



HUMAN RIGHTS HANDBOOK 2025

for Castlemilk Housing Associations' Housing and Human Rights Lived Experience Board



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Foreword

My favourite line in the Scottish Human Rights Commission's Strategic Plan is:

“any meaningful commitment to human rights must start from the ground up, recognising the humanity of the people standing beside you...”

That is our guidepost at the Commission, and this handbook for the Housing and Human Rights Lived Experience Board is a valuable example of that principle in action.

Sometimes, the language of rights can sound abstract, technical, removed from the realities people face day to day. This handbook does an excellent job of highlighting and bridging the gap between the theory of human rights and practice. It uses a human rights-based framework to understand the very real problems that communities face and to propose solutions rooted in that same framework.

It demonstrates practical examples of the interplay and balance of rights in real-life, everyday situations and suggests remedies that balance rights and are lawful, reasonable and proportionate. The handbook rightly identifies the issues that the Board is tackling as human rights issues. Housing as a human right and as a gateway to other rights. The fight for a local supermarket so people can access affordable food. Ensuring that people can access the information they need, when many face digital exclusion.

There is a real power in communities working for change on these issues and more, armed with the knowledge

that their cause is grounded in international human rights standards that public bodies should comply with.

It is impressive to read about the members of the Lived Experience Board – to understand their stories. There is no doubt that their personal experiences, skills and expertise makes them a powerful force for change. It is interesting to consider how the Board – and RSLs on the whole – play multiple roles as duty bearers and human rights defenders, as well as rights holders. Members of the Commission met with the group in Castlemilk in October 2024, and it's clear that the Board, as individuals and as a collective, have made – and continue to make – a significant contribution to progress for human rights in Castlemilk. This was clear, not least, when they presented evidence to the United Nations' Committee on Economic, Social and Cultural Rights in Geneva in February 2025 about the very real challenges in accessing the right to nutritious food in their community.

The members share examples of how life for people in the area has improved, with housing better designed to meet their needs, the redevelopment of green spaces and opportunities for community participation and indeed leadership.

Of course, projects like this can't happen without collaboration, support and funding. The Registered Social Landlords in Castlemilk should be applauded for establishing and supporting the Board. As a Commission, we would hope to see other RSLs take their lead from Castlemilk and take a similar strategic approach to regulatory compliance.



This handbook will be invaluable for the people of Castlemilk, but its use goes well beyond this community, to other housing associations and community groups. As the Board's "Human Rights Six" says:

"You don't have human rights until you know about them, so we are promoting them to as many people as possible."

By offering a comprehensive, practical and accessible guide to the ways that human rights operate in Scotland, this handbook will be a valuable tool in achieving that.

Professor Angela O'Hagan

Chair, Scottish Human Rights Commission

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About this handbook

This Handbook is for education and information purposes and does not constitute legal advice. Specific questions on legal rights and duties should be raised with a legal adviser. This Guide focuses on human rights and the right to enjoy them, equally. This Guide does not cover the Equality Act 2010.

Thanks to the CEOs and staff of Ardenglen, Craigdale, Cassiltoun and North View Housing Associations, the members of the Lived Experience Board and to Carole Ewart, a public policy and human rights consultant whose collaboration led to the publication of the Human Rights Handbook version 1 in 2023 and version 2 in 2025.



Sharing Knowledge,
Increasing Capacity,
Building Confidence

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All linked references within this document are available as clickable links on the pdf version which is available by request from your Housing Association.

Information Summary

This Handbook provides information to help Castlemilk's four community based RSLs enable their 'Housing and Human Rights Lived Experience Board' to implement a human rights based approach in its work comprising of: Participation, Accountability, Non-discrimination, Empowerment and Law – the PANEL Principles. The purpose of the Board's work is to close the gap between human rights theory and people's everyday experiences. The delivery of legal duties and enabling the equal enjoyment of human rights depends on policy and decisions on services and funding being informed by the experiences of people with lived experience.

In 1948, the United Nations (UN) agreed The Universal Declaration of Human Rights covering economic, social, cultural, civil and political rights. Over the last 77 years interpreting these minimum standards and agreeing strategic action to ensure they are equally enjoyed, remains ongoing and their application has been expanded to include environmental rights too. These global standards impact on us all in our daily lives.

As some human rights have become part of domestic law, we have rights to assert and, as Board members of housing associations, we also have duties to fulfill. The Human Rights Act was passed by the UK Parliament in 1998 which incorporated much of the European Convention on Human Rights (ECHR). The ECHR is a treaty of the Council of Europe, agreed in 1950, inspired by the UN's Declaration. ECHR rights are enforceable in domestic courts and place duties on public bodies to comply such as section 6 makes it unlawful for a public authority to act in a way which is incompatible with a listed ECHR right. The ECHR rights not listed include Article 13 the right to an effective remedy, but the UK is still required to respect, protect and fulfil all of the ECHR. ECHR rights include: Article 3 is an absolute

prohibition on inhuman or degrading treatment, Article 8 is the right to respect for private and family life, home and correspondence, Article 10 is the right to receive and share information and ideas and Protocol 1 Article 1 is the protection of property. Article 14 of the ECHR requires all rights to be equally enjoyed. ECHR rights are a mixture of :

- **Limited rights** – in specific circumstances, the right can be lawfully restricted or interfered with such as Article 8.
- **Qualified rights** – rights can lawfully be restricted or taken away by the government in certain circumstances such as Article 10. Any restriction or interference with these rights must be proportionate, reasonable and necessary in a democratic society.
- **Absolute rights** – rights which cannot be restricted in any way or under any circumstances by the government such as Article 3.

Conversations about human rights regularly include abbreviations and reference to laws which can be off putting and stifle informed engagement. The Board have found the following useful as they cover laws, policies, organisations and global standards that matter to human rights delivery in Scotland. See Appendix 1 for more detail.

UK Legislation

- HRA- Human Rights Act 1998
- Scotland Act 1998 – requirement on MSPs to pass legislation which is ECHR compliant and Scottish Ministers must comply too.
- Equalities Act 2010

Scottish Legislation

- CRC Act – United Nations’ Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024
- Freedom of Information (Scotland) Act 2002

Regional Human Rights Treaty

- ECHR – European Convention on Human Rights
- ECtHR – European Court of Human Rights

United Nations (UN) Human Rights Treaties

- CAT – Convention Against Torture
- CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women
- CERD – Convention on the Elimination of All Forms of Racial Discrimination
- CRC – Convention on the Rights of the Child
- CRPD – Convention on the Rights of People with Disabilities
- ICCPR – International Covenant on Civil and Political Rights
- ICESCR – International Covenant on Economic, Social and Cultural Rights

Human Rights Institutions

- CYPCS – Children and Young People’s Commissioner Scotland
- SHRC – Scottish Human Rights Commission
- SIC – Scottish Information Commissioner
- EHRC – Equalities and Human Rights Commission (GB)

Campaigning Organisations and the Public

- HRD – Human Rights Defenders have their own UN “Declaration” which covers individuals or groups who act peacefully to promote, protect or strive for the realisation of human rights and fundamental freedoms.

UK Policies

- NAP – National Action Plan on Business and Human Rights on how to integrate human rights compliance with the interests of business using the 31 UN Guiding Principles on Business and Human Rights. The UK Government published a voluntary NAP in 2013 which is updated periodically.

Scottish Policies

- SNAP 2 – Scotland’s second National Action Plan on Human Rights
- NPF – National Performance Framework has 11 National Outcomes with a duty on public bodies ‘to have regard’ to them. One of them is “We respect, protect and fulfill human rights and live free from discrimination.”

Global Policies

- SDGs – Sustainable Development Goals
- UNGPs – UN’s 31 Guiding Principles on Business and Human Rights

These elements create Scotland’s human rights architecture for you to engage with, and it will expand as the Scottish Government is developing a strategy around equality and human rights mainstreaming in public services and has promised a Human Rights Bill for Scotland in 2026.

1. Introduction

This Handbook is a resource for members of the Castlemilk Housing and Human Rights Lived Experience Board to fulfill their duty to respect human rights and to enjoy their own human rights too. Members are drawn from the Boards of the four Castlemilk community based registered social landlords (RSLs): Ardenglen, Craigdale, Cassiltoun and North View Housing Associations. Using and developing knowledge and practice on human rights complies with regulatory requirements:

RSLs must have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery.

Human rights should be equally enjoyed across the UK in reserved matters such as employment and in devolved matters such as housing. The framework is defined by the UK Government's support for the United Nations' Universal Declaration of Human Rights in 1948 and the Council of Europe's European Convention on Human Rights (ECHR) in 1950. When the Scotland Act 1998 was passed, which set up the Scottish Parliament, powers were given to Scottish Ministers to observe and implement human rights on devolved matters.

Since 1999, the Scottish Parliament has passed a range of laws which specifically include duties on human rights such as in 2003 when it established the Commissioner for Children and Young People and in 2018 when human rights were agreed as one of the eight principles in the Social Security (Scotland) Act.¹ The distinctive Scottish approach to respecting, protecting and fulfilling human rights is also

evidenced by three specific and current initiatives which impact on RSLs and your customers: Scotland's second National Action Plan on Human Rights (SNAP 2) which was launched in March 2023, the implementation of the UNCRC (Incorporation) (Scotland) Act 2024 and the Scottish Government's intention to introduce a Human Rights Bill for Scotland in 2026.

Globally, the UK is a champion of human rights and repeatedly issues statements on the need for compliance in other countries². Domestically, even if minded to, the UK cannot disregard human rights law. For example the UK's membership of the Council of Europe is dependent on implementing the ECHR. As the UK has ratified UN treaties, it is automatically required to participate in periodic reviews of its compliance which results in a set of UN 'Concluding Observations' which should be implemented.

Complying with domestic and international human rights law is an obligation of the UK and Scottish Governments so it is important that lived experience informs the deliberations on how to address the gap in theory and practice. This Handbook is designed to boost knowledge on human rights so that people with lived experience can inform the debate and the actions going forward. Ensuring a practical application of human rights standards needs to become a mainstream strategy.



¹ [Social Security \(Scotland\) Act 2018 \(legislation.gov.uk\)](#)

² [China warns Britain against 'interfering' as James Cleverly raises human rights, Taiwan and Hong Kong during first visit by a Foreign Secretary in five years | Daily Mail Online](#) 31st August 2023

2. Global to Local Human Rights - How Castlemilk influenced the UN

About the Board

In 2023, the Castlemilk Housing and Human Rights Lived Experience Board was set up by the CEOs of the four community based registered social landlords (RSLs) to promote human rights delivery locally. The Board operates as part of the RSLs' strategic approach to delivering human rights rooted in law, public policy and regulatory requirements.

The Board operates in a transparent and accountable way with Minutes produced after each meeting, regular updates provided through social media and members explain activity and impact amongst RSL colleagues as well as via local fora such as the Community Council. Operational Rules were agreed along with provisions to encourage the growth of other Lived Experience Groups on housing and human rights in Glasgow and across Scotland.

