

COUNCIL OF EUROPE



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# Designing effective tools for the promotion and protection of social and economic rights

4<sup>th</sup> Meeting

of the CoE-FRA-ENNHRI-EQUINET Collaborative Platform

on Social and Economic Rights

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Strasbourg, Council of Europe, Agora building, Room G01

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*MEETING REPORT*

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## Introduction

The Collaborative Platform on Economic and Social Rights (ESR Platform), 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), first met in Strasbourg on 15 October 2015. The second ESR Platform meeting was held in Strasbourg on 28 January 2016 and the third meeting was held in Belgrade (Serbia) on 10 October 2016 at the initiative of the Commissioner for the Protection of Equality of Serbia.

The fourth meeting, held in Strasbourg on 28 March 2017, examined in particular the relationship between the European Pillar of Social Rights and the European Social Charter in the light of the various contributions sent to the European Commission. It also discussed proposals for relevant indicators for monitoring respect for social and economic rights and it explored possible interventions by National Human Rights Institutions and Equality Bodies before the European Committee on Social Rights. An exchange of views was held on the Platform's online co-operation.

## Opening

Henrik Kristensen, Deputy Head of the Department of the European Social Charter welcomed participants and thanked them for coming to the fourth meeting of the Collaborative Platform on social and economic rights. He underlined that in the less than two years since the Platform was launched in October 2015 it has already become an important focal point for the promotion of social rights and for exchanging and networking on how to use the European Social Charter and its procedures for the best possible impact.

Henrik Kristensen stressed that national human rights institutions and equality bodies had a crucial role to play in defending social rights as guaranteed by the Charter. This is more so at this moment in time where these rights are under particular pressure due to austerity policies that are becoming chronic, and which can easily be seen as an escalation of longstanding attempts to dismantle welfare states as we have known them. Social rights are also threatened by populist movements and rhetoric that may not reject social protection as such, but see it as an exclusive prerogative for "the people", defined, as we know, very narrowly. Moreover, populists are almost by definition hostile to any sort of international social rights monitoring.

Furthermore, Henrik Kristensen pointed out that the Platform was a great opportunity to strengthen the monitoring work of the European Committee of Social Rights (ECSR), as contributions from human rights institutions to both the reporting

procedure and the collective complaints procedure could improve the quality and pertinence of the Committee's conclusions and decisions.

In this respect, he welcomed the presence of the former General Rapporteur of the ECSR, Professor Lauri Leppik, who came to give not only an overview of the most recent Conclusions 2016, but also talk about the intervention of human rights institutions and equality bodies in the complaints procedure. He also praised the experiences of Benoit Van Keirsbilck, Director of DCI, an INGO which has successfully brought two complaints before the Committee, not only winning both cases but also having had a real positive impact on the situation in law and in practice in the two countries concerned.

Henrik Kristensen indicated that one of the main themes of the meeting was the relationship between the Charter and the EU, and more specifically the European Commission's proposal for a European Pillar of Social Rights. He was therefore pleased to welcome Georgi Karaghiozov from Directorate General for Employment of the European Commission, who was invited to inform participants on progress in the Commission's work on this proposal. He stressed that at the Council of Europe we always tended to think that the Charter was the pillar of social rights in Europe, but we were obviously ready to consider and support any initiative that would strengthen social rights protection. This is also why the Secretary General Thorbjorn Jagland welcomed the pillar proposal and decided to submit an opinion in the context of the consultation process launched by the Commission. In his opinion, the Secretary General proposed inter alia that the rights of the Charter should be explicitly referred to in the EU Pillar of Social Rights as a common benchmark for States in guaranteeing these rights.

He noted with interest that another theme of the meeting was the use of indicators in monitoring social rights compliance and he looked forward to the remarks of Sille Stidsen from the Danish Institute of Human Rights on this topic that would make her remarks by Skype. The ECSR has been right up there at the forefront when it comes to indicator-based legal assessments, whether it be assessments of national employment policies, anti-poverty measures or housing policies or of the level of minimum wages in the labour market or the adequacy of key social benefits such as old-age pensions and family benefits. He regretted in this context that indicator-based assessments were among those that faced much resistance and criticism from governments, and then referred to Professor Leppik's expertise in this field. He added that in a way, the use of indicators was an easy target for governments to criticise technical aspects of methodology and to claim that the indicators lack validity and reliability, thereby – possibly on purpose – deflecting attention away from the actual social problems that the indicators reveal.

