

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE



**Resilience under pressure: equality and human rights in times of economic and financial turbulences**

8<sup>th</sup> Meeting

of the CoE-FRA-ENNHRI-EQUINET Collaborative Platform

on Social and Economic Rights

**10 April 2019**

Hotel Titania

Panepistimiou 52

Athens, Greece

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***MEETING REPORT***

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## Introduction

The Collaborative Platform on Economic and Social Rights between the [Council of Europe](#) (CoE), the [European Network of National Human Rights Institutions](#) (ENNHRI), the [European Network of Equality Bodies](#) (EQUINET) and the [European Union Agency for Fundamental Rights](#) (FRA) held its 8th meeting on 10 April 2019 in Athens, Greece. The meeting aimed at identifying the implications of austerity measures for equality and human rights and discussing possible responses to the challenges they present. In addition, participants discussed and analysed the potential implementation of best practices and solutions to counter the negative impact of austerity measures and budget cuts on equality and human rights.

## Opening Session

**Maria Gavouneli**, President of the [Greek National Commission for Human Rights](#), welcomed the participants and recalled the objectives of the meeting. She briefed the participants on the difficult socio-economic situation that Greece has experienced due to austerity measures derived from the economic and financial crisis.

**Andreas Pottakis**, the [Greek Ombudsman](#), welcomed the participants to the Platform and gave an overview of violations of economic and social rights in Greece identified in the course of his work in the Greek National Equality Body. He emphasised the disproportionate effect that these violations have on certain groups.

**Jan Malinowski**, Head of the Department of the [European Social Charter](#), Council of Europe, also welcomed the participants and pointed to the interconnection and mutually reinforcing nature of all human rights. As an example, he referred to the previous Platform meeting on the right to housing, stressing that homelessness and lack of adequate housing significantly diminish the enjoyment of the right to life.

He stated that respecting, protecting and fulfilling social rights is a political decision which requires policy makers to prioritise with a view to all human rights being respected. In this regard, he recalled the importance of the interconnection between the European Convention of Human Rights and the European Social Charter. Referring to the recent 2019 report of the Secretary General of the Council of Europe “Ready for future challenges - Reinforcing the Council of Europe”, he described the three main challenges as:

1. how to harness the benefits of the artificial intelligence, while identifying and mitigating its threat to human rights, democracy and the rule of law;
2. how to effectively combat forced labour and “modern slavery”;
3. how to manage the effects of increased inequalities in 21<sup>st</sup> century Europe.

## Setting the scene - economic crisis and austerity policy: what does it mean for equality and human rights?

*A factual approach to identify the impacts of the recession on equality and human rights*

**Petros Stangos**, member of [European Committee of Social Rights](#), showcased examples of the interlinkage between civil and social rights. In order to showcase the universality of human rights, he mentioned that it is not possible to enjoy the right to inviolability of the house if you do not have one, or enjoy the right to life if you live in extreme poverty. Professor Stangos focussed on [Complaint No. 111/2014](#) Greek General Confederation of Labour (GSEE) v. Greece, where the complainant trade union alleged that some of the new legislation enacted as part of the austerity measures adopted in Greece during the economic and financial crisis affects workers' rights in a manner that contravened to the Charter.

**Juan Pablo Bohoslavsky**, [United Nations Independent Expert](#) on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, briefed the audience on his UN mandate, giving an overview of his country visits to Greece in 2015 and the EU institutions in 2016 ([full statement](#)).

He introduced the [UN Guiding Principles of Human Rights Impact Assessments of Economic Reforms](#) that he presented to the UN Human Rights Council in its 40<sup>th</sup> session. He explained that Human Rights Impact Assessments are processes that enable human rights practitioners 'to identify and assess potential or actual adverse effects of economic reform policies on the human rights of a given population'. He explained that the reforms that should be subject to Human Rights Impact Assessments include fiscal austerity, adjustment reforms, privatisation of public services or deregulation of financial and labour markets.

He indicated that the aim of Human Rights Impact Assessments is to guarantee that economic reforms do not leave anyone behind, especially when it comes to women and those belonging to vulnerable groups. If economic reforms are carried out to enhance the human rights of all individuals, quantitative and qualitative data disaggregated on the basis of the prohibited grounds of discrimination is key.

In carrying out Human Rights Impact Assessments, the role of National Human Rights Institutions (NHRIs) and National Equality Bodies (NEBs) is essential. As an example, he mentioned the work of the [Equality and Human Rights Commission](#) of Great Britain, together with the [Scottish Human Rights Commission](#) in developing cumulative impact assessments.