Each of the members also serve as governors of the four community controlled housing associations in Castlemilk with a combined annual turnover of £15.9m. Collectively they are responsible for 3,156 tenants and their families. So the members have a wide range of expertise in dealing with complex financial and administrative matters as well as understanding the public policy and legal context of housing in Scotland. They are experienced in communicating with a wide variety of people and using social media as well as traditional outlets.



The focus is to understand existing issues through human rights lens. Mapping what are people's human rights and what are public sector duties develops understanding of what needs to change locally, and nationally, to achieve better outcomes and comply with human rights law and policy. From the outset the Board has been supported by Carole Ewart, a public policy and human rights consultant. The collaboration ensured that her knowledge of human rights and duties informed the Board's enthusiastic commitment to use UN and Council of Europe standards and mechanisms to achieve better outcomes across economic, social, cultural, civil, political and environmental rights.

As RSL Board members, operating strategically is the default position and engagement has been undertaken by inviting a range of stakeholders to meetings in Castlemilk. In November 2023, they met with the Minister for Housing followed by Scottish Government civil servants working on human rights, the Chair, Commissioner and staff from the Scottish Human Rights Commission (SHRC) and the Chair of the Poverty and Inequality Commission. Human rights training was also delivered to enable the Board to combine their local knowledge with a human rights based approach. Early on a consensus was reached on the key issues for local people and that promises made to fix problems were ineffective. It was also agreed that national problems with housing, heating and adaptations had a particularly negative impact locally.

Given the frustration at securing domestic remedies for longstanding problems, it was agreed to participate in the UN's periodic review of UK compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR). The decision to engage with the UN was a timely opportunity to apply the local to the global – explain how human rights problems in Castlemilk are a breach of internationally agreed human rights and to demand action to fix them.

The process agreed and followed by the Board was to make a submission to the Committee on Economic, Social and Cultural Rights in Geneva:

- A detailed written submission was drafted to reflect what had been discussed and linked to individual ICESCR rights. Also referenced was the Committee's relevant General Comments on how the rights should be interpreted by the UK government on reserved matters

and by the Scottish Government on devolved matters. A 'List of Issues for the UK' had been agreed by the Committee in March 2023 and reference was made to that too.

- The Board registered with the UN as an independent civil society organisation of local 'Human Rights Defenders' and once approved it was given a UN online account. When the Board's submission was approved, it was uploaded via the account to the UN portal in advance of the deadline and that opened a further opportunity to engage with the Committee directly.
- A private meeting for registered civil society organisations was set up a few days before the formal session. The meeting was online and each participant was given a single link which could not be shared. The purpose was to provide a safe space for civil society organisations to speak freely and directly to members of the Committee, to highlight key issues raised in the written submission and to answer any questions. Each contributor had two minutes allocated to read out the key issues and how ICESCR rights were infringed. If an organisation went over, they were automatically cut off.
- It was agreed that Anna Stuart, Chair of the Board, would read out the statement but members would sit behind her to show support and also be able to observe what was happening. An order was agreed so the Board knew when their turn would arrive. The statement was read out and within time so the Committee

heard about the breach of Article 11 of ICESCR including problems with access to affordable, nutritious food and the barriers to accessible housing and warm homes.

- The UN session was transmitted live in the mornings of 13th and 14th February 2025 which was attended by the UK and devolved Governments at the Palais Wilson



in Geneva. The Committee raised lots of questions about economic, social and cultural rights in the UK and questioned why ICESCR cannot be enforced through domestic courts. The UK Government sought to answer the questions but clearly there are gaps between the Committee's expectations and UK Government practice. The Scottish Government was given several opportunities to provide answers on what it is doing to comply with ICESCR.

- The Committee published its Concluding Observations (COs) on the UK which runs to 71 paragraphs. The Board's issues were included which opens up a dialogue with the Scottish and UK Governments to progress.

The Board decided to publicise their achievement on getting a specific recommendation on access to affordable nutritious food, as well as other issues such as on the right to housing and the right to the highest attainable standard of physical and mental health. The Board also decided to join the UK IECSR Network, now attends meetings online and will work strategically to realise the COs. The COs which the Board will capitalise on include:

- Need to make progress on incorporating economic, social and cultural rights through the adoption of a Human Rights Bill, which includes the enforceable right to housing.
- Take all necessary measures to ensure the availability of affordable social housing units by streamlining planning regulations, prioritizing funding for new construction, rehabilitating substandard housing, and ensuring accessibility for disadvantaged groups—in particular persons with disabilities.

- Enhance government's decarbonization policy on dwelling stock.
 - Increase the budget allocated for food programmes, social security, housing, health, education, employment services and other areas related to Covenant rights.
 - Step up measures to ensure that everyone has access to affordable electricity, gas, water, sanitation, and heating, as well as clothing.
 - Establish a legal framework requiring business to conduct human rights due diligence and update the UK's National Action Plan on Business and Human Rights.
 - Concern about increasing food insecurity, malnutrition, poverty and limited access to affordable and nutritious food, which disproportionately affect low-income households, in particular families with children (art. 11). The Committee reminded the UK Government of its general comment No. 12 (1999) on the right to adequate food, and the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. These documents provide useful direction on what should be happening already in Scotland.
 - The Committee recommended the UK along with the devolved governments of Northern Ireland, Scotland and Wales:
 - Expedite the adoption of a comprehensive national strategy for the protection and promotion of the right to adequate food, in consultation with relevant stakeholders,
- to address food insecurity and reduce reliance on food banks, setting clear, time-bound targets and establishing appropriate mechanisms to assess progress.
- Take measures to address the triple burden of malnutrition (under-nutrition, micronutrient deficiencies and overweight/obesity).
 - Ensure that social protection programmes target those most in need.
 - Promote balanced diets through effective social and behavioural change communication strategies and ensure the affordability of diversified diets.
 - Introduce higher taxes on junk food and sugary drinks and strengthen regulations on the marketing of such products.
- The challenge is to make the global recommendations have a local impact through strategic collaboration and by building interest in, understanding of and support for the COs.



3. Human Rights in the UK

There are various components to understanding human rights standards and delivery in the UK in addition to the UN framework.

When the Council of Europe, agreed to adopt a collective approach to defining and enforcing human rights through the ECHR, the UK was central to the drafting and approval process. The countries forming the Council of Europe are greater in number than the EU as they include Turkey, Switzerland, Monaco as well as the UK. The ECHR focuses on civil and political rights but in practice the ECHR has shown itself to be a ‘living treaty’ capable of adapting the listed rights and duties to meet current human rights cases such as protecting an individual’s data privacy.

Those who allege breaches of the ECHR can complain to the European Court of Human Rights (ECtHR). The Court dealt with 332 applications concerning the United Kingdom in 2024, of which 328 were declared inadmissible or struck out. It delivered 3 judgments concerning 4 applications, 1 of which found at least one violation of the ECHR³. A case is deemed inadmissible if, for example, domestic remedies have not been exhausted before making an application to the ECtHR. Most applications to the ECtHR are deemed inadmissible and therefore not examined on the merits.

The ECHR became more important to our daily lives after the Human Rights Act 1998 (HRA) was passed by the UK Parliament as section 6

made it unlawful for a public authority to act in a way which is incompatible with a listed ECHR right. Not all ECHR rights are listed in the HRA such as Article 13 the right to an effective remedy. In practice, cases can go to UK and Scottish Courts to secure a remedy.

It is also useful to note that under Section 12 of the Human Rights Act 1998, a court “must have particular regard to the importance of” the ECHR right to freedom of expression and, to journalistic, literary or artistic material which is in the public interest to be published. The right will be balanced with the right to privacy which can vary how the information is released rather than censoring it.⁴



3 https://www.echr.coe.int/documents/d/echr/CP_United_Kingdom_ENG

4 [Human Rights Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk/human-rights-act-1998)

ECHR Rights and Duties

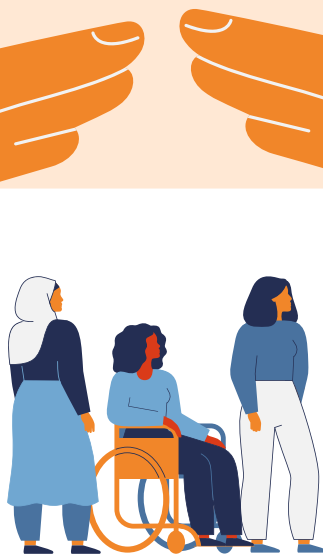
The rights are set out in the ECHR and are interpreted by the Judges at the ECtHR. Their rulings in each case can impact on domestic decisions on policy, practice and how to interpret rights and duties. Those highlighted in red are not included in the HRA.

- Article 1 Obligation to Respect Human Rights
- Article 2 Right to life
- Article 3 Prohibition of torture, inhuman or degrading treatment or punishment.
- Article 4 Prohibition of slavery and forced labour
- Article 5 Right to liberty and security
- Article 6 Right to a fair trial
- Article 7 No punishment without law i.e. law needs to exist before you can break it!
- Article 8 Right to respect for private and family life, home and correspondence
- Article 9 Right to freedom of thought, conscience and religion
- Article 10 Right to freedom of expression, to receive & impart information & ideas
- Article 11 Right to freedom of assembly and association
- Article 12 Right to marry
- Article 13 Right to an effective remedy
- Article 14 Prohibition of discrimination.⁵

Article 14 is not a 'standalone' right, it is partnered with all the other rights. The fundamental rule is that each human right must be equally enjoyed.

The UK has agreed to implement 'optional' protocols to the EHCR.

5 [European Convention on Human Rights \(coe.int\)](https://www.coe.int/t/e/treaties/Convention_on_Human_Rights/Convention_on_Human_Rights.aspx)



Protocol 1

- **Article 1 Protection of property** Everyone is entitled to the peaceful enjoyment of their possessions. No one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The UK can enforce laws which it deems necessary to limit the right such to secure the payment of taxes or other contributions or penalties.
- **Article 2 Right to education** No one can be denied the right to education. The UK shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.
- **Article 3 Right to free elections** The UK undertakes to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people.

Protocol 13

Article 1 Abolition of the death penalty The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

The ECHR can be split into three types of rights:

- **Limited rights** are rights where the specific circumstances in which this right can be lawfully restricted or interfered with are set out in full in the definition of the right itself such as under Article 8, the right to respect for private and family life can be limited “in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country...”.
- **Qualified rights** are rights that can lawfully be restricted or taken away by the government in certain broadly defined circumstances such as under Article 5 the right to liberty can be taken away by the lawful detention of a person after conviction by a competent court.

- **Absolute rights** cannot be restricted in any way or under any circumstances by the government such as the prohibition on torture under Article 3.

Interpretation of rights is not static as it evolves from the cases brought to the ECtHR. The ECHR is known as a ‘living treaty’ as it adapts and reacts to modern life interpreting how rights and duties should be respected, protected and fulfilled, every day. However the system is built on the premise that elected Parliaments are best placed to decide on human rights disputes and the ECtHR will only become involved out of necessity. This was confirmed by the adoption of Protocol No.15 in 2021 which inserted the principle of subsidiarity into the Preamble to the Convention. It “imposes a shared responsibility between the States Parties and the Court” on human rights protection, and the national authorities and courts must interpret and apply domestic law in a manner that gives full effect to the rights and freedoms defined in the ECHR and the Protocols.⁶

6 <https://www.gov.uk/government/news/european-convention-on-human-rights-protocol-comes-into-force>

However each country is allowed a 'margin of appreciation' in how they interpret rights and duties. This 'space to manoeuvre' is because each country has diverse cultural and legal traditions. The degree of manoeuvrability is limited as the core elements of the right and duty must be delivered. Each case must be individually examined and it depends on which right is being denied as some rights do not allow divergence such as the absolute prohibition on torture under Article 3 of the ECHR.

