

Amnesty International's response to the Senedd's Equality and Social Justice Committee Social Cohesion Inquiry

Amnesty International UK welcomes the opportunity to respond to the Equality and Social Justice Committee's social cohesion inquiry.

Amnesty International is a movement of 10 million people which campaigns for change so we can all enjoy our human rights. Our vision is of a world where those in power keep their promises, respect international law and are held to account. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and individual donations. We believe that acting in solidarity and compassion with people everywhere can change our societies for the better.

Summary

This submission focuses on the key principles required to embed, develop and uphold social cohesion. Understanding the key threats to social cohesion is critical to developing strategies and ways of working that mitigate these risks. Legislation, strategy and practice all have a role to play in strengthening social cohesion and must be underpinned by the principles of non-discrimination, equality and human rights.

The Welsh Government should centre and prioritise equality and human rights protections in any future social cohesion strategies and programmes and take urgent action to deliver on its commitments to incorporate human rights in Welsh law.

Social Cohesion

Social cohesion is a broad concept that is not only difficult to measure but encompasses multiple overlapping and interlinked dimensions. In her recent review of social cohesion for the UK Government (the Khan Review), Dame Sara Khan stated:

“Social cohesion is concerned with how we live well together in a diverse democracy and how we peacefully navigate disagreements for the common good, despite the differences among us.”¹

The Future Generations Commissioner for Wales, in outlining a journey to a Wales of cohesive communities, described social cohesion as communities which are “focused around the well-being of the people who live there with good access to key well-being services such as education, health, housing, retail and transport, and that people can do the things that matter to them.”²

¹ https://assets.publishing.service.gov.uk/media/65fdbfd265ca2ffef17da79c/The_Khan_review.pdf

² <https://www.futuregenerations.wales/wp-content/uploads/2019/09/Cohesive-Wales-Topic-3.pdf>



As with defining social cohesion, similar challenges exist in identifying and categorising the broad and interlinked factors which threaten and undermine it. The United Nations Economic Commission for Europe (UNECE) categorises the key threats to social cohesion as:

- **Economic** - Economic threats to social cohesion include forms of relative deprivation, absolute deprivation and low social mobility.
- **Socio-cultural** - A broad range of social and cultural issues are also of relevance to social cohesion. National identity, shared values (within or between groups), widespread impacts of digitalisation, and a number of social anxieties can impact social cohesion.
- **Political** - Political threats to social cohesion, and perhaps most specifically political polarisation, are relevant to social cohesion.³

The Khan Review argued that a shared common ground is essential to social cohesion and must be underpinned by key principles including ‘individual liberty, non-discrimination, freedom of expression, freedom of religion or belief, gender and racial equality and human rights.’⁴

Understanding Social Cohesion in Wales

The National Survey for Wales, which asks three questions as proxy measures for social cohesion, clearly illustrates the relationship between socioeconomic deprivation and social cohesion:

- “There is a clear trend towards increased community cohesion as deprivation in the area falls. Around half of people living in the most deprived areas agreed with all three statements, compared with around seven out of ten in the least deprived areas.”

The Welsh Government’s 2016-17 National Community Cohesion Delivery Plan outlined seven high-level outcomes aimed at improving social cohesion, including tackling hate-crime and the impact of poverty and improving support and inclusion for refugees and asylum seekers. These priority areas align with the key principles underpinning social cohesion provided by the Khan Review, specifically non-discrimination, gender and racial equality and human rights.

The Equality and Human Rights Commission’s report (*Is Wales Fairer?*) provides further evidence to support our understanding of – including threats to – social cohesion in

³ https://unece.org/sites/default/files/2023-12/2317603_E_ECE_CES_STAT_2023_8_WEB.pdf

⁴ https://assets.publishing.service.gov.uk/media/65fdbfd265ca2ffef17da79c/The_Khan_review.pdf



Wales. The report, as in previous years, found clear evidence of entrenched inequalities rooted in systemic economic, socio-cultural and political discrimination:⁵

- Racialised communities in Wales are more likely to be living in poverty, as 40% of racialised households (excl. White minorities) were living in poverty, compared to 22% of White households.
- Racialised individuals in Wales are more likely to report experiences of discrimination and bullying in the workplace.
- The number of racially or religiously aggravated offences recorded by the police increased from 1,704 in 2017/18 to 2,934 in 2021/22. However, the proportion of offences resulting in a charge has decreased during this period.
- Disabled adults are less likely to be employed than non-disabled adults. Despite employment gaps improving, earnings gaps are worsening, as disabled workers earned 15.1% less in 2019/20, compared to 8.0% less in 2013/14.
- The proportion of disabled people reporting experiencing domestic abuse in the past 12 months is around three times greater than that reported by non-disabled people. Disabled people are also less likely to have confidence in the criminal justice system.
- The pay gap between men and women persists, as women are on average paid 14.1% less than men in Wales.
- Households most likely to be living in poverty are single parent households (38%). 89.1% of single-parent households in Wales are headed by women.
- There has been a drop in the proportion of rape offences (recorded by the police) against women that result in charges, going from 5.5% in 2017/18 to 3.2% in 2020/21.