**Nora Uhrig**, from Great Britain's [Equality and Human Rights Commission of Great Britain](#), explained that due to the economic downturn that started in 2007, the United Kingdom suffered a deep economic recession which gave way for the government to introduce austerity policies that resulted in large reductions of budget allocation and cuts to social security, health services and other essential services ([full presentation](#)).

In this regard, she explained that the Equality and Human Rights Commission employed two economists to carry out [cumulative impact assessments](#) of economic reforms, which she described as a ‘form of analysis that examines the aggregate distributional impact of policies to analyse their impact on people with protected characteristics’, these are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In 2012 and 2015 the institution issued several recommendations to the United Kingdom government to enable fair tax and spending decisions in the future.

She continued underlining that findings show a disproportional negative effect of economic reforms on women and certain vulnerable groups, concluding that the most affected societal group would be disabled women from ethnic minorities. This clearly points to the importance of intersectional approach to policy making which should be reflecting in existing human rights impact assessments.

**Marion Sandner**, Senior Associate at the **Equality and Human Rights Commission of Great Britain**, explained that bodies such as the Office of the UN High Commissioner for Human Rights and the European Committee on Social Rights of the Council of Europe have shown appreciation for the cumulative impact assessments, and she underlined that a concrete result has been reflected in the Parliamentary Treasury Committee calling upon the UK Government to start carrying out Human Rights Impact Assessments ([full presentation](#)).

*Current approaches and challenges in identifying the equality and human rights costs of austerity measures – experience of NHRIs and NEBs*

**Alison Hosie**, from the [Scottish Human Rights Commission](#) (SHRC), communicated the negative effects that austerity policy has had in Scotland. She explained that budget allocation has been insufficient to reduce child poverty. Additionally, she underlined that through tax analysis, the SHRC has found that women are disproportionately affected by underpaid salaries.

**Stephanie Magro Gazzano**, from the [National Commission for the Promotion of Equality](#) in Malta, explained that Malta is experiencing an economic boom bringing an increasing number of foreign workers to the country. This resulted in several cases when the foreigners faced discrimination.

**Cecilia Forrestal**, from [Community Action Network](#) in Ireland, expressed enthusiasm as statistics show poverty reduction and employment decrease in Ireland. However, she mentioned the need for better public services as well as work conditions. She pointed out that using European legislation to protect the right to housing and other economic and social rights at domestic level is insufficient.

**Marius Mocanu**, from the [Romanian Institute for Human Rights](#), said that there is an ongoing lack of political will to adopt needed reforms at domestic level. In addition, he said that the Institute is currently focusing on vulnerable groups, especially older persons, persons with disabilities, from a point of view of economic and social reforms. He outlined the efforts of the Romanian Institute to advance the human

rights of social care workers, as well as the development of a program to guarantee realisation of women's rights in relation to domestic violence.

**Monika Groser**, from the [Austrian Ombudsman on Equal Treatment](#), expressed concern that social origin is not identified as one of the grounds of discrimination outlawed in Austrian legislation. She pointed to the disproportionate effect of recent cuts on social protection on women, single parent families and migrants.

**Sanna Ahola** from the [Finish Human Rights Centre](#) and **Riikka Jackson** from the [Finnish Ombudsman's Office](#), warned about recent austerity measures introduced in the country which have disproportionately affected persons with disabilities and the elderly. They also informed about new recommendations to the incoming government, including on impact assessments of future reforms.

**Sara Phung**, from the [German Institute for Human Rights](#), indicated that States resources for social services benefits have been reduced. Moreover, the education allowance is only two EURO per month which do not allow low income families to afford education expenses. The Institute is currently working on the impact of State budget restrictions to human rights.

**Klaudija Brkić**, from the [Croatian Ombudswoman's Office](#), stressed that high poverty rates and lack of social and health services in rural areas remain a concern.

**Roxani Fragkou**, Legal Adviser at the [Greek National Commission for Human Rights](#), explained that the social impact of economic reform policies has been high, indicating that austerity measures have had adverse effects. She explained that her institution has been a frontrunner in the promotion of human rights impact assessments, advocating their adoption at national and European Union level.

**Hannah Russel**, from the [Northern Ireland Human Rights Commission](#), raised several issues. The social security reforms the United Kingdom has been going through have also impacted on Northern Ireland, in particular relating to the child tax credit (in Northern Ireland families can benefit from child tax credit for two children only and for a third one under certain conditions), to separate payments of universal credits which often affects women in domestic violence situations where the man is the one controlling the family income. Among people leaving in poverty, there is a tendency to turn to paramilitaries for help and in these cases many people are exposed to intimidation and treat in case they do not contribute financially to paramilitary organisations.