World Conference on Human Rights

The UK agreed at the World Conference on Human Rights to fulfil its obligations to promote universal respect for, observance and protection of, all human rights and fundamental freedoms for all. The agreement is known as the Vienna Declaration and Programme of Action 1993.⁷



Joint Committee on Human Rights

Human rights are on the radar of the UK Parliament which has established a Joint Committee on Human Rights to interrogate delivery of legal obligations through public policy decisions. The inquiries being undertaken include:

- The UK's current legal and voluntary framework in relation to forced labour in international supply chains, and whether it is effective in managing forced labour exposure risks in the UK market, or if changes are required.
- The risks faced by activist in the UK from hostile actions by foreign governments and the effectiveness of the UK's current legal and policy frameworks in relation to transnational repression, and the assistance available to the victims of such attacks.

The Joint Committee examines reserved matters so useful to keep up to date with its work.⁸ Its non-inquiry work includes taking evidence on key issues. For example it recently heard evidence from the UK Lord Chancellor and Secretary of State for Justice on "prominent human rights issues" including: the Government's view on Article 8 of the European Convention on Human Rights, the right to private and family life, and plans to review its application in immigration cases; the use of Strategic Lawsuits Against Public Participation (SLAPPs); the recent Supreme Court judgment relating to the Equality Act and biological sex; its current inquiry work into transnational repression and forced labour in UK supply chains.

7 [Vienna Declaration and Programme of Action | OHCHR](#)
8 <https://committees.parliament.uk/committee/93/human-rights-joint-committee>

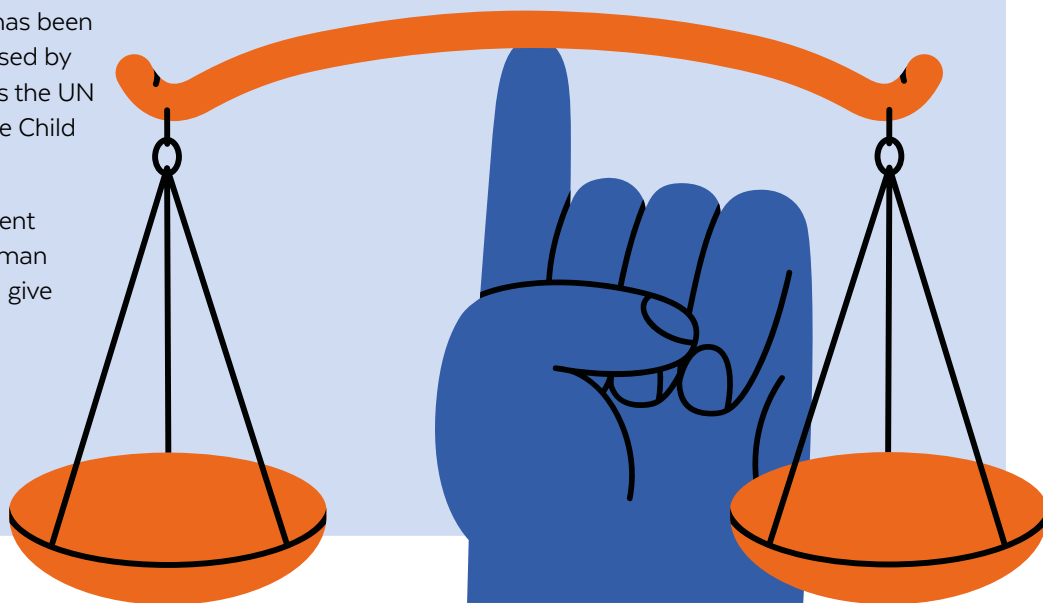
4. Human Rights in Scotland

Law

The UK Parliament passed the Scotland Act in 1998 and Section 57 requires the Scottish Government to comply with the ECHR in legislation, policy and actions.⁹ This duty does not apply to an act of the Lord Advocate when prosecuting any offence, or in their capacity as head of the systems of criminal prosecution and investigation of deaths in Scotland. Section 35 of the Scotland Act 1998 can be used by the UK Government if it believes a Bill passed by the Scottish Parliament exceeds its devolved powers. This power has been used several times on Bills passed by the Scottish Parliament such as the UN Convention on the Rights of the Child (Scotland) Bill.

In 2023, the Scottish Government consulted on an integrated Human Rights Bill for Scotland that will give domestic effect to certain UN treaties. The Bill would be restricted to devolved matters and bodies. The new law would work in tandem with

the HRA. The proposed Bill would incorporate a range of economic, social and cultural rights into Scots law for the first time, for example the right to housing. However in 2024, despite a commitment to publish the Bill by June, a decision was made to postpone so a Human Rights Bill is now promised for 2026, after the Scottish Parliament elections. In the meantime, the Scottish Government intends to publish information on what the Bill will contain.



SNAP 2

SNAP 2, Scotland's second National Action Plan on Human Rights was launched in March 2023 and is the second strategic action plan to mainstream human rights delivery across Scotland. The independent SNAP 2 Secretariat

has moved into the Directorate for Equality, Inclusion and Human Rights within the Scottish Government and a roll out programme is expected soon.

9 [Scotland Act 1998 \(legislation.gov.uk\)](https://legislation.gov.uk)

Human Rights Mainstreaming

A Human Rights mainstreaming consultation was announced in 2024 and closed in February 2025. The strategy will guide the Government, the wider public sector, and its partners to improve embedding equality, inclusion, and human rights into all its work on policy, services and funding¹⁰. It is anticipated that the Strategy will be confirmed and published soon. In the meantime, the Improvement Service has recruited an officer to work with Scotland's 32 local authorities to mainstream human rights across its work. It is hoped the one year post will be extended.

Scottish Parliament

The Equalities, Human Rights and Civil Justice Committee of the Scottish Parliament¹¹ assess the impact of human rights and current work includes an inquiry into the British Sign Language (Scotland) Act 2015 and consideration of the proposals for an Older Persons Commissioner and a Disability Commissioner. It takes evidence and issues reports so there is an opportunity to inform its work.

Context and Future

Human rights law applies across the UK but there is a particular focus in Scotland. This distinctive policy and legal context provides opportunities to capitalise on the human rights and duties as well as linking to the evidence and assurance process which Castlemilk's RSLs deploy for regulatory compliance.

¹⁰ <https://www.gov.scot/publications/equality-human-rights-mainstreaming-strategy-consultation/>

¹¹ <https://www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-equalities-human-rights-and-civil-justice-committee>

5. Children's Human Rights in Scotland

Under the UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, CRC Act) there is a particular focus on children's right such as the right to play, to express an opinion as well as right to be safe, to thrive, to live in decent housing and have sufficient nutritious food for good health. UNCRC Requirements are listed in Schedule 2 of the Act which are the articles and duties of the UNCRC¹².

The legal duties impact on the work of RSLs and include:

- S 6(1) provides that: "It is unlawful...for a public authority to act, or to fail to act, in connection with a relevant function in a way which is incompatible with the UNCRC requirements".
- Public authority has a broad definition as the focus is on function(s) being performed rather than their status as either a 'public' or 'private' actor.

The CRC Act engages a range of agencies in the roll out of obligations:

- Introduces a statutory reporting duty for Authorities who have a distinct influence on the fulfilment of children's rights - Scottish Housing Regulator is listed.
- The Children and Young People's Commissioner has the power to take legal action if children's rights under the UNCRC are breached

- The Scottish Government must publish a Children's Rights Scheme on how they are meeting UNCRC requirements now.¹³
- Public sector agencies have produced a range of information to assist with implementation of rights and duties. For example Public Health Scotland has information on the right to health¹⁴.

The work of the Board is connected to particular articles such as Article 27 which recognises the right of every child to a standard of living adequate for their physical, mental, spiritual, moral & social development. Scotland should take appropriate measures to "assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing."

Children's rights are not separate from everyone else's. They are part of the architecture of family rights, for example children are understood to thrive if the human rights of each family member is respected, protected and fulfilled too.

¹² <https://www.togetherscotland.org.uk/rightsontrack/incorporation-of-the-un-convention-on-the-rights-of-the-child/>

¹³ <https://www.gov.scot/publications/statutory-guidance-part-2-uncrc-incorporation-scotland-act-2024/pages/3/>

¹⁴ <https://publichealthscotland.scot/news/2024/july/championing-children-s-rights-in-scotland/>



6. The Lived Experience of the Board

The lived experience of the Board individually and collectively, coupled with their expertise as RSL Board members, make them a powerful force for change. Knowing their personal stories helps understand their focus and impact so far. All of those interviewed have taken part in human rights training, participated in agreeing the key issues locally which can be addressed using human rights standards and rolled out strategic engagement and the action plan to make an impact. Here are their stories.

Anna Stuart MBE

Anna is a founding member of the Castlemilk Housing and Human Rights Lived Experience Board and is the elected Chairperson. She is also Chairperson of Cassiltoun Housing Association since January 2024. Originally called Castlemilk East Housing Co-op, she has been a member of the Association since 1981 and her focus remains rooted in the 'co-operative' ethos of partnership working and community regeneration including the creation and support of social enterprise. Therefore she is a Board Member of Cassiltoun Stables Nursery and Cassiltoun Trust. She has worked tirelessly for the wider social and economic regeneration of Castlemilk, was awarded an MBE in the 2011 New Year Honors List and awarded a "Housing Hero Award" at SHARE's conference in 2025.

In 1975 Anna's eight years old son was hit with a brick above his left eye which cause irreparable damage and she decided the family must move to a new neighbourhood to keep her five children safe as well as thrive. In 1979, they moved from being overcrowded to a five apartment house in Castlemilk that was part of a block. Although the house was a better size, she was shocked there was no prospect of any repairs being done despite the high rent. As an ex civil servant, she decided to use her skills and dig around for the reason and quickly established it was due to the enormous debt being carried by the Council. Frustration and anger prompted



Anna to work with other members of the community to do something constructive and radical. Capitalising on the Scottish Office's policy drive to move the housing function from local councils to community based housing associations, Anna was a key player in setting up Castlemilk East Housing Co-op which was registered with the Industrial and Provident Society in December 1984. She served on the voluntary Board with other local people.

Very quickly Anna realised that she had taken on a lot: meeting with architects on the design of new build homes as well as reconfiguring existing properties to modernise and enlarge them; meeting with builders and construction experts to demolish the 1950s housing which was beyond repair and save the stock which was viable; meet with bankers and financial advisers to check what could be borrowed, what was available from public grants and did the sums add up so the initial expenditure was paid back from rental income; be confident in her own judgement and act on the advice of staff to sign cheques for millions of pounds when she was more used to balancing the family's finances.

