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**EUROPEAN COMMITTEE OF SOCIAL RIGHTS  
COMITÉ EUROPÉEN DES DROITS SOCIAUX**

4 June 2013

**Case document No. 3**

**Federation of Catholic Family Associations in Europe (FAFCE) v. Ireland**  
Complaint No. 89/2013

**RESPONSE FROM FAFCE TO THE  
OBSERVATIONS OF THE GOVERNMENT  
ON THE ADMISSIBILITY**

**Registered at the Secretariat on 29 May 2013**



**COLLECTIVE COMPLAINT**

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS**

**Fédération des Associations Familiales Catholiques en Europe (FAFCE)**

**v. Ireland**

**Complaint no 89/2013**

**Reply to the Observations on the admissibility of the Application**

**29 May 2013**

## Introduction

1. By letter dated 7 May 2013 the Federation of Catholic Family Associations in Europe (FAFCE) was informed of the observations of the Agent of the Government of Ireland (Respondent) related to the Collective Complaint referred to above. The FAFCE objects to the claim that this complaint should be declared inadmissible as requested by the Respondent.

## The European character of the FAFCE

2. The FAFCE was founded in 1997 and has a participatory status at the Council of Europe since 2001.
3. The FAFCE is an umbrella organisation and such it does not conduct concrete actions in the Member States of the Council of Europe but represents its member organisations which in their turn carry out actions at local, regional and national levels. One of the leading principles in this representative work and the advocacy operated by the FAFCE is the best interest of the child.

## The actions of the FAFCE in favour of the best interest of the child

4. Among FAFCE's foundational principles available in its public material, including its website, the following is clearly stated:  
*"Emphatically we insist on the inalienable dignity of every person, especially at the outset and the end of life. (...) Children are the most important resource for our future. (...) Parents and children live within an inter-generational community of reciprocal responsibility. It is vital within society that there are adequate social security systems in place to support people across these generations."*
5. The best interest of the child is present throughout all actions carried out by the FAFCE, ranging from general family issues ("*Stop violence within the family!*" , Echo of Families No 4, 1999), Family Policy issues (e.g. "*To put the Child in the Centre – Compatibility of Family Work and Gainful Employment with Special Regard to Child Welfare*"),

Documentation of a round table discussion at the European Economic and Social Committee on 29 November 2004) to bioethics (e.g. third party intervention in the S.H. and Others v. Austria (n° 57813/00) case at the European Court of Human Rights, 2011).

6. Protecting children who are victims of any form of violence or abuse, including trafficking, is hence vital to the FAFCE. As the issue of trafficking in general, and child trafficking in particular, has gained growing attention both at the EU and at the Council of Europe, and as attempts to combat sexual violence against children increase (e.g. the "One in Five Campaign") the FAFCE has naturally directed its attention toward these issues that are of deep concern to each one of its member organisations.

#### **Human Rights and Fundamental Rights at the heart of FAFCE's actions**

7. The Respondent bases its request that "the application should be struck out" (Observations, 14) on article 3 of the European Social Charter (Additional Protocol), i.e. *"The international non-governmental organisations and the national non-governmental organisations referred to in Article 1.b and Article 2 respectively may submit complaints in accordance with the procedure prescribed by the aforesaid provisions only in respect of those matters regarding which they have been recognised as having particular competence."*
8. The Respondent claims that the FAFCE does not give any indication of a particular competence in relation to human rights issues. It has to be admitted that the website of the FAFCE that the Respondent refers to offers little information on the actions of the FAFCE. However the Secretariat general can provide more detailed information and its contact information is readily available on the website referred to. Nevertheless the Respondent has not required more detailed information.
9. As a member of the Conference of INGO of the Council of Europe since 2001, the FAFCE has actively participated in the work of the Committee on Human Rights of the abovementioned conference ever since. The NGO data base of the official website of

the Council of Europe presents the FAFCE with the following characteristics:  
*“Committees: Democracy, Social Cohesion and Global Challenges, Education and Culture, Human Rights. Areas of competence: Human Rights, Social Cohesion, International Co-operation, Education and Culture, Health, Media and Communication, Youth”*  
(<http://ngo-coe.org/WebForms/NgoDetails.aspx?ID=7>).

10. On 23 January 2013 the FAFCE was accepted as a member of the Fundamental Rights Platform of the Fundamental Rights Agency of the European Union.

### **Conclusion**

11. Based on the above observations, the FAFCE invites the European Committee of Social Rights to consider the collective complaint No 89/2013 as admissible.