The cost of austerity is difficult to be defined because of the lack of data available. In addition, human rights-based approach is not taken into account in State budgeting. The Northern Ireland Human Rights Institution has a growing interest in working with State authorities to adopt rights-based budgeting, as well as in carrying out human rights impact assessments.

**Selma Jahić**, from the [Institution of Human Rights Ombudsman of Bosnia and Herzegovina](#), explained that unemployment, especially for persons with disabilities, has been an ongoing issue in the country. She informed that the country has recently derogated important labour rights, as well as social insurance that has increased discrimination of persons out of the work force.

**Nena Nenovska Gjorgjievska**, from the [Commission for protection against discrimination in North Macedonia](#), informed about a housing project being developed by state bodies to better guarantee housing for young people, as well as her concern on the high level of poverty in the country.

**Miha Lobnik**, from the [Slovenian Equality body](#), shared information on how the institution has managed to increase the salaries of civil servants after ongoing discussions with legislators and policy makers.

**Beka Javakhadze**, from the [Public Defender's Office of Georgia](#), explained how the use of the General Comment on Article 2 of the UN Convention on Economic, Social and Cultural Rights has proved useful to advise state bodies in budget allocation. He underlined the general concern of his institution about the high level of poverty in the country.

**Łukasz Kosiedowski**, from the [Office of the Polish Commissioner for Human Rights](#), highlighted the positive policies by the Polish state authorities in providing social benefits, but pointed to an increase in disability-based discrimination in their distribution.

**Tatjana Jakanović**, from the [Serbian Office of the Commissioner for the Protection of Equality](#), explained that although poverty is a prohibited ground of discrimination in Serbia, the Office does not receive complaints as there is an information gap between people living in poverty and their rights. She explained that the Commissioner is currently assessing two draft laws on public servants, as their implementation would disproportionately affect women who constitute the majority of the public work force in Serbia.

**Anete Ilves**, from the [Latvian Ombudsman](#) Office, explained how they have partnered with the University of Riga to carry out a human rights impact assessment of a tax reform package. She explained that findings were contrary to governments' predictions, as they indicated lack of increase of social equality and benefits for families with two or more children. She also informed that the pensions are too low and do not allow for people to have an adequate standard of living.

**Vytautas Valentinavičius**, from the [Seimas Ombudsmen's Office of Lithuania](#), explained how the Office has helped pass a law that allows individuals to bring complains before the Constitutional Court (using an individual constitutional complaint). In this regard, he explained that pension related complaints will be an important part of the cases related to economic and social rights. He also informed that the Office is currently working with State authorities on finding solutions to provide social assistance benefits for persons willing to live at home as part of the deinstitutionalisation processes in the country. Currently, persons willing to leave care institutions are left behind without adequate assistance. The Office is also looking at issues relating to social security for prisoners in order to provide prisoners, especially those serving a sentence of more than four or five years, with social security benefits to help them reintegrate into society.

**Tools to counter the negative impact of austerity measures on equality and human rights in Europe: the European and international framework**

*The effectiveness of various approaches and tools to challenge the detrimental impact of austerity measures on equality and human rights*

**Juan Pablo Bohoslavsky**, United Nations Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, opened the section explaining how the EU's Action Plan on Human Rights and Democracy has adopted a human rights-based approach to its external policies, including access to food and water. Consequently, he stressed the importance for the EU to also embrace the human rights-based approach internally and encourage EU member states to follow the same line.

**Petros Stangos**, member of the **European Committee of Social Rights**, explained that austerity measures and ongoing cuts to social spending multiply deprivations that harm the independence of individuals and their self-fulfilment.

He reminded the audience of a decision taken by the European Committee of Social Rights in [Complaint No. 111/2014 Greek General Confederation of Labour \(GSEE\) v. Greece](#) decision on the merits of 23 March 2017 where the Committee decided that there was no violation of Article 1.1 of the European Social Charter. He underlined that the precariousness and poverty caused by austerity measures increase significantly the likelihood of violations of the provisions enshrined in the European Social Charter. In this regard, he pointed out that important violations of social rights in Europe have affected particularly the right to social security, right to equal salary and the right to betterment of working conditions.

**Irene Bertana**, Policy and Advocacy Officer at the [Confederation of Family Organisations in the European Union](#) (COFACE Families Europe), explained that the [Employment Committee of the European Parliament](#) acknowledged the bad consequences of the economic reforms that took place during the financial crisis, especially for women and vulnerable groups. She explained that fiscal consolidation policies are correlated with severe material deprivation, strongly correlated with unemployment and GDP (Gross Domestic Product) development, widening inequality ([full presentation](#)).

