**Determination of Rights**

**How to Determine Minimum Core Obligations in the UK**

 **Call to Tender**

2025

**Background**

Amnesty International UK (AIUK) is part of a global human rights movement with over 7 million supporters worldwide. We campaign on human rights issues domestically and abroad.

Economic Social and Cultural Rights (ESCR) is one of AI UK’s priority areas in this strategic period for human rights campaigning and research. ESCR are not adequately protected in UK law and we want that to change. Research is a core part of how we think that we can demonstrate the need for change.

**VISION:**

In the UK, people are aware of their social and economic human rights and legal frameworks and systems are in place so that people have the means to seek justice and remedy if their rights are violated. As a result, central, devolved and local government make systemic change to deliver equitable standards of living and outcomes.

**GOAL:**  By 2030, a clearly defined progressive living standard has been produced with people who experience inequality and deprivation, and there is UK government commitment and concrete action planned to protect this standard in UK law.

The UK has ratified the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), which requires states to meet “minimum core obligations” (MCOs) the essential levels of each right, such as access to food, basic healthcare, adequate housing, and primary education at all times, even in resource-constrained situations.

These obligations are designed to provide a non-negotiable floor for rights protection. However, the UK has not incorporated ICESCR into domestic law, leaving these rights without enforceable standards. Critics note that while the UN Committee on Economic, Social and Cultural Rights (CESCR) has issued guidance, the lack of precise definitions allows governments to treat MCOs as a ceiling rather than a floor, enabling inconsistent application and deepening inequality.

In its most recent review of the UK, the CESCR urged the government to establish measurable indicators, incorporate Covenant rights into domestic law, and ensure effective legal remedies. Progress has been limited at UK level, but devolved administrations offer partial models: Scotland’s proposed *Scottish Human Rights Bill* would incorporate ICESCR with both procedural and compliance duties, including the delivery of MCOs, Wales’ *Well-being of Future Generations Act* aligns with ICESCR principles through long-term national milestones; and the delayed Northern Ireland Bill of Rights remains a missed opportunity to enshrine these protections.

Building on these examples, this project will produce a practical “How to Guide” for policymakers. The guide will set out how MCOs are defined and protected internationally, examine the UK’s current gaps, and present options for incorporating standards that reflect the needs of marginalised communities. It will provide an evidence-based, rights-holder-informed foundation for policy change, ensuring that the importance of determining essential living standards is recognised, realised, and there is a case for implementation across the UK.

**The project**

This commissioned project will develop a “How to Guide” for policymakers on defining, protecting, and implementing minimum core obligations (MCOs) under the *International Covenant on Economic, Social and Cultural Rights* (ICESCR). The guide will draw on comparative international examples, examine how MCOs are applied in different legal systems, and assess these to understand the limitations of the current UK framework.

The work will include a review of global best practice, targeted consultations with international experts and UK stakeholders, and an analysis of how MCOs can be tailored to meet the needs of marginalised communities. It will also explore the role of MCOs in addressing inequalities and ensuring that essential living standards such as adequate housing and access to food are protected in law and realised in practice.

The final output will be a practical, evidence-based resource that supports policymakers, civil society, and campaigners in making the case for incorporation of MCOs into UK law, offering concrete steps for implementation, monitoring, and accountability.

**Key Objectives of this project**

Goal: To produce a practical, evidence-based guide that enables policymakers to define, adopt, and implement minimum core obligations for economic, social, and cultural rights in the UK, ensuring these essential rights are legally protected, measurable, and responsive to the needs of all communities, particularly those most at risk of rights violations.

Objectives:

The contractor will:

1. **Analyse international best practice** in defining and protecting minimum core obligations (MCOs) under the ICESCR, including international comparative examples of determination of social minimums, legislative incorporation, compliance mechanisms, and monitoring systems (with a primary focus on European countries).
2. **Assess the UK’s current framework against international good practice** for determining of social minimums and protection floors for economic, social, and cultural rights, identifying gaps and limitations in legal protection, implementation, and accountability.
3. **Engage key stakeholders** including international experts, UK policymakers, academics, civil society organisations, and rights holders to gather views on how MCOs could be designed and embedded in the UK context.
4. **Incorporate the perspectives of marginalised communities** about what a process to determine social minimum protection floors should include, to ensure MCOs reflect diverse lived experiences and address intersectional barriers to rights enjoyment.
5. **Produce a practical “How to Guide”** for policymakers that:
	* Provides clear, evidence-based options for defining and incorporating MCOs in UK law.
	* Recommends mechanisms for implementation, monitoring, and enforcement.
	* Demonstrates the role of MCOs in reducing inequality and strengthening accountability.

**Methodology**

The contractor will design and deliver a mixed-method approach that combines desk-based research with targeted stakeholder engagement to ensure the “How to Guide” is comprehensive, credible, and grounded in both evidence and lived experience. The methodology should include:

