

Episode 1: Introduction

Hello. My name is Aoife Nolan and I am a Professor of International Human Rights Law at the University of Nottingham.

Economic and social rights – those human rights that are most closely linked to human survival, development and flourishing – have been part of the international human rights law framework since 1948. Since 1966, over 166 countries have volunteered to be bound by the key treaty setting out those rights – the International Covenant on Economic, Social and Cultural Rights. Economic and social rights like the rights to education, health, an adequate standard of living, work, and social security are increasingly being included in national laws. They are being enforced by national courts as well as being considered by international complaints bodies. Despite this, there is a lot of confusion about these rights, the obligations – or duties – they impose, and what they mean in practice.

For instance, what exactly do we mean when we say everyone has the right to the highest attainable standard of physical and mental health? Does it mean that everyone has a right to be *healthy*? Clearly no government in the world could guarantee everyone healthiness. There is also confusion about what is required in terms of giving effect to economic and social rights. Let's consider the right to social security: ensuring that everyone enjoys that right fully is likely to be very expensive for states. Does the fact that a government is bound to give effect to that right mean that it must devote its whole budget to ensuring a top-notch social security system even where there are other pressing social issues demanding its attention? Some states don't have the resources available to them to guarantee that everyone on their territory enjoys adequate housing- or even basic shelter. Does that mean

Transcript from Making Economic and Social Rights Real Project. If citing, please use:
'Episode 1: Introduction', Making Economic and Social Rights Real Project (University of Nottingham/EHRC, 2017)

that countries with developing economies don't need to take any action to ensure that people have access to adequate housing? Or that those countries are automatically and inevitably going to be in violation of the right to adequate housing? These are challenging questions that go to the heart of understandings of economic and social rights. And they require answers.

This series, developed by the University of Nottingham and the Equality and Human Rights Commission of Great Britain, seeks to provide those answers. Our purpose with these short, clear tutorials is to equip policymakers, activists, lawyers, and others working in areas related to economic and social rights with the information they need. We want to ensure that the people responsible for giving effect to economic and social rights understand what this entails in terms of decision-making around policy, law and budgets. We also want to provide support to those seeking to hold governments to account in order to enable them to identify if and when there has been a rights violation.

Before starting, it is important to note that, although the key basis for these videos is the International Covenant on Economic, Social and Cultural Rights, we will not be dealing with cultural rights. These rights raise a series of complex issues that differ in many ways from those raised by economic and social rights, and they merit fuller attention than is possible in the scope of this series.

The video tutorials are arranged in different sections as follows. This video focuses on what economic and social rights are, where they come from, and how they fit into international human rights law. Episodes 2 to 6 focus on obligations. In them, we discuss the different kinds of duties that economic and social rights impose on government or public actors that

Transcript from Making Economic and Social Rights Real Project. If citing, please use:
'Episode 1: Introduction', Making Economic and Social Rights Real Project (University of Nottingham/EHRC, 2017)

have legal responsibility for giving effect to those rights. Episodes 7-11 deal with thematic issues related to economic and social rights. For instance, social security, work rights, education, and poverty and living standards. The series concludes with an episode focused on enforcement processes for economic and social rights at the international, UN level.

The episodes flow from each other but it is also possible to dip in and out. Linkages between the different episodes are made clear as we go along and there is a full list of episode topics on the website associated with this series. The website also has details of additional resources on the different issues covered in the series

We look forward to exploring economic and social rights with you.