As a positive example, she explained how progressive taxation, targeting of social benefits and subsidies, and carrying out structural reforms can alleviate the disproportionate impact of fiscal consolidation. She emphasised that single parent household, together with youth, migrants and women are among the most severely affected by the measures deriving from the crisis.

She identified three areas with room for improvement on the realisation of economic and social rights for European families:

- ✓ An increase in *resources* need more equitable tax systems, removing bias from taxation, income support and benefits and an increase in labour related income.
- ✓ *Services* need to be flexible, high quality, affordable and inclusive, especially in relation to child education and care.



- ✓ Work-life balance needs to be an important focus to provide more *time* to carry out family-related obligations.

She shared the following recommendations to the European Union:

- ✓ Monitor the correct transposition of the [Work-Life Balance Directive](#)
- ✓ Refer to the UN EU the Convention on the Rights of the Child and frame childcare as individual right of the child
- ✓ Mainstream disability rights in all legislation referring to child care
- ✓ European Semester: formulate Country Specific Recommendations related to the implementation of the Recommendation on Investing in Children and to the EU2020 targets related to poverty with strong CSRs on child poverty to the countries with higher child poverty rates
- ✓ Funds: use enabling conditions to encourage policy discussion and target setting at national level, support the Parliament proposal on ESF+ including 5% allocation to the Child Guarantee and funds to development and scaling of affordable and quality care and support services, use ESF+ to support the most deprived, including child-specific indicators of material deprivation for participants aged under 18 in ESF+ monitoring framework

Finally, she concluded that, in relation to economic and social rights, a multidimensional approach is needed, gender equality should be prioritised, and poverty requires strong labour policy focused on increasing household income, work-life balance and measures to supplement household income when this is not there, as well as access to quality social services.

**Ioannis Dimitrakopoulos**, Scientific Adviser at the **EU Fundamental Rights Agency**, underlined the importance for NEBs and NHRIs to focus on influencing economic and fiscal policy measures so that they uphold and promote human rights. He explained that not all efforts to reduce public spending are harmful to human rights, as rationalisation of public spending can allow for more funds to be invested in education, housing or social security.

He stressed that there are two policy cycles at EU level that should be relevant for NHRIs and NEBs:

- He recalled the [European Semester](#) has been known as a fiscal consolidation process. However, he reminded the participants that since 2014, the Semester has become more social. He recalled the [Annual Growth Survey](#), when social partners are consulted, and he encouraged National Human Rights Institutions and National Equality Bodies to claim their right to be heard along the social partners. In 2018, the European Economic and Social Committee developed a semester group and organised annual visits to member States in order to bring in policy contributions from civil society for the European Semester process. These visits are called the National European Semester Days. This initiative also provides an opportunity for National Human Rights Institutions and National Equality Bodies to participate in the European Union policy design.
- He underlined the processes of the [European Structural and Investment Funds](#):

1. If there is a violation of enabling conditions, namely violation of the provisions of the [EU Charter of Fundamental Rights](#) or the [UN Convention on the Rights of Persons with Disabilities \(the European Union has ratified the Convention\)](#), financial penalties will apply;
2. Article 6 on Partnership and Multilevel Governance which foresees that member States shall organise a partnership for the dispersment of the funds and the partnership will include participation in monitoring committees. It will include local authorities, economic and social partners, environmental partners, civil society, bodies responsible for promoting social inclusion, rights of persons with disabilities etc. He encouraged participants to engage in multi-agency partnerships for the next period of the European Structural and Investment Funds.

Finally, he encouraged participants to assess national budgets taking into account the set of indicators produced by the [Office of the UN High Commissioner for Human Rights](#). He reminded that indicators look whether the legislation is in place and it fulfils the international obligations of the country, whether the policy measures fulfils the requirements of that legislation and whether the outcomes show that the policy measures work. He pointed out that national budgets have not only to comply with human rights obligations but have also to promote human rights and therefore the role of National Human Rights Institutions and Equality bodies to look into and check these issues is crucial.

## **Tools to counter the negative impact of austerity measures on equality and human rights in Europe: the national framework**

### *The Greek experience: a compelling case study*

**Sophia Koukoulis-Spiliotopoulos**, Attorney and Counsellor at Law, welcomed the switch that the Council of the EU and other EU institutions have taken in embracing economic and social rights, but reminded the audience that, until recently, the EU Commission encouraged the adoption of austerity measures. She underlined, referring to the European Court of Justice jurisprudence, that the provisions under which the austerity measures were being encouraged do not comply with EU law<sup>1</sup>.