1. **Desk-based comparative review**
	* Analyse how MCOs have been defined, legislated, and safeguarded in a selection of jurisdictions (including, but not limited to, Germany, Finland, and other relevant European and international examples).
	* Review relevant UN treaty body general comments, concluding observations, and guidance, including examples of monitoring and enforcement.
2. **UK legal and policy gap analysis**
	* Compare current legal and policy framework for ESCR in the UK, identifying 3 *illustrative* examples of where ICESCR rights and MCOs are absent, partially incorporated, or inadequately protected with a focus on the Right to an Adequate standard of living.
	* Include analysis of where there has been determination of social minimums in devolved contexts (Scotland, Wales, Northern Ireland) and how lessons can be applied UK-wide.
3. **Stakeholder consultations**
	* Conduct structured interviews and/or roundtables with:
		+ UN experts (e.g., Special Rapporteurs on poverty, housing, food security)
		+ Treaty body members
		+ Constitutional law experts (e.g., German Federal Constitutional Court, Finnish Constitutional Law Committee)
		+ UK government and devolved administration officials
		+ Civil society organisations and grassroots groups
		+ Rights holders, particularly from marginalised communities (via a facilitated conversation with AIUKs Lived Experience Steering Group)
	* Ensure consultations are inclusive, with attention to protected characteristics and intersectional groups.
4. **Integration of lived experience**
	* Draw on secondary evidence from AIUKs community conversations and rights-holder engagement to ensure the guide is informed by practical realities and reflects diverse needs.
5. **Synthesis and drafting**
	* Combine findings from all sources into a practical, accessible “How to Guide” that includes step-by-step recommendations, case studies, and options for implementation, monitoring, and enforcement.

The methodology should be finalised in consultation with AIUK to ensure alignment with project objectives and timelines.

**Deliverables**

**The contractor will provide the following outputs:**

1. **Inception report**
	* Finalised methodology and workplan, including stakeholder engagement plan, list of proposed jurisdictions for comparative analysis, and key milestones.
2. **Comparative analysis report (max. 25 pages)**
	* Summary of international and devolved examples of defining, protecting, and implementing MCOs in comparison with the Uks approach.
	* Identification of effective legal, policy, and monitoring mechanisms.
	* Lessons learned and applicability to the UK context.
3. **Stakeholder consultation summary (max. 15 pages)**
	* Thematic summary of insights from interviews, roundtables, and community engagement.
	* Documentation of how perspectives of marginalised communities were incorporated.
4. **Draft “How to Guide” (max. 30 pages + annexes)**
	* Practical recommendations for policymakers on defining, incorporating, and enforcing MCOs in UK law.
	* Step-by-step framework for implementation, including monitoring and accountability mechanisms.
	* Case studies and examples to illustrate best practice.
5. **Final “How to Guide”**
	* Fully edited and designed version incorporating AIUK and partner feedback.
6. **Presentation of findings**
	* One virtual briefing to AIUK staff and partners summarising key findings and recommendations.

**Timeline**

The contractor will be expected to work to the following indicative timeline:

|  |  |  |
| --- | --- | --- |
| **Milestone** | **Target Date** | **Output** |
| Contract awarded | End of September 2025 | Signed contract and agreed start date |
| Inception meeting with AIUK | Early October 2025 | Agreement on methodology, workplan, and stakeholders |
| Submission of inception report | Mid-October 2025 | Inception report (methodology, workplan, milestones) |
| Completion of desk-based comparative analysis | End of November 2025 | Draft comparative analysis report |
| Completion of UK gap analysis | Early December 2025 | Draft UK gap analysis report |
| Stakeholder consultations completed | End of January 2026 | Consultation summary |
| Submission of draft “How to Guide” | Mid-February 2026 | Full draft for AIUK review |
| AIUK and partner feedback period | Late February – early March 2026 | Feedback collated |
| Submission of final “How to Guide” | End of March 2026 | Final, accessible guide in all required formats |
| Presentation of findings | Early April 2026 | Virtual briefing session |

*Note: Dates are indicative and may be refined in agreement with AIUK, but the final deliverable must be submitted no later than 31 March 2026.*

**Budget and Payment Schedule**

The contract will be paid in 3 instalments 50% on inception, 25% in December and 25% on satisfactory delivery of the final output.

The budget envelope available for this work will be agreed with the contractor but must not exceed £25,000

**Instructions for submission**

A response to this tender should be submitted on no more than 4 pages which should include:

* Contact details of tendering consultants
* Short summary (1-2 pages) outlining: proposal, timetable, team, methodology, strengths and added value
* Details of relevant previous experience
* Budget outline to demonstrate value for money

Additional documentation that will not be included within the word limit could include:

* CVs of evaluation team
* Contact details for referees
* Examples of previous work (if you have permission to share it)

Requests for additional information or clarification and submissions should be made to jen.clark@amnesty.org.uk

**Selection criteria**

After reading proposals, the panel will have conversations with selected applicants to discuss their proposals.

The contractor (individual or organisation) must demonstrate the following skills, experience, and expertise:

**Essential**

* Proven experience in human rights research and policy analysis, with a strong understanding of *International Covenant on Economic, Social and Cultural Rights* (ICESCR) obligations and principles, particularly minimum core obligations (MCOs).
* Demonstrated track record in producing high-quality, evidence-based policy resources for policymakers, civil society, or international bodies.
* Experience conducting comparative international legal or policy analysis, including identifying and assessing best practices.
* Strong stakeholder engagement skills, including the ability to consult effectively with diverse groups such as government representatives, UN experts, civil society organisations, and marginalised communities.
* Excellent writing skills, with the ability to present complex legal and policy concepts in clear, accessible language.
* Commitment to incorporating equality, diversity, and inclusion principles, and experience working with intersectional perspectives.

**Desirable**

* Familiarity with UK’s devolved administrations and understanding of devolution arrangements.
* Familiarity with rights-based budgeting and economic analysis related to human rights implementation.
* Ability to produce outputs in accessible and plain-language formats, including easy-read materials.

The successful contractor will be expected to work collaboratively with AIUK staff, participate in regular project update meetings, and ensure the timely delivery of agreed outputs to the highest quality standards.

**Contracts**

The contract will be subject to the regular terms and conditions for Amnesty UK Consultancy Contracts including clauses on Data Protection, Privacy and Security, Confidentiality and Copyright.

**Overview of Amnesty International UK Research Principles**

**Institutional Research principles**