Anna acquired lots of new skills and confidence over the years of service in Castlemilk and has sought to share with others in the housing movement. Being open to new ideas has been pivotal to her success so she enthusiastically supported setting up a housing and human rights lived experience board as a collaboration by the four local community based housing associations.



Instinctively, Anna knows that housing is a human right and a gateway to all human rights. Latterly, before she retired, she worked in a nursery and was aware that the UN Convention on the Rights of the Child had existed since 1990 and that there were treaties that protect adult human rights too. However there is not much information from the public sector in Scotland about what that means beyond some headline concepts. Therefore she has been focused on why rights matter and what can be done to make rights real in Castlemilk. Understanding pernicious local issues through a human rights lens has proven productive and now it is routine to use a human rights based approach to finding solutions and conveying them to key decision makers.

Anna was disappointed that the right to housing is not currently protected through the Human Rights Act 1998 which gives effect to most of the ECHR rights and duties. However she is aware the UK has ratified a number of UN treaties and those international laws provide minimum standards for UK compliance. Article 11 of the UN's

Covenant on Economic, Social and Cultural Rights requires the UK to recognise the right of everyone to an adequate standard of living for them and their family which includes “adequate food, clothing and housing, and to the continuous improvement of living conditions.” The UK is also required to take appropriate, progressive steps to realise this right. There is a failure to realise this right locally because there is no supermarket but 10 outlets to buy alcohol and numerous fast food outlets. It does not make any sense because the lack of access to affordable, nutritious food has a negative impact on people's health.

Anna seized the opportunity to raise a long list of human rights issues directly with the UN through a written submission and oral statement in February 2025 and was delighted they listened and made recommendations for action by the UK and Scottish Governments. Anna is clear about the task ahead “We are at the early stages of our human rights campaign and I am excited to see what progress we make in securing an effective remedy.”

Liz McKenzie

Liz is a founding member of the Castlemilk Housing and Human Rights Lived Experience Board. She joined Ardenglen Housing Association's Board in 2008 and has served as Chair since 2020.



As a longstanding community activist and qualified social worker, Liz lives and breathes the delivery and enforcement of human rights such as campaigning to eradicate loan sharks with Church Action on Poverty. Having a better detailed knowledge of specific human rights empowers Liz in conversation, actions, impact and ambition. Liz recognises that Article 9 of the ECHR is the right to freedom of thought, conscience and religion and respecting people's faith and belief is essential to ensuring a vibrant and diverse community in Castlemilk.

Liz first got involved in securing the right to housing in the 1980s and ensuring respect for people's "homes" included action to stop mould and the need to address the generally neglected state of social housing. By joining a tenant's group she met many likeminded others and they worked tirelessly together to deliver community based housing associations which were based in the distinct geographical communities of Castlemilk. They shared a vision that by taking control of the housing stock and being laser focused on solving housing problems would result in lots of other social problems being prevented and addressed such as chronic poor health due to mouldy homes which were too expensive to heat. Also, by addressing the overcrowding, families would be better able to grow and thrive especially children. Liz puts this work into context now as she points out that the right to an effective remedy is set out in Article 13 of the ECHR and the right must

be equally enjoyed under Article 14. So expecting housing problems to be solved is reasonable.

Currently the Board's work focuses on empowering people to ensure they make decisions rather than decisions being imposed upon them. Building knowledge on human rights and how they can be asserted and enforced has utilised the many and diverse skills of those involved who are used to operating strategically and through networks to reach key decision makers. Liz believes that "Working collaboratively rather than on exactly the same issues in individual RSLs ensures we make a bigger impact now and puts human rights into action rather than just talking about them."

Liz recognises that standing up for human rights can make people nervous about getting some of the details and acronyms wrong but she believes 'being human is to make mistakes' and we just need to learn from that. Human rights knowledge about public policy promises has given the group confidence to challenge and put together cogent arguments for doing things differently or holding decision makers to account.

Liz is currently waiting, in a very long queue, for an operation and walks with the assistance of a stick. This personal experience of physical pain and difficulty in accessing local GP services has provided a further dimension to her human rights practice. Article 8 of the ECHR is respect for private and family life but her life and that of her family is disrupted by not having the operation within the time limits set and even making it onto the list was a marathon. Knowing other people in the same situation converts the anecdotal into a public service failing.

So looking ahead Liz appreciates that membership of the Board grounds her established work in the community and increases her ambition for better outcomes for people in Castlemilk.

Des Phee

Des joined the Board of Craigdale Housing Association in 2018 and was appointed as Chairperson in September 2022. His day job is in housing too. Therefore he brings a professional interest to the work of the Board as well as being a volunteer office bearer.



Article 8 means housing associations have a duty to respect the homes that people live in and that underlies all the decisions made about funding and service design and delivery. For example there is an increasing demand for medical adaptations so that people can live safely and comfortably in their homes but the problem is that the budget allocated by public bodies to RSLs continually fails to meet demand. Wet rooms, grab rails, stairlifts are all needed to ensure people can live in their home for life, beside family and in the community they have grown up with and grown older in. Knowing this housing management issue is actually a human rights issue reinforces the RSL's commitment to coming up with solutions that comply with rights and fulfils duties.

It has been interesting to learn from the human rights training about the UN Convention on the Rights of People with Disabilities which refers to housing in two separate articles: Article 9 is the right to accessible housing so disabled

people can live independently; Article 28 is the right to an adequate housing and ensuring access to public housing programmes. This complements the duties in the Equality Act 2010 on making reasonable adjustment, and Articles 8 and 14 of the ECHR that respect for home and family life need to be respected without discrimination.

There is also the issue of maintenance of properties so that people live in the best home possible and that means ensuring the fabric and structure are safe and in good working order underpinned by a thorough, regular maintenance regime.

Compliance with Article 8 of the ECHR presents challenges too. Balancing the right to private life with RSL recruitment and selection policies can be tricky as we need to gather information from candidates for workforce analysis. Some of the personal information requested is sensitive but we have strict data protection measures in place to respect people's privacy. The process of thinking through how to comply and meet organisational demands has been aided by tools such as equality and human rights impact assessments.

Participation in the Lived Experience Board focusing on housing and human rights has taught us so much about rights and getting the correct tools to do the job. I thoroughly recommend the process and focus given current pressures on RSLs and on people's lives.

Iris Robertson

Iris Robertson is the Chairperson of North View Housing Association since September 2020 and has been a Committee Member since 1st November 1993. She also serves on the Community Council and the Board of the Birgisdale Community Centre. Her breadth of work in the community ranges from calling the bingo every Thursday, Sunday and Monday to making multi million pound strategic decisions on housing provision which meets people's needs.



Iris first got involved in the right to a decent home when her daughter was 6 months old. They were living in a damp ridden house rented from the Council, then Scottish Homes. She joined with others to campaign and deliver better housing and a housing association was set up. She joined with others to campaign for better housing. In the 1980s, council tenants were offered the "choice" of staying in poor housing or take on the houses yourselves and set up a housing association. Big decisions had to be made, there was recruitment of staff and a lot of financial and legal work which meant it was difficult to juggle with family life as a single parent. So the housing group paid for a free creche to enable women to participate and latterly that became a certificated babysitter to cover at home so Iris could attend meetings and ensure her daughter's play and sleep routine were uninterrupted.

Following a ballot of tenants, 162 unimproved homes moved to the new housing association which had grown in confidence and resources and the recruited paid staff were based in a flat, then three flats together eventually moving into purpose built offices in 1995. Supported by expert staff, the volunteer committee members were encouraged to grow too: "Euan Anderson encouraged me to come out of my shell and my confidence grew too so I was able to give speeches in front of

crowds. So the human rights values of treating people with dignity and respect fits with my work for better homes and investing in people so they can reach their potential."

There is no comparison with the housing in Castlemilk today as so much has been demolished and new homes built with front and back doors which are easier to heat. People can hang their washing out in the back garden which prevents condensation and saves money on power. Rooms are also better designed to meet people's needs such as bigger kitchens to sit and eat dinner as a family and put your dryer up. Article 8, the right to respect home and family life, is therefore central to our work. North View has programmes to replace windows, bathrooms and kitchens so no house is overlooked and tenants feel they are known and provided for as far as we can afford to do so.

However if people have no money heating their home and drying their clothes on a wet day is still tough and that's why it is important for North View to see the person not just the bricks and mortar. Consequently a strategic decision was made years ago to offer services that fit people's wider needs such as welfare benefit advice which has seen millions of pounds secured for families in our community – that is money they were entitled to and accessing expert help improved their lives. 'Article 10 of the ECHR reminds me that people need accurate and timely information in an accessible format to improve their lives and to make better decisions.'

Iris is focused on connecting the dots: integrating Scottish public policy decisions with local delivery and ensuring human rights inform and direct conversations about improving people's lives. Article 8 sums up what I want for people in Castlemilk as I want them and their families to be respected, live in dignity and that means not just helping them thrive in their home but also ensuring that access to adequate housing and respect for home are understood as core human rights.

Morag Cameron

Morag has been a Board Member of Craigdale Housing Association since 2009 and has previously served as Chair. She has been tenant since 2007.



Morag began attending Board meetings after people told her participation was a really good use of time as the purpose is to match lived experience with Scotland's human rights agenda. It has been interesting to learn that in March 2023 there was a launch of Scotland's second National Action Plan on Human Rights (SNAP) and a promised Human Rights Bill for Scotland following a successful consultation in 2003. However there has been a lack of progress on both initiatives which is disappointing.

She was also intrigued to learn more about the human right to an adequate standard of living including food and housing. Morag supports building more social housing to offer tenants energy efficient homes and for strategic action over the lack of a local supermarket despite £3.3 million of public money granted in 2022 to a developer to facilitate one opening in Castlemilk.

Core to Morag's participation as a Board member, is the right to have an informed opinion based on information and evidence. Sourcing as much up to date information as possible is essential if opinions are to be reached and decisions made on realistic actions going forward. Learning more about the shopping centre development plans submitted and approved by the Council, hearing updates from the Community Council on the lack of action and being told that commercial confidentiality prevents a free flow of information have proven to be frustrating. It has also been

useful to learn more about the Scottish government fund 'The Place' to develop deprived communities and regenerate town centres which is being used to finance the work. It is also interesting to note that £3.3 million awarded for work on The Braes Shopping Centre amounted to nearly half of Glasgow's entire allocation of the fund.

Armed with this information and better understanding of the funding process, the Board has set goals to shine a light on the gap between what was promised and what has happened in the last three years as well as speak to key people to ask them to help get a supermarket for Castlemilk.

Research has also been done on what a supermarket is looking for in communities and framing a dialogue to prove Castlemilk is a great fit. For example we have a population of 14,000 people and that's a lot of people who need to shop for food and household items every week.

Morag says "Connecting current pressing issues locally with human rights standards and duties has been an empowering process and we have grown in confidence as a group about what is possible and what needs to change." Yes, we are expressing an opinion but it is grounded in international human rights standards that public bodies should comply with in Scotland.

We are ambitious for Castlemilk and had hoped there would be a Human Rights Bill published in September 2024 but that has been delayed until after May 2025. I certainly hope that the right to housing and adequate food is included in the Bill when published and I look forward to working with others to make that happen.

