



Taking a human rights based approach to challenging poverty in Scotland



What is Challenge Poverty Week?

Challenge Poverty Week was launched by the Poverty Alliance in 2013. We wanted to highlight the injustice of poverty in Scotland, and to show that collective action based on justice and compassion can create solutions. The week is an opportunity to raise your voice against poverty and unite with others in calling for a just and equal Scotland. Each year, hundreds of organisations in Scotland do just that, including elected representative, charities and NGOs, local authorities, faith groups, businesses, school and colleges, trade unions, professional bodies and more.

Introduction

Every year, Challenge Poverty Week places emphasis on a number of key policy asks that will help free people from the grip of poverty. These policies are designed to turn our shared values of justice and compassion into action, and to highlight to our elected members what is necessary to build a Scotland free from poverty. This year's policy asks were developed in collaboration with a working group with representation from public bodies and a variety of civil society organisations.¹ Ahead of Challenge Poverty Week 2024, we are calling for substantive action to ensure Scotland is a place where we all:

- Have access to an adequate income for a decent and dignified life;
- Have a safe, secure and sustainable home;
- Can get to where we need to go, enabling access to employment, education and essential services;
- Live without hunger; and
- Support our communities and volunteers.

In placing emphasis on food, housing and transport, these policy asks are focused on meeting people's basic needs and realising the human rights of people in Scotland. This briefing places Challenge Poverty Week's 2024 policy asks in the context of human rights frameworks, obligations and conventions. **How could our policy asks help to realise the human rights of those living in low incomes in Scotland?**

Poverty is a breach of our human rights. The Poverty Alliance and our membership are therefore extremely concerned about the delay to the Scottish Government's Human Rights Bill. In a letter to the First Minister ahead of the Programme for Government, more than 100 of our members called upon the Scottish Government to

¹ The membership of the working group included: Abundant Borders, ALLIANCE, Carers Scotland, CHAP, Citizens Advice Scotland, Eildon Housing Association, Fauldhouse and Breich Valley Community Development Trust, Fullarton Connexions, Grassmarket Community Project, Magic Breakfast, Marie Curie, NHS Tayside Charitable Foundation, Survivors of Human Trafficking Scotland and Women's Support Project. Please note the policy asks and content of the accompanying briefings may not reflect the organisational views of each member of the working group.

take forward the high-profile commitment to the Human Rights Bill to ensure that duty-bearers work proactively to realise our individual and collective rights.² At a recent Poverty Alliance event on the next steps for human rights in Scotland, our members again reiterated their support for the Human Rights Bill.³ The Scottish Human Rights Bill had the potential to be transformative in the way we think about and address poverty in Scotland, supporting the First Minister's core mission of eradicating child poverty. The delay to this vital legislation will have negative implications for the Scottish Government's ability to deliver on this mission. It is in this context that we are clear that **progress towards the realisation of our human rights cannot wait.**

Housing: A Scotland where we have safe, secure and sustainable homes

Housing is one of the foundations that we need for the realisation of other human rights. It is the basis for living a dignified life. The right to housing is outlined in several key international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR), the United Nations Convention on the Rights of the Child (UNCRC) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Under human rights law, the State has a responsibility to ensure an adequate standard of living for all individuals so that they can live in security, peace, and dignity. The right to housing encompasses more than just a physical shelter; it includes access to essential services such as safe drinking water, sanitation, and energy, as well as proximity to employment, healthcare, and education.⁴ The Scottish Government have a responsibility to take 'deliberate, concrete and targeted' legislative, budgetary and administrative steps to realising the right to housing for all, by ensuring that housing is available, affordable and of an appropriate quality.⁵⁶

The Scottish Government also have a responsibility to make sure that, while they work to progressively realise this right, a minimum level of this right is fulfilled for everyone. This is required for their minimum core obligations under ICESCR.⁷ Last year, the Scottish Human Rights Commission - in their monitoring report to the UN Committee on Economic, Social and Cultural rights - raised concern over whether the Scottish Government was meeting their minimum core human rights obligations regarding the right to housing Scotland. Additionally, to properly promote human

² Letter available at: <https://www.povertyalliance.org/programme-for-government-2024/>