She stressed that breaches of the [European Social Charter](#) also constitute a breach of the EU law. She highlighted that, as part of austerity measures, the 'Troika' (European Commission, European Central Bank and the International Monetary Fund) required Greece to reduce the wages of those younger than 25 by 30%, which constitutes a violation of EU law, particularly of [Directive 2000/78/EC](#) on equal treatment in employment and education, which protects discrimination on the basis of age.

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<sup>1</sup> Sophia Koukoulis-Spiliotopoulos: [Austerity v. Human Rights: Measures condemned by the European Committee of Social Rights in the light of EU law](#)

She welcomed the presentation of the UN Guiding Principles on Human Rights Impact Assessments by Juan Pablo Bohoslavsky and encouraged European human rights partners to promote their use at national level.

**Giannis Ionnaidis**, President of the [Hellenic League for Human Rights](#), Member of the Greek National Commission for Human Rights, and Lawyer, explained that after the end of the financial and economic crisis, Greece continues to suffer the effects of the austerity measures. He gave an overview of the recommendations that the Greek National Commission for Human Rights made to state bodies during the financial crisis, to remind them that policy decisions and reforms need to be in line with human rights.

He drew attention to a [report](#) by the [International Federation for Human Rights](#) on the link between fiscal consolidation and austerity measures and the effect on human rights, including civil and political rights.

**Maria Voutsinou**, [Office of the Ombudsman for Equal Treatment](#), gave an overview of the Greek case law relating to austerity measures introduced in the country in the light of the three memoranda of understanding by the Troika that imposed austerity measures in Greece ([full presentation](#)).

She reminded that this process consisted of two phases, firstly a period where Greek courts did not find violations of the EU law in the application of austerity measures. Secondly, a phase that started in 2015 where the Greek Council of State found that reduction of pensions was unconstitutional. In this period, judgements established that previous measures were maybe justified by the context of financial crisis, but the measures taken afterwards were a violation of human dignity.

She underlined the importance of assessing the impact of economic and social policies on the adequate standard of living of people. In this regard, she explained that a proportionality test is necessary, which means a balance between general interests and the protection of fundamental rights of individuals.

She stressed that austerity measures must be taken with adequate examination of the results and consider if the same results could be achieved with different measures. She highlighted that the cumulative aspect of these measures on vulnerable groups should be prevented when possible.

*Other tools and approaches for effectively tackling the negative equality and human rights effects of austerity measures: learning from the experience of NHRIs and NEBs*

*Parallel break out session & discussion*

1. Small group discussion on austerity:

**Irene Bertane**, Policy and Advocacy Officer at **COFACE Families Europe**, summarised the discussion of the group. She highlighted the example from the Latvian Ombudsman's Office, where cuts to social spending were first justified due to austerity and later on by lack of available resources. On the experiences of NHRIs and NEBs in the United Kingdom, she highlighted the lack of political will to follow

a human rights-based approach to socio-economic policies. She underlined the need to seek strong partnerships at national level, such as working with tax inspectors, to ensure that policy reforms taken are the least harmful for people or that the maximum available resources are being allocated. She showcased Iceland as a good example of accountability, where progressive taxation boosted the economy and reduced inequalities.

## 2. Small group on introducing socio-economic status as a discrimination ground:

**Milla Vidina**, Policy Officer at the **European Network of Equality Bodies**, highlighted that equality bodies and national human rights institutions that implement equal treatment legislation that includes a ground of socio-economic status, however defined, can be better placed to contribute to the protection and fulfilment of economic and social rights. This draws attention to [Equinet's previous work](#) on the links between poverty and discrimination where this ground was found to be useful in addressing the intersection between discrimination and poverty. The number of cases received by equality bodies on this ground shows large variations, with some of them receiving no complaints while others reporting that cases on this ground accounted for a significant part of their casework. In 2015, casework on this ground was most prominent in the field of employment, social services, public and private housing, healthcare and the social protection systems. While the United Kingdom is one of the countries that do not have socio-economic status included in their national equality legislation as a protected ground, she highlighted that countries like Ireland have undertaken steps to include it in their legislation. In response to an inquiry by the Austrian Ombudsman for Equal Treatment how they could convince the Austrian legislature to amend the relevant national equality law in order to include socio-economic status as a protected ground, she explained that advocacy tools such as research-based evidence and awareness-raising campaigns on the need to strengthen protection against socio-economic discrimination can be used. Additionally, she underlined that increasing the specificity of the socio-economic status ground (for those national jurisdictions that have it) and adopting an intersectional approach, using several protected grounds such as gender, age and ethnicity to tackle the issue of poverty, can also strengthen the protection of social and economic rights.