Andrew W Marshall

Andrew is a founding member of the Castlemilk Housing and Human Rights Lived Experience Board and has been a Committee Member of North View Housing Association since September 2023. He uses his extensive local networks to promote the work of the Board locally and engage with a range of public bodies such as Glasgow City Council over the Locality Planning process.



Andrew believes everyone should equally enjoy their human rights so is pleased that Article 14 of the ECHR makes that clear and it must be partnered with all the listed rights. He thinks it is foolish to overlook incorporating human rights into everyday life as they offer minimum standards on how we behave towards each other and what is expected of public bodies. Given regulatory duties on equality and human rights, Andrew believes Article 1 of the ECHR should guide the work of public bodies across Scotland. It is the obligation to respect Human Rights.

Andrew considers Article 10 of the ECHR, the right to form an opinion by receiving and imparting information and ideas is fundamental to all his work. For example serving on the community council he now feels more empowered when asking for information to make an informed opinion such as what is happening to the spending of public money on securing a local supermarket.

Participation in the Board's work has developed Andrew's personal knowledge of domestic human rights and how to apply them and "gives you strength to know that your work and your opinion matter and we have the right to be consulted and engaged in decisions about our community."

He has also learnt about international human rights standards which provide context to work already being done locally. For example Article 25 of the UN's International Covenant on Civil and Political Rights (ICCPR) states that everyone has the equal 'right and the opportunity, without unreasonable restrictions to take part in the conduct of public affairs, directly or through freely chosen representatives' and to 'have access to public service in their country.' So when people in Castlemilk get involved either directly or indirectly in decisions about public policy, services and funding they are living their human rights. My involvement in the Board has given me more confidence and opportunity to influence decisions for the benefit of our local community and I look forward to making a bigger impact.

Sharon Richford

Sharon attends the Castlemilk Housing and Human Rights Lived Experience Board as an observer. She has previously served on the Board of a local RSL. Sharon became involved with her local housing association over 22 years ago because she wanted to be a voice for her fellow tenants, to stand up and be counted, be listened to and strive for a better standard of living conditions.



Becoming involved with the RSL committee allowed Sharon to attend meetings, network with other organisations, access training and learn. As a result, the neighbourhood was transformed providing good quality, affordable homes with much needed investment in old stock and delivering new build developments. Tenants remained at the heart, their opinions and views were always listened to and many of their ideas were taken onboard when it came to the layout of their kitchens and bathrooms during refurbishment.

Many human rights are engaged in the work of the Board, however, Article 10 has emerged as crucial. Knowing you have the human right to freedom of expression which includes the right to receive and share information is essential to our democracy and the work of the Board. “We are expressing our opinions respectfully, we are speaking aloud, we are gathering information to inform our opinions, we are networking and we are protesting about lack of access to affordable food which is a fundamental human right recognised in international law as part of the right to an adequate standard of living.”

I enjoyed sitting in a room in the offices of a local RSL to join the UN Committee on Economic, Social and Cultural

Rights Geneva live as Anna read out the agreed statement when our turn came to contribute. Having that direct access and knowing our voices count was a big deal and we have promoted the Committee’s positive report with articles published in newspapers and online. We have used tv, radio and social media to highlight our fight to raise support for our cause and generate publicity, making people sit up and take notice of this little group with huge voices and a common goal. We are working alongside others in the community who have the same passion, and we are doing so in a positive way, showing respect and unity.

The Board is focused on working together to access affordable food which will be delivered if a supermarket is opened, which will also bring jobs to our area and provide economic stability. It will also be a source of food for the local Pantry. The Human Rights handbook is our guide on making change happen and can then be implemented professionally and personally as being aware of our human rights, allowing our voices to be heard and to make changes for the benefit of all is a powerful force for good.

Mattie Nelson, Sharon’s mother, was also a big campaigner. She was part of the original Tenant’s Association in the Castlemilk area, and established Tormusk Playscheme which she ran with the help of other mothers providing childcare through the long summer holidays. Her fight for a place for the young people to go to hang out, be a part of something rather than become involved in crime or vandalism came to fruition with the Scarrel Hall being built where many clubs ran including sewing classes, football, martial arts as well as the many fundraising nights held to provide trips for the children and Christmas parties for the pensioners. She worked alongside many well-known Castlemilk campaigners including Anna and Liz (whose stories also appear here) and Maureen Cope.

Fiona's Story

Fiona McGovern is the Community Investment Manager at Ardenglen Housing Association and attends the Housing and Human Rights Lived Experience Board to inform their deliberations about the equal enjoyment of economic and social rights in Castlemilk.



Fiona manages a team of seven including the Pantry Co-ordinator two p/t pantry assistants and, as part of Ardenglen's Pantry Plus initiative, she manages the Community Development Officer, Energy Advisor, Financial Inclusion Officers and Digital Support Assistant so people can access integrated advice and support. Recently she managed the relocation of the Pantry to the welcoming Birgidale Complex, in Stravanan Street. About 175 members use the Pantry each week.

Fiona used to live in Castlemilk with her children and partner but moved to live beside family as they grow older. Therefore, she draws on her personal knowledge of the local area as well over 30 years of working with different local, community-based housing associations. Fiona's work is focused on bringing about change and so she quickly embraced using human rights to address existing problems, particularly local people's access to nutritious food and to getting the right advice on benefits and debt management so they can make informed decisions.

Over the years Castlemilk has changed dramatically, visually with a better mix of houses and flats, redevelopment of green spaces for people to use, saving the historical roots of the community by opening 'The Stables' as a community facility and diversifying the population which benefits from the arrival of Ukrainian, Polish, Arab and Syrian families as well as residents from India and Pakistan.

From experience Fiona knows that as many public services are "digital first", too many local people are excluded from accessing key services. The introduction of Universal Credit affirmed her view that people will access local services rather than travel out with their community to those which are centrally managed and designed to meet general needs. Fiona was pleased to note publication of the 2024 Audit Scotland report which confirmed the problem and recommended that "all public bodies must deliver on their responsibilities to ensure everyone can access the services they need. This includes the one in six Scottish adults who lack the digital skills needed for everyday life."¹⁵

The Pantry can only open two days per week, and a constant problem is securing enough food to distribute to the queues of people who need it. Access to surplus food from supermarkets is a constant problem. As Castlemilk has no supermarkets, there is no automatic supply chain and therefore you have to compete with other communities and local pantries needing stocked. Diversifying the food offering is also important so there is food for everyone's diet. Local groups do help especially Glasgow Helps¹⁶, Castlemilk Churches and the Govan Community Project.¹⁷ Some companies regularly donate such as bread from Warburtons every week.

¹⁵ <https://audit.scot/publications/tackling-digital-exclusion>

¹⁶ <https://www.glasgowhelps.org/>

¹⁷ <https://govancommunityproject.org.uk/>

Fundraising is essential so there is food for people to choose from. Every week, the Pantry team buys meat, milk and vegetables from local shops to stock the Pantry's shelves. Empowering people to choose which food they want is key to ensuring the human rights principles of fairness, respect, equality, dignity and autonomy are delivered on each visit to the Pantry. Currently the Pantry needs £500 per week to ensure a mixture of nutritious food is offered at an affordable cost but there is never enough food to go round and that is a human rights issue.

Fiona was delighted the UN Committee on Economic, Social and Cultural Rights specifically addressed the right to food in its March 2025 Concluding Observations. "I am still amazed that the UN has taken account of what people in Castlemilk think and understand the pressures on services such as the Pantry. That is quite an achievement, and we are excited to watch the impact. The Committee have called on the UK to "expedite the adoption of a comprehensive national strategy for the protection and promotion of the right to adequate food to address food insecurity and reduce reliance on food banks, setting clear, time-bound targets and establishing appropriate mechanisms to assess progress". It also recommended that the UK "increase the budget allocated for food programmes". Importantly the Committee wants the UK and Scottish Governments to comply by considering the opinions of stakeholders and Castlemilk Pantry is one of them.

Looking ahead Fiona is excited that the authority of the UN's Concluding Observations can be matched with the expertise of the Board to make change happen.



7. Applying ECHR Rights and Duties Now in Castlemilk

Ardenglen Housing Association, Craigdale Housing Association, Cassiltoun Housing Association and Northview Housing Association already deliver on each ECHR right and here are some examples:

Article 1 Obligation to Respect Human Rights

RSLs comply with their regulatory duty to have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery.

Article 2 Right to life

- Annual gas safety checks are a pro-active way to keep tenants and their families safe.
- Installation and maintenance of integrated fire alarm system and carbon monoxide detectors keeps families safe.
- Preventing prolonged exposure to mould or other hazards in the fabric of the building prevents ill health and deaths.¹⁸

Article 3 Prohibition of torture, inhuman or degrading treatment or punishment.

The threshold is high for an abuse of this right and is often prompted by a variety of accumulated factors faced by a single person or family.

- Providing dry homes which are free from mould enables people to live healthily in the structure.



- Providing homes which are well maintained prevents people's health conditions being aggravated such as asthma and Eczema.¹⁹
- Providing accessible homes for people with impairments is key to being able to leave their home and return when it suits them.

¹⁸ [Death of two-year-old from mould in flat a 'defining moment', says coroner | Housing | The Guardian](#)

¹⁹ [Napier vs Scottish Government Ministers 2004.](#)

Article 4 Prohibition of slavery and forced labour

- RSL employment policies along with the process for engaging with contractors are designed to prevent and alert RSLs to any problems.
- Choosing to publish a statement on modern slavery within audited accounts or on the RSL website²⁰.

Article 5 Right to liberty and security

- RSLs understand that the UN requires the right to adequate housing should not be interpreted narrowly. Therefore RSL's service focus ensures that wherever people live, they shall do so in security, peace and dignity.
- RSL actions on anti-social behaviour and addressing hate crime using a Community Development approach and empowering communities into satisfying their human rights. This complements duties under the Equality Act 2010 such as fostering good relations between different people when carrying out their activities.

Article 6 Right to a fair trial

- Appeals process exists for concerned tenants e.g. on a proposed rent increase.
- Staff are entitled to a fair process if they are disciplined, dismissed or raise a grievance.



Article 7 No punishment without law

The law/rule needs to exist before you can break it!

- Tenant handbook explains what is expected of tenants so they are informed and know in advance what is expected within their home and to their neighbours.
- Staff also know what is expected of their role as it is contained in their contract and supplemented by organisational policies.

20 [Publish an annual modern slavery statement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/publish-an-annual-modern-slavery-statement)

Article 8 Right to respect for private and family life, home and correspondence.

- RSL homes meet the Scottish Housing Quality Standard
- RSLs complete emergency repairs promptly.
- RSLs complete non-emergency repairs as quickly as possible.
- Anti-social behaviour cases are resolved by RSLs to the satisfaction of tenants.

