long-term treatments of physical and mental health ill health conditions.
- The UK government and Welsh government need to take urgent action to address the extremely worrying decline in vaccination rates.
- There is a significant gap in provision of healthcare services for disabled people, and especially disabled children which needs to be tackled as a matter of urgency.
- Other areas where immediate action is needed to reverse the negative impact of decades of underfunding include: maternity and neo-natal services, the shortage of midwives and health visitors, mental health services, access to mental health services for children and young people.

Articles 13-14

Right to Education

Education is devolved in Wales. The Group notes, however, that attainment remains the lowest of all UK nations.

- The Welsh government must ensure children and young people with additional learning needs are able to access support no matter where they live in Wales.
- Despite improvements, Welsh government must do more to reduce the attainment gap especially for children and young people with disabilities and those living in poverty.
- The Welsh government must address the rise in children with additional learning needs (ALN) being more likely to be educated in places other than schools than children without ALN

Article 15

Cultural Rights

- Welsh language standards should be expanded to include obligations for the private sector
- The Welsh government should ensure people can access the internet in every part of Wales.

End of submission