Strengthening non-discrimination and human rights

Now, more than ever, the Welsh Government and the Welsh Parliament must strengthen the key principles underpinning social cohesion by centring human rights and non-discrimination across legislation, government programmes and policy making. As noted by the Council of Europe in 2015:

“Systems seen to protect social rights are likely to command greater levels of public confidence. In addition, the cohesive quality of these rights has taken on a new importance against a backdrop of ongoing austerity, rising populism and in the fight against violent extremism and radicalisation. By promoting equal

⁵<https://www.equalityhumanrights.com/sites/default/files/2023/1s%20Wales%20Fairer%20Equality%20and%20Human%20Rights%20Monitor-%20English-%20accessible%20PDF.pdf>



opportunity, social rights encourage individuals to remain within mainstream society and help lessen the appeal of other, more extreme or divisive paths.”⁶

Wales has previously led the way in this regard, becoming the first country in the UK to incorporate the UN Convention on the Rights of the Child into domestic law. The Welsh Government’s proposals⁷ to incorporate the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRDP) would have delivered further significant progress on strengthening and advancing human rights in Wales. We are concerned at the lack of progress made by the Welsh Government in progressing these commitments.

The Programme for Government commitments followed a series of recommendations to strengthen human rights protections in Wales, including:

- In 2017, the CRPD periodic review concluding observations recommended the Welsh Government incorporate CRDP.⁸
- In 2018, the Equality, Local Government and Communities Committee and the External Affairs and Additional Legislation Committee jointly recommended the Welsh Government further incorporate international human rights treatise, noting specifically the Covenant on Economic, Social and Cultural Rights (CESCR) and the CRDP.⁹
- In 2019, the CEDAW periodic review concluding observations 2019 recommended the Welsh Government incorporate CEDAW.¹⁰
- In 2021, The Welsh-Government commissioned “Strengthening and advancing equalities and human rights in Wales” research recommended the introduction of a Human Rights (Wales) Act to incorporate select UN treatise.¹¹

The Welsh Government should reassert its commitment to strengthening human rights in Wales. The “Strengthening and advancing equalities and human rights” report makes 40 recommendations for the Welsh Government and other bodies which should be

⁶ Council of Europe. (2015). *State of Democracy, Human Rights and the Rule of Law in Europe - a shared responsibility for democratic security in Europe Report by the Secretary General of the Council of Europe.*

⁷ <https://www.gov.wales/programme-for-government-2021-to-2026-html>

⁸ <https://www.equalityhumanrights.com/human-rights/equality-and-human-rights-legal-framework-welsh-government-action>

⁹ <https://business.senedd.wales/documents/s80082/Equalities%20and%20Brexit%20Joint%20findings%20by%20the%20Equality%20Local%20Government%20and%20Communities%20Committee%20an.pdf>

¹⁰ <https://www.equalityhumanrights.com/human-rights/equality-and-human-rights-legal-framework-welsh-government-action>

¹¹ <https://www.gov.wales/sites/default/files/statistics-and-research/2021-08/strengthening-and-advancing-equality-and-human-rights-in-wales.pdf>



prioritised and adequately resourced.¹² These recommendations were intended to be interdependent and underpinned by legal incorporation.

We note, in correspondence with the Chair of the Equality and Social Justice Committee, the Cabinet Secretary for Social Justice committed to providing an update on this work in early 2025.¹³ This update must provide clarity on the Welsh Government's position with regards strengthening and advancing human rights and reaffirm its commitment to incorporation.

The Welsh Government should act now to prepare legislation for a Human Rights (Wales) Bill in the next parliamentary term. This could go beyond current Programme for Government commitments and incorporate, for example, the following UN Conventions in domestic law, within the limits of devolved competence:

- the International Covenant on Economic, Social and Cultural Rights (CESCR);
- the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- the Convention on the Rights of Disabled People (CRDP); and
- the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)

In addition to strengthening legal protections against discrimination, such legislation could secure a range of everyday rights for all in domestic law, including the rights to housing, food, an adequate standard of living, and the highest attainable standard of health. Legislation in this area would provide a means to overcome the existing implementation gap by making these everyday – or socioeconomic - rights a legal requirement of the planning, delivery and culture of government and public services in Wales.

Conclusion

Social cohesion in Wales faces significant threats from economic, socio-cultural and political factors alongside entrenched inequalities and discrimination. Delivering a Wales of cohesive communities must be underpinned by the principles of non-discrimination, gender and racial equality and human rights. Incorporating human rights in domestic law should be prioritised to provide clear duties on public bodies, to create

¹² <https://www.gov.wales/sites/default/files/statistics-and-research/2021-08/strengthening-and-advancing-equality-and-human-rights-in-wales.pdf>

¹³ <https://business.senedd.wales/documents/s500014992/Correspondence%20to%20the%20Chair%20from%20the%20Cabinet%20Secretary%20for%20Social%20Justice%20Trefnydd%20and%20Chief%20Whip%20r.pdf>



a multi-institutional and cross-government approach, to ensure routes to remedy and build a human rights culture.

Recommendations

- **The Welsh Government should centre and prioritise equality and human rights protections in any future social cohesion strategies and programmes.**
- **The Welsh Government should provide an update on progress toward strengthening and advancing human rights and reaffirm its commitment to incorporation.**