Article 9 Right to freedom of thought, conscience and religion

- RSLs have no rules prohibiting freedom of thought, conscience and religion in respect of tenancy or service arrangements.
- At RSL events, dietary arrangements for faith are made. For example HALAL meat and other measures provide respect for the religious or faith of participants e.g. ensuring sufficient hydration stations for the long fasting days of Muslims, who if able to, are required to fast during the month of Ramadan and are recommended to fast at other times of the year too.²¹

Article 10 Right to freedom of expression, to receive & impart information & ideas

- RSLs comply with the Freedom of Information (Scotland) Act 2002 and the Environmental Information Scotland (Regulations) making information pro-actively available and responding to information requests.
- RSLs are annually evaluated on how good they are at keeping tenants informed about services and outcomes.
- RSLs are annually evaluated on how satisfied tenants are with the opportunities to participate in their landlord's decision making.
- Statistics are gathered for regulation purposes on 'reactive repairs' so they are 'right first time'. This and other information helps people to decide about the performance of an RSL.
- Also, tenants who had repairs or maintenance carried out are asked if they "were satisfied with the service they received".



21 [Ramadan 2022 | Muslim Council of Britain \(mcb.org.uk\)](https://mcb.org.uk)

Article 11 Right to freedom of assembly and association

- RSLs enable tenants and customers to assemble such as for the AGM and consultation meetings.
- Trade unions are recognised.

Article 12 Right to Marry

- There are no rules for or against marriage in respect of tenancy or service arrangements.

Article 13 Right to an effective remedy

- RSLs comply with the appeals processes under FoISA and the EI(S)Rs.
- RSLs provide a system where if a staff complaint is upheld then a suitable remedy is required.
- Tenants have access to an effective remedy through an independent complaints process which is accessible.

Article 14 Prohibition of discrimination

- RSLs' have adopted policies on equality and human rights.
- Staff communicate and consult in an inclusive way to ensure equal outcomes i.e. that people are enabled to participate and engage equally.

Protocol 1 Article 1 Protection of Property

- The factoring service provided to homeowners enables people to peacefully and to enjoy their possessions i.e. their home. As it is the biggest purchase they are likely to make, the RSL service respects their investment.
- The RSL Factoring Policy sets out the service offered to enable owners to peacefully enjoy their possessions.
- Maintaining the common areas of public ground and maintaining the RSL's housing stock ensures that the value of a person's property is maintained.
- Measures are in place to ensure staff's possessions are kept safe such as designated car parking areas.



Protocol 1 - Article 2 Right to education

- Education can be interpreted broadly and can extend to staff training on the job and providing funding to attend college or University.
- Offering staff flexible working hours to enable parents/ carers to take children to school and collect them is part of the process which helps children to thrive in education.
- Using a Community Development approach, examples include providing events and activities during school holidays to provide an informal educational experience, working regularly with primary and secondary schools, attending careers days/skill sharing workshops and delivering outdoor education workshops throughout the local woodlands.

Protocol 1 - Article 3 Right to free elections

- RSLs hold free elections of their members at their AGM to vote for members of the Board. AGMs are organised at reasonable intervals and the voting is by ballot, under conditions which will ensure the free expression of the members.
- Given the responsibilities held by Board members, membership of the RSL is only open to people aged 16 and over. This age threshold can be justified as a gateway to having the right to vote at AGMs for the Board elections.



Case Example Anti-Social Behaviour

The SHR has a statutory objective to protect the interests of tenants and others who use the services of social housing landlords. Delivering housing activities using a human rights based approach provides a way to capture and list the evidence and assurance needed for regulatory compliance. The approach requires elements of

- Participation – complainers and those engaging in behaviour causing a problem
- Accountability – explaining the impact of the actions on others; RSL acknowledging its role in investigation and adjudicating on the matter.
- Non-discrimination – ensuring everyone can participate so that may mean treating people differently to get an equal outcome.
- Empowerment – ensuring the process enables people to understand the human rights and duties engaged and that the process will be undertaken fairly and respectfully.
- Law – ground opinions and decisions in law to add specific detail and strength to your focus and actions.

Complaint

An RSL receives a complaint from a tenant that young people are playing loud music in their bedroom with the windows open which disrupts people sitting outside their home and enjoying their garden. This situation appears to be a repeated and frequent occurrence. The children of tenants are causing the problem and they are joined by children from homes owned by people which are factored by the RSL.



The RSL investigates. The children, aged 10 – 13 years, assert their human right to free expression which includes playing music. Their parents say they have the right to enjoy their home too and fail to agree there is a problem. The tenants around the property confirm the noise is too loud and it disturbs their peaceful enjoyment of their possessions which are garden tables, chairs and umbrella to provide shade whilst they eat and socialise.

As the property is a relatively new construction, the RSL is assured that sound proofing complies with building regulations. The RSLs are aware that the Anti-Social Legislation can be used but only against a person in Scotland if they are at least 12 years of age.

Human Rights Based Approach

ECHR - Rights Engaged

- Article 8 – the right to enjoy your home, but it is not an absolute right so can be limited in defined circumstances including when the law permits it and to protect the rights and freedoms of others.
- Article 14 – all human rights to be equally enjoyed and that extends to children as well as adults.
- Protocol 1, Article 1 – the right to peaceful enjoyment of possessions which is the home, the garden and the radio or phone from which the music is coming.
- CRC Act includes the ‘Right to Play’. The right also includes duties such as encouraging the “provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.”
- Evidence the noise problem – does it cross the reasonableness threshold?
- Communicate your decision and use human rights language.
- Offer alternatives e.g. play music at a reasonable level with windows closed.
- Raise with local schools and encourage them to use it as a practical example of balancing rights and respecting each other’s right in its roll out of the UNICEF’s Rights Respecting Schools programme.
- Consider if there is a need to organise recreational and leisure activities where young people can play their music loudly without disturbing anyone.

The challenge is to identify a remedy which balances rights, is lawful, reasonable in all the circumstances and is a proportionate response. The following ‘remedy’ is just one option:

Through discussion with RSL staff, more options can be explored and identified.



8. NHRIs and Human Rights Defenders

The agreed UN framework for the delivery of rights and the fulfilment of duties relies on independent sources of scrutiny split into: civil society defending human rights and championing the delivery of duties including trade unions, campaigning organisations, charities, community groups

and local networks; National Human Rights Institutions (NHRIs) which have a specific status in UN Treaty reviews, as long as they are independent of the elected Government and Parliament and are subject to periodic inspection and evaluation for the work they do and impact made.



NHRIs

National human rights institutions (NHRIs) are the cornerstone of the UK's human rights protection and promotion. The UK is unusual as it has three accredited NHRIs:

- **EHRC** GB Equalities and Human Rights Commission
- **SHRC** Scottish Human Rights Commission – devolved human rights only
- **NIHRC** Northern Ireland Human Rights Commission

Each organisation has different powers, duties and funding. However there are some core elements agreed, defined in global standards, and each NHRI is periodically assessed for compliance.²² The Paris Principles ('Principles Relating to the Status of National Human Rights Institutions') set out the minimum standards that NHRIs must meet:

- **Broad mandate**, so that NHRIs are able to promote and protect all human rights
- **Broad functions**, so that NHRIs are able to deliver on their mandate by providing advice, reporting and monitoring, handling complaints and human rights education, among other "responsibilities"
- **Independence from government**, set out in legislation or the Constitution
- **Pluralism**, to ensure that the composition of NHRIs reflects the "social forces (of civilian society) involved in the promotion and protection of human rights"

- **Adequate powers**, so that NHRIs can initiate inquiries and investigations, gather the evidence and documents they need, consult with NGOs and State institutions and publicise their reports, findings and recommendations
- **Adequate resources**, so that NHRIs have the funding, staffing, infrastructure and institutional capacity to perform their functions and discharge their responsibilities
- **Cooperative work**, recognising that effective human rights work requires NHRIs to collaborate with other State institutions, NGOs and civil society groups
- **International engagement**, so that NHRIs can contribute their knowledge and expertise to international and regional human rights bodies and mechanisms.

Each NHRI has been awarded status A accreditation which is periodically reviewed.



SHRC

The Scottish Human Rights Commission (SHRC) was established in 2008 by the Scottish Commission for Human Rights Act 2006. It marked a departure from the Scottish Parliament's previous approach to establish Commissioners supported by an office such as the Children and Young People's Commissioner in 2003 and the Scottish Information Commissioner in 2002. MSPs wanted a focus on the organisation rather than individuals. The SHRC has powers to undertake training and education and to hold inquiries but it is specifically barred from pursuing individual cases or even advising people who are thinking of taking a case. This makes human rights protection weaker on

devolved matters compared to the GB EHRC which can pursue cases.

The SHRC's launch of a discussion paper 'At a Crossroad, which way now for the human rights system in Scotland?' is an acknowledgement of issues around its remit which had prompted the Equality and Human Rights Committee of the Scottish Parliament in 2018 to recommend a review of its powers. The SHRC acknowledges the "Lived experience of people in communities across Scotland demonstrates a significant gap between rights and reality. The question for Scotland, as a right respecting country, is how best to truly close this gap."²³



Human Rights Defenders

The Declaration on Human Rights Defenders was adopted by the UN General Assembly in 1998. Although not legally binding, it contains principles and rights that are based on human rights standards enshrined in other legally binding international instruments:

- Identifies human rights defenders as individuals or groups who act to promote, protect or strive for the protection and realisation of human rights and fundamental freedoms through peaceful means.
- Recognises the key role of human rights defenders in the realisation of the human rights enshrined in the Universal Declaration of Human Rights and legally binding treaties and in the international human rights system.

- Emphasises there is a global human rights movement that involves us all and that we all have a role to fulfil in making human rights a reality for all. For example the role of business in respecting human rights defenders opposing the use of land and the neglect of local customs.



The Declaration requires rights to be protected, respected and fulfilled and duties delivered fairly.²⁴

Impact on Castlemilk RSLs

Currently there is dissatisfaction with the enforcement of human rights and duties evidenced by the 10 different Commissions and Commissioners proposed to help particular groups. This has resulted in Scottish Parliament Bills for a Disability Commissioner and a Commissioner for Older People. In 2023 legislation established a Patient Safety Commissioner who was appointed in May 2025. The activities of human rights defenders such as Castlemilk Housing and Human Rights Lived Experience Board are critical to changing the status quo. Through their work such as highlighting

cases of human rights abuses, they seek new accessible enforcement mechanisms as well as a regulatory regime to deliver compliance with duties.

The work of RSLs, in championing local issues and in policy work, meets the threshold for being a ‘human rights defender’ organisation. Given the multiple functions Castlemilk RSLs play in their community, it is necessary to be alert to the role of ‘duty bearer’ as well as appreciating that each RSL is a ‘human rights defending organisation’.

9. Business and Human Rights

The UN Guiding Principles on Business and Human Rights (UNGPs) set out the state's duty to protect human rights and the corporate responsibility to respect human rights.²⁵ Remedies must also be available to prevent and address human rights abuses. To put the global agenda in a domestic context, the Scottish Parliament hosted a conference in October 2010 to discuss these issues, which was attended by over 80 countries as well as UN staff. The 31 UNGPs provide an integrated framework for making Scotland, fairer and more accountable.

Delivery and Accountability

- UNGP No 8: 'the UK "should ensure that governmental departments, agencies and other State-based institutions that shape business practices are aware of and observe the State's human rights obligations when fulfilling their

respective mandates, including by providing them with relevant information, training and support."