## 3. Working group on institutional resources

**Tanya Montanari**, **European Social Charter Secretariat**, Council of Europe, pointed out that both cuts of state funding to NHRIs and NEBs budgets following the austerity measures and general financial restrictions in the public sectors lead to violations of human rights. Many national human rights structures faced disproportionate cuts or mergers. She showcased how the **Slovenian Equality Body** has faced strong government opposition since its establishment in 2016 but has managed to overcome this opposition and budgetary restrictions by involving Equinet and the [Council of Europe Commissioner for Human Rights](#), as well as the media.

The **Greek National Commission for Human Rights** are planning to get new staff and seek to develop strong partnerships with universities and CSOs. The Office of the **Polish Ombudsman** has decided for example to re-allocate resources in the most demanding sectors. The situation remains nevertheless difficult because of the complicated cases the Office has been dealing with and low wages of the staff.

The **Institution of Human Rights Ombudsman of Bosnia and Herzegovina** and the **Finnish Human Rights Centre** have not experienced budget cuts following the economic downturn so far. The Ombudsman Office of Bosnia and Herzegovina has opened 7 new positions. The **Romanian Institute for Human rights** has, on the contrary, lost half of its staff in 10 years.

The economic crisis and cuts in public spending have not only impacted the funding of NHRIs and NEBs, but also the functioning of civil society organisations, a privileged partner of human rights bodies and institutions. It is necessary to strengthen linkages and create synergies between national human rights bodies, including civil society, and the CoE as a leading European human rights organisation. Participants to the group also agreed that the FRA could develop guidelines on how to support NEBs, in addition to the [Commission Recommendation on standards for equality bodies of 22.6.2018](#) and other UN and CoE documents.

## Concrete solutions and next steps for the Platform

### *Next steps and ways forward*

**Jan Malinowski**, Head of the Department of the European Social Charter, Council of Europe, mentioned reasons to remain optimistic about human rights and equality in Europe by referring to the Council of Europe Commissioner for Human Rights who explained it by<sup>2</sup>:

- ✓ Constructive dialogue is possible with the majority of state authorities;
- ✓ CSOs, NHRIs, NEBs, journalists and human rights defenders successfully keep up the torch of human rights;
- ✓ Young people are committed and conscious about human rights;

Moreover, he emphasized:

- ✓ the value of the *UN Guiding Principles in Human Rights Impact Assessments*.  
He pointed out that the right tools need to be used to ensure that Human Rights Impact Assessments are carried out as set out in the Guiding Principles. Furthermore, accountability can be strengthened having regard to the case law of the European Court of Human Rights.
- ✓ *the use of a participative approach for addressing social rights issues and strengthening democracy and the rule of law.*
- ✓ the importance of communicating human rights.  
He suggested that human rights lawyers and practitioners need further training in how to communicate. He recommended the FRA's publication on [10 keys to effectively communicating human rights](#).

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<sup>2</sup> [Human rights comment](#) "Paris Principles at 25: Strong National Human Rights Institutions Needed More Than Ever on which points out that NHRIs are needed more than ever", Council of Europe Commissioner for Human Rights

## Conclusions of the meeting

**Maria Gavouneli**, President of the **Greek National Commission for Human Rights**, stressed that NHRIs and NEBs must strengthen their communication in addition to their expertise. She recalled the importance of cross-border cooperation between national institutions working on human rights and equality, as current challenges go beyond national borders. She also mentioned the importance of these institutions being visible, as this brings more awareness and protection from state bodies and the broader society.

**Jan Malinowski**, Head of the **Department of the European Social Charter**, Council of Europe, added that in the context of austerity or whenever there is a choice to be made between supporting expenditure for human rights or other expenditure, there should always be a presumption in favour of human rights. It cannot be that the presumption is in respect of the economy, is in respect of the free market, is in respect of bailing out companies that perhaps have mismanaged themselves or have mismanaged the system.

**Nina Pániková**, Human Rights Officer at the **European Network of National Human Rights Institutions**, thanked the participants and expressed ENNHRI's interest in the continuation of the Collaborative Platform.

**Vytautas Valentinavičius**, from the **Seimas Ombudsmen's Office of Lithuania**, suggested hosting the spring meeting of the Platform in 2020 in Vilnius.

