ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Economic, Social and Cultural Rights

Progress and Achievement

Edited by

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The Mountbatten Centre for International Studies

The Mountbatten Centre for International Studies originated in the Centre for International Policy Studies which was established within the Department of Politics in the University of Southampton in 1983. It brings together members of the Departments of Adult Education, History, Law and Politics to foster interdisciplinary and multi-disciplinary research into the domestic and external dimensions of policy.

Members of the Centre are involved in research on a wide range of issues. Recently published works include volumes on the Falklands War, the Carter and Reagan Presidencies, the European Community, Human Rights, intervention, the international nuclear non-proliferation regime and the military use of nuclear energy in the United Kingdom. A major programme of research involving Centre members has investigated problems of North-South relations in the 1990s, using funds provided by the Ford Foundation of the United States. This has involved the Centre being granted observer status at international diplomatic conferences.

The Centre also sponsors research workshops and symposia on a range of subjects; recent topics have been human rights and foreign policy (aided by a grant from the Nuffield Foundation); nuclear non-proliferation policies in the 1990s (funded by the Ford Foundation), and information technology (funded by the Fulbright Commission).

Links have been established with the Centre d'Histoire Militaire of the University of Montpellier, and the Fondation Pour les Etudes de Défense Nationale, Paris. The Centre also participates in the work of the team on Political Culture in Eastern Europe at the Ecole des Hautes Etudes en Sciences Sociales and the Fondation Nationale des Sciences Politiques, Paris. Members of the Centre have participated in the work of the European Science Foundation, the European University Institute and the International Commission for the History of International Relations.

Preface

In 1988 the Human Rights Group of the Centre for International Policy Studies, Department of Politics, University of Southampton, held two workshops on Economic, Social and Cultural Rights. A total of 35 participants were involved in the two workshops. The first, entitled *Are Social and Economic Rights Human Rights? Are They Justiciable?* explored the philosophical and universal aspects of the issues and related them to national and international rights' regimes. The second workshop, *Universal Rights and Public Policy*, examined specific policy areas: health, education, equal opportunities and race relations, and the employment aspects of the European Social Charter. These concerns are reflected in the papers published in this volume. In addition, there was lively debate at the workshops on the issues presented in Sir James Fawcett, QC's session on 'The Place of the Judicial Process in Human Rights', with special reference to the European Commission on Human Rights, on Benedict Kingsbury's 'International Law and the Rights of Indigenous Peoples' and on Laurence Lustgarten's 'Advancing Equality for Ethnic Minorities: The Experience of the Race Relations Act 1976'. These debates are reflected in the present volume in the editorial chapters by Ralph Beddard and Dilys Hill. Part I covers the discussions and presentations on rights and their realisation, while Part II considers progress and achievement in a number of contemporary issue areas with particular reference to the United Kingdom.

The special feature of the Study Group and its workshops continues to be the opportunity it gives for academics, lawyers, public servants and activists, both from Britain and further afield, to exchange ideas and to advance knowledge and understanding. Membership of the Study Group is open to all those with a professional or academic interest in human rights; enquiries should be addressed to either Ralph Beddard or Dilys Hill.

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Two Workshops on *Economic, Social and Cultural Rights* were held in the University of Southampton in March and September 1988. The following people participated in one or both of the Workshops:

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