- UNGP No 15 (b) "In order to meet their responsibility to respect human rights, business enterprises should have in place policies and processes appropriate to their size and circumstances, including a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights."
- UNGP 31(e) 'In order to ensure their effectiveness, non-judicial grievance mechanisms, both UK-based and non-UK-based, should be transparent: keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake.'



25 At [GuidingPrinciplesBusinessHR_EN.pdf \(ohchr.org\)](#)

Public Procurement

- UNGP No 5 the UK “should exercise adequate oversight in order to meet their international human rights obligations when they contract with, or legislate for, business enterprises to provide services that may impact upon the enjoyment of human rights.”
- UNGP No 4 the UK “should take additional steps to protect against human rights abuses by business enterprises that are owned or controlled by the UK, or that receive substantial support and services from UK agencies such as export credit agencies and official investment insurance or guarantee agencies, including, where appropriate, by requiring human rights due diligence.”
- UNGP No 6 the UK “should promote respect for human rights by business enterprises with which they conduct commercial transactions.”

The UK was the first country to adopt a ‘National Action Plan on Business and Human Rights’ (NAP) in 2013, based on the UNGPs, and has periodically reviewed and updated on

progress such as in May 2020. The latest update is based on the three UNGP pillars: duties of the state, expectations for business, and access to remedy.²⁶

- Duties delivered by the UK included passing the Modern Slavery Act. “This both updated the law and introduced a requirement for businesses with a turnover of £36 million or more to publish a statement on their website. The statement must set out what steps the business has taken to ensure modern slavery is not taking place in its business and supply chains.”
- Expectations for business included amending and strengthening the Companies Act to require certain companies to report on material human rights impacts.
- Access to Remedy includes tasking UK trade promotion teams, in the markets where they operate, to advise UK companies on establishing or participating in grievance mechanisms and collaborating with local authorities where necessary.



26 At [UK National Action Plan on implementing the UN Guiding Principles on Business and Human Rights: progress update, May 2020 - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/531212/UK_National_Action_Plan_on_implementing_the_UN_Guiding_Principles_on_Business_and_Human_Rights_progress_update_May_2020.pdf) (www.gov.uk)

There is no separate Scottish document despite a published baseline assessment²⁷ so the UK wide NAP applies. The Scottish Government is already committed to delivering the UNGPs²⁸ which has implications for RSLs. In SNAP 2, Business and Human Rights is acknowledged as a key strand of work which needs to be integrated:

- Developing a Business and Human Rights Action Plan was an action for SNAP 1 (2013-2017) and although work began on a draft, a final plan has not been published. If Scotland continues with developing a Business and Human Rights Action Plan, it is important that this is coordinated with SNAP as the national human rights action plan.
- Monitor and review Scottish Government's development and implementation of the emerging Scottish Business and Human Rights Action Plan.²⁹



Much more needs to be done to mainstream the business and human rights agenda domestically and globally. Therefore the UNGPs10+ project is welcome as it examines drivers and opportunities for speeding and scaling up UNGPs implementation until 2029.

Joining the Dots with Human Rights Defenders

Attacks against human rights and environmental defenders occur in every region of the world. Therefore RSLs knowing the supply chains of companies from which goods and services are procured from, is essential.

Between January 2015 – March 2023, the Business & Human Rights Resource Centre tracked more than 4,700 attacks against human rights defenders raising concerns

about harmful business practice. In 2022 it tracked 555 attacks which on average is more than 10 defenders attacked every week for raising legitimate concerns about irresponsible business activity: 75% were against climate, land and environmental defenders; 23% were against Indigenous defenders, who are protecting over 80% of the world's remaining biodiversity, although they comprise approximately 6% of the global population.

27 Advertised in May 2015 at [National Baseline Assessment on Business and Human Rights \(government-online.net\)](https://www.government-online.net/) and progress at [Business and Human Rights – Scotland's National Action Plan for Human Rights \(snaprights.info\)](https://www.snaprights.info/)

28 [Human rights – gov.scot \(www.gov.scot\)](https://www.gov.scot/)

29 Pgs. 42 and 44 [SNAP-2-March-2023-FINAL-PDF.pdf \(snaprights.info\)](https://www.snaprights.info/SNAP-2-March-2023-FINAL-PDF.pdf)

10. An Opportunity – UN Treaties and Rapporteurs

UN Treaties

The UK has “ratified” a number of UN human rights treaties which means that all our laws and policies should comply. The treaties respect human dignity and cover economic, social, cultural, civil, political and environmental rights and also set out the obligations on public authorities such as health boards, councils and RSLs.

ICESCR – International Covenant on Economic, Social and Cultural Rights

ICCPR – International Covenant on Civil and Political Rights

CAT – Convention Against Torture

CEDAW – Convention on the Elimination of All Forms of Discrimination against Women

CERD – Convention on Elimination of All Forms of Racial Discrimination

CRC – Convention on the Rights of the Child

CRPD – Convention on the Rights of People with Disabilities

Housing is referred to in several of the Treaties:

[ICESCR](#) Article 11 (1) obliges the UK to “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right ...”

[CRPD](#) Article 28(1) obliges the UK to “recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.” Article 28(2) obliges the UK to “recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability and shall take appropriate steps to safeguard and promote the realization of this right, including measures to ensure access by persons with disabilities to public housing programmes.”³⁰

[CRC](#) Article 27 (3) requires the UK “in accordance with national conditions and within their means to take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.” There are also related rights such as Article 31 which is the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts. This right relates to the home and community that a child lives in.

There is a duty to equally respect this right which connects with the wider action of RSLs.

[CERD](#) Article 5 obliges the UK “to undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights” which includes “the right to housing”.

[CEDAW](#) Article 14(2) obliges the UK to “take all appropriate measures to eliminate discrimination against women in rural areas to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and shall ensure to such women the right ... To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.”

Also, some rights directly relate to the of RSLs such as ICCPR as well as CERD and CRPD raise the issues of hate crime and discrimination. Article 19 of the ICCPR provides for the right and the freedom to form an opinion by seeking, receiving and imparting information and ideas which is interpreted as being the right to access information. RSLs currently respect that right in their compliance with the Freedom of Information (Scotland) Act 2002 (FoISA) and the Environmental Information (Scotland) Regulations.³¹

30 [enable convention cover \(un.org\)](#)

31 Treaty available at <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

Treaty Review Process

Each Treaty is supervised by a Committee of Experts who are nominated by countries to serve a term of office. The UK is subject to a periodic review of its practice and compliance by the Committee. For each review, a member of the Committee leads on the engagement with civil society, NHRIs and the Government. After submissions and evidence sessions, Concluding Observations are published by the Committee for delivery by the UK.

For example the CRC Committee issued Concluding Observations (COs) on the UK in May 2023 and action on housing is required by the UK and Scottish Governments:

- To strengthen measures, including by increasing funding, aimed at providing education, skills, housing and opportunities for independent living for children leaving alternative care. (Para 38(h).
- In respect of standard of living, address the root causes of homelessness among children, strengthen measures to phase out temporary and contingency accommodation schemes and significantly increase the availability of adequate and long-term social housing for families in need, with a view to ensuring that all children have access to affordable, quality housing; (Para 46(b).

The COs for the UK from the Committee on Economic, Social and Cultural Rights were published in March 2025 and appear in Section 1.



General Comments

General Comments provide more detail on how individual rights should be interpreted and duties fulfilled. Both SNAP and the Human Rights Bill consultation assume that General Comments will aid interpretation and delivery of human rights in Scotland.

For example, the UN Committee on ICESCR has underlined in its General Comments and country reports that the right to adequate housing should not be interpreted narrowly. Rather, it should be seen as the right to live somewhere in security, peace and dignity. The characteristics of the right to adequate housing are clarified mainly in the Committee's General Comments [No. 4 \(1991\) on the right to adequate housing](#) and [No. 7 \(1997\) on forced evictions](#).

Right of Individual Petition

The UN Treaty process permits people who have exhausted all domestic remedies to complain to a UN Treaty Committee to investigate their case/issues raised. The country/state must adopt the Treaty's 'Optional Protocol' which gives individuals and groups of people the right to complain, under certain circumstances, and allows the Committee to investigate potentially serious abuses of human rights. However the UK is not keen for external mechanisms to determine cases and has only given permission for the right of individual petition to apply to the CRPD and CEDAW. Due to an individual complaint, the CRPD Committee launched its 2016 inquiry and was alarmed at what it found. The Committee remains committed to ensuring its recommendations are implemented, prompting this current, follow up work.

Spain has ratified the Optional Protocol on ICESCR which has led to a series of cases about the right to housing including a woman whose home was repossessed due to an inadequate procedure and law which deprived her of her human right housing. Cases from Sapin persist such as In October 2013, Mohamed Ben Djazia, Naouel Bellili and their two minor children were evicted from the home they had rented in Madrid, Spain, after their private rental contract expired. They complained to the ICESCR Committee and in 2017, it held that, "in the absence of reasonable arguments on the part of Spain regarding all the measures taken to the maximum of its available resources, the family's' eviction, without a guarantee of alternative housing by the authorities of Spain as a whole, [...] constituted a violation of their right to adequate housing." It was also concerned that children were especially vulnerable in this case.³²

UPR

The Universal Periodic Review (UPR) is undertaken by the UN Human Rights Council. The UPR examines compliance with all the UK's obligations on human rights. At the last hearing, in November 2022, the head of the UK delegation "affirmed the country's commitment to protecting human rights internationally and domestically and to the success of the universal periodic review process, which was a constructive tool to share best practice and improve human rights on the ground."³³ The Council made 302 recommendations and three specifically concern housing:

- 43.145 Take concrete measures to ensure the fulfilment of the right to adequate housing for all without discrimination to prevent homelessness (Indonesia).
- 43.146 Ensure protection of the right of minorities and migrants to access employment, housing, public health and education on an equal basis with others and enhance their quality of life (Democratic People's Republic of Korea).
- 43.147 Elaborate and implement an emergency poverty strategy that addresses the impact of rising costs on child poverty targets and on access to affordable, accessible and culturally appropriate social housing (Romania).

The UK Government should be submitting a mid-term report on the recommendations by 2025, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.³⁴

32 [Mohamed Ben Djazia and Naouel Bellili v. Spain, CESCR, Communication No. 5/2015, UN Doc. E/C.12/61/D/5/2015 \(20 June 2017\) | ESCR-Net](#)

33 Para 5, [a_hrc_wg.41_UK_E.pdf \(upr-info.org\)](#)

34 Letter from Volker Turk to UK dated 17th July 2023

UN Rapporteurs

Experts are appointed by the UN with a mandate to investigate issues connected to a theme or to a particular group of people. Mandate holders are appointed for a fixed term but their purpose remains the same. There are two Rapporteurs whose work on the UK can be a helpful reference in identifying the extent of housing problems and in recommended actions for the UK and Scottish Governments.