**Jan Malinowski**, Head of the Department of the **European Social Charter**, Council of Europe, took note with appreciation of the suggestion and closed the meeting.

## Appendix 1 - Programme

### Opening Session

9.00–9.20 Welcome and introductory remarks  
Maria GAVOUNELI, First Vice President of the Greek National Commission for Human Rights, Associate Professor of International Law, University of Athens  
Andreas POTTAKIS, the Greek Ombudsman  
Jan MALINOWSKI, Head of the Department of the European Social Charter, Council of Europe

**Setting the scene - economic crisis and austerity policy: what does it mean for equality and human rights?**

9.20–10.15 A factual approach to identify the impacts of the recession on equality and human rights

Moderator: Petros STANGOS, Member of the European Committee of Social Rights

Juan Pablo BOHOSLAVSKY, UN Independent Expert on the effects of foreign debt and human rights

Marion SANDNER, Senior Associate, Treaty Monitoring, Equality and Human Rights Commission, United Kingdom

Nora UHRIG, Senior Associate – Programmes Scotland, Equality and Human Rights Commission, United Kingdom

Discussion

*10.15-10.45 Coffee break*

10.45-11.50 Current approaches and challenges in identifying the equality and human rights costs of austerity measures – experience of national equality bodies and human rights institutions

Moderator: Milla VIDINA, Policy Officer, European Network of Equality Bodies (Equinet)

*Tour de table*

**Tools to counter the negative impact of austerity measures on equality and human rights in Europe: the European and international framework**

11.50-13.00 The effectiveness of various approaches and tools to challenge the detrimental impact of austerity measures on equality and human rights

Moderator: Juan Pablo BOHOSLAVSKY, UN Independent Expert on the effects of foreign debt and human rights

Petros STANGOS, Member of the European Committee of Social Rights

Irene BERTANA, Confederation of Family Organisations in the European Union (COFACE Families Europe)

Ioannis DIMITRAKOPOULOS, Scientific Adviser, EU Fundamental Rights Agency (FRA)

Discussion

*13.00-14.30 Lunch break*

**Tools to counter the negative impact of austerity measures on equality and human rights in Europe: the national framework**

14.30–15.30 The Greek experience: a compelling case study

Moderator: Sophia KOUKOULIS-SPILIOTOPOULOS, Attorney and Counsellor at Law

Giannis IOANNIDIS, Member of the Greek National Commission for Human Rights, Lawyer, President of the Hellenic League for Human Rights

Maria VOUTSINOI, Senior Investigator, Department on Equal Treatment - on relevant cases concerning austerity measures before the Constitutional Court

Ellie VARCHALAMA, Second Vice President of the GNCHR, Legal Counsel, Greek General Confederation of Labour (GSEE) - the trade union that brought the collective complaint regarding Greek austerity measures to the European Committee of Social Rights

*Discussion focused on identifying those elements in the Greek experience that can be successfully applied in other national contexts*

*15.30-15.45 Coffee break*

15.45-16.30 Other tools and approaches for effectively tackling the negative equality and human rights effects of austerity measures: learning from the experience of national equality bodies and human rights institutions

Introduction: Nina PANIKOVA, Human Rights Officer, European Network of National Human Rights Institutions (ENNHRI)

*Parallel break out session and discussion*

Small group discussion moderators:



1. Small group on austerity

Nina PANIKOVA, Human Rights Officer, European Network of National Human Rights Institutions (ENNHRI)

2. Small group on introducing socio-economic status as a discrimination ground

Jorge CRESPO GARCIA, Human Rights and Policy Assistant, European Network of National Human Rights Institutions (ENNHRI)

3. Small group on institutional resources

Tanya MONTANARI, Policy Officer, Department of the European Social Charter, Council of Europe

16.30-16.45 Reporting back

**Concrete solutions and next steps for the Platform**

16.45-17.15 Next steps and ways forward

Moderator: Jan MALINOWSKI, Head of the Department of the European Social Charter, Council of Europe

Contribution of national equality bodies and human rights institutions to promoting the European Social Charter and the conclusions and decisions of the European Committee of Social Rights

Working methods, definition of capacity building needs of Platform Partners and outline for the next meeting of the Platform

General discussion

17.15-17.30 Conclusions of the meeting

Nina PANIKOVA, Human Rights Officer, European Network of National Human Rights Institutions (ENNHRI)

17.30-17.45

**Closing of the meeting**

Maria GAVOUNELI, First Vice-President of the Greek National Commission for Human Rights, Associate Professor of International Law, University of Athens