³ Poverty Alliance (2024) *What's Next for Human Rights in Scotland: Policy and Practice*. Available at [Briefing: What next for human rights in Scotland? - The Poverty Alliance](#)

⁴ Nuffield Foundation (2022) *The Right to Adequate Housing in the UK – An Explainer*. Available at: [A Briefing - ESC Rights Part Four: The Right to Food Adequate Housing in the UK - An Explainer \(nuffieldfoundation.org\)](#)

⁵ Office of the High Commissioner for Human Rights (1990) *General Comment No.3: The Nature of States Parties Obligations*. Available at: [General comment No. 3: The nature of States parties' obligations \(refworld.org\)](#)

⁶ Office of the High Commissioner for Human Rights (1991) *General Comment No.4: The Right to Adequate Housing*. Available at: [General comment No. 4: The right to adequate housing \(refworld.org\)](#)

⁷ Office of the High Commissioner for Human Rights (1990) *General Comment No.3: The Nature of States Parties Obligations*. Available at: [General comment No. 3: The nature of States parties' obligations \(refworld.org\)](#)

rights and ensure equality, the Government must eliminate discrimination in housing by addressing the unique housing problems and needs of specific communities and people, such as minority ethnic communities, refugees, asylum seekers, disabled people, LGBTQ+ people and Roma and Scottish Travellers.⁸⁹¹⁰ Ensuring that everyone has access to secure, safe, and sustainable housing is essential in building a just Scotland where human rights can be realised for all.

Transport: A Scotland where we can all get where we need to go

Transport is a crucial gateway to accessing our broader human rights, enabling us to reach essential services such as healthcare, employment social services, food, and education, while also fostering connections within our communities. However, the lack of accessible transport can hinder people's enjoyment of their economic, social and cultural rights.

Transport must be accessible to everyone. The UNCRPD stipulates that to enable disabled individuals to live independently and participate fully in all aspects of life, states must ensure equal access to the physical environment, transportation and information technologies. This applies to both urban and rural areas. Measures should include identifying and eliminating obstacles and barriers to accessibility in buildings, roads and transportation systems.¹¹ To genuinely uphold these commitments, the Government must prioritise and improve transport accessibility, ensuring it effectively serves all members of society and facilitates proper access to their human rights.

The Minimum Income Guarantee: A Scotland where we all have enough to live a decent and dignified life

We have the right to an adequate standard of living.¹² Everyone deserves to live a decent and dignified life, which includes not only essential needs such as adequate housing, food security, and accessible transportation, but also liveable incomes, adequate social services, enhanced social security support and a stigma-free experience when accessing entitlements. These rights are codified in international human rights legislation, and conventions mandate that governments must ensure that people have an adequate services and financial assistance to uphold human rights commitments.

⁸ International Convention on the Elimination of All Forms of Racial Discrimination. Available at: [International Convention on the Elimination of All Forms of Racial Discrimination | OHCHR](#)

⁹ Article 9 of the United Nations Convention on the Rights of Persons with Disabilities. Available at: [Convention on the Rights of Persons with Disabilities | OHCHR](#)

¹⁰ Office of the High Commissioner for Human Rights (1991) *General Comment No.4: The Right to Adequate Housing*. Available at: [General comment No. 4: The right to adequate housing \(refworld.org\)](#)

¹¹ Article 9 of the United Nations Convention on the Rights of Persons with Disabilities. Available at: [Convention on the Rights of Persons with Disabilities | OHCHR](#)

¹² International Covenant on Economic, Social and Cultural Rights. Available at: [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

Implementing policies such as the Minimum Income Guarantee (MIG) allows the Scottish Government to advance our rights to an adequate standard of living and social security, and the rights of children to benefit from a sustainable social security system. Furthermore, implementing a MIG in Scotland could have far reaching human rights impacts as research has shown that a more stable income would allow people to further realise their right to health.¹³

It is crucial to ensure that any changes to social security systems, such as the Work Capability Assessment, continue to support disabled individuals, enabling them to realise their rights to independent living and equal participation in society outlined in the UNCRPD.¹⁴