UN Special Rapporteur on Extreme Poverty

The mandate on extreme poverty was first approved by the UN in 1998. The Special Rapporteur examines, visits and reports back to countries with a view to advancing the eradication of poverty. Rapporteurs also produce thematic reports which are informed by a call for inputs to drill down into issues of concern. When the Rapporteur visited the UK in 2019, there was a very public disagreement as he was highly critical of the Government's measures on austerity and the huge and negative impact on people's lives.³⁵ However the Rapporteur, Professor Philip Alston confirmed the findings in his report and those groups which had met him were pleased that their evidenced concerns had been acknowledged and recommendations made for progressive actions across the UK.³⁶ Many of these recommendations still require to be acted upon.

Currently The Rapporteur is working on an 18-month project to develop a "Roadmap for eradicating poverty beyond

growth" which he intends to present as part of his final report to the 62nd session of the UN Human Rights Council in June/ July 2026. This initiative builds on the Special Rapporteur's July 2024 report 'Eradicating poverty beyond growth' to the UN Human Rights Council, which challenged the prevailing growth-centric development model and traditional poverty reduction strategies that have failed to deliver on their promises, and advocated for a shift to a **human rights economy** - an economic system that places the well-being of people and the planet at the heart of economic policies, investment decisions, consumer choices, and business models, with the aim of advancing the effective realization of human rights for everyone. He intends to propose *how* this transformation could be achieved and will provide a toolbox of short-, medium-, and long-term policy actions that can be tailored to different governance levels - local, national, regional, and global - and to a diversity of contexts.³⁷

35 [Poverty causing 'misery' in UK, and ministers are in denial, says UN official - BBC News](#)

36 [Poverty in the UK is 'systematic' and 'tragic', says UN special rapporteur - BBC News](#)

37 <https://www.ohchr.org/en/calls-for-input/2025/call-submissions-roadmap-eradicating-poverty-beyond-growth>

UN Special Rapporteur on the Right to Adequate Housing³⁸

The Rapporteur's mandate regards the right to adequate housing as more than having a roof over one's head, it is the right to live in safety and dignity in a decent home. Housing has increasingly been treated as an opportunity for investment, not as a social good and fundamental human right so the mandate was created to:

- promote the full realization of adequate housing as a component of the right to an adequate standard of living.
- identify practical solutions, best practices, challenges, obstacles and protection gaps in relation to the right to adequate housing.
- identify gender-specific vulnerabilities in relation to the right to adequate housing and land.³⁹

In 2019, the UN adopted the report 'Guidelines for the Implementation of the Right to Adequate Housing' produced by the Special Rapporteur. The context is the right to adequate housing is a component of the right to an adequate standard of living, and on the right to non-discrimination. The Guidelines are ambitious:

- Provide States, such as the UK and Scotland, with a set of implementation measures in key areas of concern, including homelessness and the unaffordability of housing, migration, evictions, climate change, the upgrading of informal settlements, inequality and the regulation of businesses.

- All of the implementation measures are informed by the urgent need to reclaim housing as a fundamental human right.
- Implementation of the Guidelines will substantially alter how States treat housing, creating a new landscape where housing can be secured as a human right for all.⁴⁰

The UN Special Rapporteur on the right to adequate housing will submit a report to the 78th session of the UN General Assembly, in October 2023, on "A place to live in dignity for all: Making housing affordable". Submissions were invited and are [online](#). The report may be useful in informing law and policy in Scotland on the affordability and construction of social housing.⁴¹ The Rapporteur has visited the UK and Scotland in the past such as in 2013⁴²

UN High Commissioner on Human Rights

The UN High Commissioner on Human Rights is the principal human rights official of the UN and is accountable to the Secretary-General. Reports, research and events are organised to inform governments and engage with stakeholders.⁴³

38 [Special Rapporteur on the right to adequate housing | OHCHR](#)

39 [The human right to adequate housing | OHCHR](#)

40 [G1935390.pdf \(un.org\)](#)

41 [OHCHR | Call for inputs: A place to live in dignity for all: Make housing affordable](#)

42 [UN Special Rapporteur on adequate housing concludes UK visit | UNA_UK](#)

43 [High Commissioner | OHCHR](#)

11. An Opportunity – The Council Of Europe

The Council of Europe recognises the role and contribution of civil society in a number of ways:

- A Recommendation of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe was adopted in 2007⁴⁴. The Council of Europe believes non-governmental organisations (NGOs) make an essential contribution to the development and realisation of democracy and human rights, in particular through the promotion of public awareness, participation in public life and securing the transparency and accountability of public authorities. Also, and equally important, is the contribution of NGOs to the cultural life and social well-being of democratic societies.
- Creating a civil society portal⁴⁵ which includes a range of resources and ways that human rights defenders can seek help if they are under threat.
- The Secretary General's Roadmap on Civil society engagement with the Council of Europe 2024-2027 strengthened its role⁴⁶ so the challenge is to capitalise on this opportunity.
- Partnership working, providing information to different bodies such as the ECtHR or the Commissioner for Human Rights, aiding the work of monitoring bodies as they carry out their work in different countries.

Council of Europe Human Rights Commissioner

The role of the Council of Europe Human Rights Commissioner is to keep states alert to the problems that may restrict people's ability to enjoy their rights, and to help them find solutions to improve human rights protection and implementation.⁴⁷ The reports and guidance can be very useful in informing practice. There are also opportunities to engage as the Commissioner activities include:

- country visits and dialogue with national authorities and civil society
- thematic reporting and advising on human rights systematic implementation
- awareness-raising activities

44 CM/Rec(2007)14 <https://rm.coe.int/recommendation-of-the-committee-of-ministers-to-member-states-on-the-l/1680a1f502>

45 <https://www.coe.int/en/web/civil-society/home>

46 Presented on 15 December 2023 SG/Inf(2023)28

47 [The Commissioner for Human Rights - Commissioner for Human Rights \(coe.int\)](https://www.coe.int/en/web/human-rights-commissioner)

Conference on International NGOs (INGOs)

More than 300 INGOs currently have participatory status due to their international status being verified. As a result they play an active part of the Conference of INGOs. It is a good idea to reach out to those who operate in the UK. The Conference of INGOs has participatory status in various

Council of Europe bodies and participates in numerous intergovernmental committees. NGOs can also become involved in intergovernmental committees so that they can contribute to the policy- making process.



12. Housing and Human Rights Lived Experience Network

“Human rights have special significance in relation to social housing. Quality of housing can have a huge impact on wellbeing. Inadequate housing increases the risk of severe ill health and disability; it can also lead to poor mental health, lower educational attainment, unemployment and poverty.”⁴⁸



Context

Ardenglen Housing Association, Craigdale Housing Association, Cassiltoun Housing Association and North View Housing Association are jointly implementing a human rights strategy for Castlemilk rooted in the law, public policy and regulatory requirements. The establishment of the Housing and Human Rights Lived Experience Board is integral to this strategic work to develop knowledge and practice using a human rights based approach.

Membership is open to any Board member of local RSLs. It will serve as a vehicle for people to express their right to form an opinion by sharing and imparting information and ideas which is set out in Article 10 of the ECHR.

The work of the Board focuses on making existing human rights local by capitalising on the Human Rights Act 1998 and international standards. It is understood that its work will continue to develop such as capitalising on implementation of the new law Human Rights Law in Scotland which is promised after May 2026.

The Board is keen to work in partnership and is already feeding into UK wide networks. It seeks to grow engagement with community based RSLs on housing and human rights delivery and invites you to consider setting up your own Board and we are keen to help you in the process .

Proposed Format for a Lived Experience Network

- A 'Network of Housing, Human Rights and Lived Experience Boards' could be co-ordinated by Castlemilk to maximise exchange of ideas and impact.
- A standard purpose and set of operating principles could apply to each Board hosted by a partnership of local, community based housing associations. The current operating rules can be shared.
- Each Board should share the minutes of their meetings to build understanding and collaboration.
- Quarterly meetings of all the Boards could be convened. A hybrid approach is envisaged to make the meetings accessible.
- Collaborative events could be organised to maximise the voice of lived experience on housing and human rights.
- Periodic reports could be issued identifying common themes, opinions and solutions to inform and promote change.

Contact us for more information, to answer questions or to set up a meeting CHHRLEB@ardenglen.org.uk



13. Conclusion, Next Steps and the Human Rights Six

This Handbook is designed to be added to and amended as developments on human rights law and practice impact on the business of RSLs. The Handbook will be used as a reference for the Lived Experience Board and as a tool to stimulate discussion amongst other RSLs. Just as the ECHR is a 'living treaty', this Handbook should be regarded as a 'living resource', which will be added to, providing an update on the impact of the Board.

Given its knowledge, experience and practice, the Board's work has developed six key messages, known as the Human Rights Six, which it will promote to explain its human rights focus, work and impact:



1. Because we are human, we have human rights. They are not the gold standard but a set of minimum entitlements.
2. You don't have human rights until you know about them, so we are promoting them to as many people as possible.
3. Rights are respected, protected and fulfilled only when duty bearers understand their responsibilities, so we say 'Be Responsible for Human Rights'!
4. Human rights are equally important in enabling people to thrive – economic rights, social rights, civil rights, political rights, cultural rights and environmental rights.
5. Housing is a human right and a gateway to all our rights, please help spread the news to decision makers and funders!
6. As Board members from the four community based housing associations in Castlemilk, we are rights holders as well as duty bearers and we want to ensure we fulfill our duties too. Join us in making that happen!

The Board is committed to ensuring that lived experience informs the development of human rights law and practice in Scotland and there are opportunities to make an impact. RSLs working together will make a greater impact so we hope this Handbook is a useful tool in building collaboration.

Appendix 1 Abbreviations

This longer list is designed to ensure inclusive communication and strategic working.

- CAT – Convention Against Torture
- CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women
- CERD – Convention on the Elimination of All Forms of Racial Discrimination
- CRC – UN Convention on the Rights of the Child
- CRC Bill – United Nations’ Convention on the Rights of the Child (Incorporation (Scotland) Bill)
- CRPD – UN Convention on the Rights of People with Disabilities
- CYPES – Children and Young People’s Commissioner Scotland
- ECHR – European Convention on Human Rights
- ECtHR – European Court of Human Rights
- EHRC – Equalities and Human Rights Commission (GB)
- EISRs – Environmental Information (Scotland) Regulations 2004
- FoISA – Freedom of Information (Scotland) Act 2002
- GDPR – General Data Protection Regulation
- HRA – Human Rights Act 1998
- HRD – Human Rights Defenders
- ICCPR – International Covenant on Civil and Political Rights
- ICESCR – International Covenant on Economic, Social and Cultural Rights
- NAP – National Action Plan on Business and Human Rights
- NIHRC – Northern Ireland Human Rights Commission
- NPF – National Performance Framework
- RSLs – Registered Social Landlords
- SDGs – Sustainable Development Goals
- SHR – Scottish Housing Regulator
- SHRC – Scottish Human Rights Commission
- SNAP – Scotland National Action Plan on Human Rights
- SNAP 2 – Scotland’s second National Action Plan on Human Rights
- SPICe – Scottish Parliament Information Centre
- OSIC/SIC – Office of Scottish Information Commissioner
- UK ICO – UK Information Commissioner’s Office
- UN – United Nations’
- UNGPs – United Nations’ Guiding Principles on Business and Human Rights – 31 of them .



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