**Appendix 2 - List of participants**

## Greek National Commission for Human Rights (GNCHR)

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**Maria GAVOUNELI**

1<sup>st</sup> Vice-President

**Giannis IOANNIDIS**

Member

**Suzanna LASKARIDOU**

Member

**Evangelia ZERVA**

Member

**Roxani FRAGKOU**

Human Rights Officer/Coordinator

**Eva TZAVALA**

Human Rights Officer

**Katerina CHAROKOPOU**

Human Rights Officer

**Katerina PANTOU**

Administrative Officer-Secretary

**Stamatia STAVRINAKI**

Coordinator of the Racist Violence Recording Network

## Office of the Greek Ombudsman

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**Andreas POTTAKIS**

Greek Ombudsman

**Kalliopi LYKOVARDI**

Deputy Ombudsman on Equal Treatment

**Christina AGGELI**

Senior Investigator, Department on Equal Treatment

**Ilectra DEMOIROU**

Senior Investigator, Department on Equal Treatment

**Andriani PAPADOPOULOU**

Senior Investigator, Department on Equal Treatment

**Eleni GOULA**

Senior Investigator, Department on Equal Treatment

**Amalia LEVENTI**

Senior Investigator, Department on Equal Treatment

**Dimitra MYTILINEOU**

Senior Investigator, Department on Equal Treatment

**European Union Agency for Fundamental Rights (FRA)**

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**Ioannis DIMITRAKOPOULOS**

Head of Department

**European Network of Equality Bodies (EQUINET) - Secretariat**

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**Milla VIDINA**

Policy Officer

**European Network of National Human Rights Institutions (ENNHRI) - Secretariat**

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**Nina PÁNIKOVÁ**

Human Rights Officer

**Jorge CRESPO GARCÍA**

Human Rights and Policy Assistant

**EQUINET Members**

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**Monika GROSER**

Ombudsman for Equal Treatment, Austria

**Maria VOUTSINO**

Office of Ombudsman for Equal Treatment, Greece

**Stephanie MAGRO GAZZANO**

National Commission for the Promotion of Equality, Malta

**Nena NENOVSKA GJORGJIEVSKA**

Commission for protection against discrimination, North Macedonia

**Tatjana JOKANOVIĆ**

Office of the Commissioner for the Protection of Equality, Serbia

**Miha LOBNIK**

Advocate of the Principle of Equality, Slovenia

**ENNHRI Members**

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**Sara PHUNG**

German Institute for Human Rights, Germany

**Spyridon APERGIS**

National Commission for Human Rights, Greece

**Sanna AHOLA**

Finnish Human Rights Centre, Finland

**Riikka JACKSON**

Ombudsman's Office, Finland

**Vytautas VALENTINAVIČIUS**

The Seimas Ombudsmen's Office, Lithuania

**Marius MOCANU**

Institute for Human Rights, Romania

**Alison HOSIE**

Scottish Human Rights Commission, United Kingdom

**Hannah RUSSEL**

Northern Ireland Human Rights Commission, United Kingdom

**EQUINET and ENNHRI Members**

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**Selma JAHIĆ**

Institution of Human Rights Ombudsman, Bosnia and Herzegovina

**Klaudija BRKIĆ**

Office of the Ombudswoman, Croatia

**Beka JAVAKHADZE**

Public Defender Office, Georgia

**Anete ILVES**

Office of the Ombudsman, Latvia

**Łukasz KOSIEDOWSKI**

Office of the Polish Ombudsman, Poland

**Marion SANDNER**

Equality and Human Rights Commission of Great Britain, United Kingdom

**Nora UHRIG**

Equality and Human Rights Commission of Great Britain, United Kingdom

**United Nations – Office of the High Commissioner**

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**Juan Pablo BOHOSLAVSKY**

Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights

**Invited guests**

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**Cecilia FORRESTAL**

Community Action Network, Dublin, Ireland

**Sophia KOUKOULIS-SPILIOTOPOULOS**

Attorney and Counsellor at Law, Athens, Greece

**Maria KOTSONI**

Lawyer, Patras, Greece

**Council of Europe**

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**Petros STANGOS**

Member of the European Committee of Social Rights

**Directorate General Human Rights and Rule of Law – Department of the European Social Charter**

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**Jan MALINOWSKI**

Head of Department, Executive Secretary of the European Committee of Social Rights

**Danuta WIŚNIEWSKA-CAZALS**

Responsible for the Platform

**Tanya MONTANARI**

Policy Officer

**Danijela GERDIJAN**

Assistant

**Interpreters**

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**Lucie DEBURLET-SUTER**

**Corinne MAGALLON**