Food security: A Scotland where we live without hunger

Food is one of our most essential needs and is recognised as a fundamental human right. Ensuring the right to food is also essential for fulfilling wider human rights. Food security is outlined in various international human rights instruments, including the Universal Declaration of Human Rights, ICESCR, UNCRC, and UNCRPD. Under international law, states have an obligation to ensure their citizens can access sufficient, nutritious food and clean drinking water. They have a duty to ensure freedom from hunger by making food available, accessible, adequate, and sustainable for everyone. The OHCHR makes clear that this means: “*individuals should be able to afford food for an adequate diet without compromising on any other basic needs*”.¹⁵ These obligations apply regardless of an individual's diet, age, living conditions, health, occupation or gender.

When individuals or groups are unable to access adequate food, it is the Government's duty to ensure they can, for instance, through proper social security benefits. The right to food cannot be fully realised in one step. However, to fulfil their human rights obligations the Scottish Government must take concrete and targeted steps to ensure everyone can access their right to food whilst protecting the minimum level of this right, freedom from malnutrition and hunger, for everyone.¹⁶

The Scottish Human Rights Commission has shared their concerns that the Scottish Government may not be meeting their minimum core obligations regarding the right to food due to levels of food insecurity in Scotland.¹⁷ The Scottish Government must,

¹³ University of Glasgow (2024) *Improving health – can radical income policies make an impact?* Available at: https://www.gla.ac.uk/schools/healthwellbeing/research/mrccsosocialandpublichealthsciencesunit/sharingourevidence/blog/archive/2024/headline_1035513_en.html

¹⁴ United Nations Convention on the Rights of Persons with Disabilities. Available at: [Convention on the Rights of Persons with Disabilities | OHCHR](#)

¹⁵ OHCHR (2010) *Fact Sheet No.34: The Right to Adequate Food*. Available at: [Fact Sheet No. 34: The Right to Adequate Food | OHCHR](#)

¹⁶ Office of the High Commissioner for Human Rights (1999) *General Comment No. 12: The Right to Adequate Food*. Available at: [General Comment No. 12: The Right to Adequate Food \(Art. 11 of the Covenant\) | Refworld](#)

¹⁷ Scottish Human Rights Commission (2022) *Submission to the United Nation's Committee on Economic, Social and Cultural Rights*. Available at: [2023-icescr-pswg-submission-to-un-for-publication.pdf \(scottishhumanrights.com\)](#)

take urgent action – including those stated in Challenge Poverty Week’s 2024 policy asks to ensure dignified access to food for all.

Fair funding for the third sector: A Scotland where we value our communities and volunteers

Third Sector organisations play a crucial role in supporting people living in poverty, offering essential services such as food, shelter, healthcare and advice. As human rights defenders, they work to protect and uplift the most vulnerable members of society. However, despite their indispensable contributions, these organisations frequently grapple with significant funding challenges, which hinder their ability to fully support those they aim to help.

The United Nations’s Guiding Principles on Extreme Poverty and Human Rights emphasise that states must create an environment that empowers individuals, community groups, and social movements to fight poverty and claim their rights. This framework ensures that various entities, including international organisations, human rights institutions, civil society groups, and businesses effectively support and protect the human rights of those living in poverty.¹⁸

Amid the current cost of living crisis, the aftermath of the pandemic, and significant government budget cuts, the third sector finds itself in a critical position.¹⁹ Support for fair funding from the Scottish Government would benefit the third sector by enhancing its capacity to serve, ultimately improve the lives of citizens by ensuring that vital services remain accessible and effective.

For more information, please contact:

Lydia Murphy, Development Officer: lydia.murphy@povertyalliance.org

Chloe Campbell, Policy and Parliamentary Officer: chloe.campbell@povertyalliance.org

¹⁸ Office of the High Commissioner for Human Rights (2012) *Guiding Principles on Extreme Poverty and Human Rights*. Available at: [OHCHR_ExtremePovertyandHumanRights_EN.pdf](#)

¹⁹ The Gateway (2024) *Scottish Third Sector Tracker Report: Main Challenges to Sector*. Available at: <https://www.voluntarysectorgateway.org/scottish-third-sector-tracker-report-main-challenges-to-sector/>