Finally, Henrik Kristensen thanked Brankica Janković, Commissioner for the Protection of Equality of the Republic of Serbia, for hosting the 3rd meeting of the Platform in Belgrade on 10 October 2016 and her collaborator Emila Spasojević for organising that very successful meeting.

Julie Lejeune, Legal Policy Officer, ENNHRI, thanked Henrik Kristensen for his welcoming words and for pointing out very accurately the challenge of achieving the best possible impact on the effectiveness of social rights. She also thanked the Council of Europe for having so generously hosted the Platform and, in particular, the Department of the European Social Charter that devoted considerable energy in supporting this cooperation project since its beginning. She recalled that last year in Belgrade the meeting was hosted by the Serbian Equality Body and that in her welcoming address Brankica Janković, the Serbian Commissioner for the Protection of Equality, mentioned the difficulties that already existed in 2013 when the Platform was set up, and that Henrik Kristensen also pointed out: how difficult it was to ensure a sustainable and strong growth in the legal systems enabling citizens to benefit from their economic and social rights in times of economic and migration crisis and austerity measures.

Furthermore, Julie Lejeune stressed that the holding of meetings in various countries is an efficient means of raising awareness of the European Social Charter, one of the four main objectives of the Platform, its other three objectives being to become a forum where:

- the sharing of information and practices can take place between Equality Bodies, National Human Rights Institutions, the Fundamental Rights Agency and the Department of the European Social Charter of the Council of Europe;
- the need for training of national bodies can be identified and can be answered, thanks to the Council of Europe's expertise in this field;
- support is being provided to design and develop tools for greater protection of the economic and social rights of all.

During the first session of the meeting in Belgrade, recent developments under the Turin Process and under the European Pillar of Social Rights were addressed.

Gyula Cserey, representative of the European Commission, identified three key areas of the European Union law developments under its initiative, namely:

- equal opportunities for access to work and education;
- fair working conditions;
- adequate and sustainable social protection at national level.

All this must be achieved in a context of unemployment, divergence (as opposed to the convergence of economies and the working environment), a new labour market structure and an aging population.

Since the European Pillar of Social Rights will build on the EU social acquis, discussion within the Platform raised the question of whether and how the social acquis of the Council of Europe should be considered as part of the EU acquis. It was suggested that the EU could rely on the ratification of the European Social Charter by the member States to consider it as part of the EU acquis in the field of social legislation. Another topic of interest to the Platform partners was the relationship between the European Pillar of Social Rights and the European Semester, as well as other non-discrimination initiatives, such as work-life balance.

Julie Lejeune recalled that a broad consultation was under way at the time of the last meeting of the Platform and today. It was encouraging that the four partners of the Platform participated in this consultation, in addition to the fact that several members have done so individually.

One session of the meeting in Belgrade was dedicated to the strategic use of indicators to monitor economic and social rights. Allison Corkery from the New York-based Center for Economic and Social Rights provided the participants with information on the topic.

Firstly, she addressed the distinction between indicators and benchmark where the indicators are the data collected, and the benchmark is the reference used to understand whether the result of the indicator's use is high or low. Discussions focused on a comparative, negotiated and recommended benchmark. The issue was raised if the commitments of States under the European Pillar of Social Rights were to be benchmarked against negotiated targets (as in the Sustainable Development Goals process).

Secondly, the distribution at the national level of the responsibility for collecting data to measure progress in human rights between the State, CSOs and Equality bodies/NHRIs was discussed. A possible role for NHRIs and Equality bodies in identifying gaps between state data collection and the human rights obligation that forms the basis of the State's duty to collect adequate data was identified.

Finally, the question arose as to how to make best use of what already exists (data, indicators and benchmarks) in order to complete it and not to duplicate it.

The third session in Belgrade was dedicated to the use of indicators by the European Committee of Social Rights.

In his very detailed presentation, Mr Leppik presented the tension between the policy analysis, where indicators are used to monitor and assess the impact of policies, and the legal assessment, used to define the cut off values leading to the binary outcome of the assessment : conformity or not. Examples were given of conformity assessment based on the use of indicators in relation to Articles 4, 11, 12 and 23 of the Charter, leading to the conclusion that various methods of assessment are used concerning the different provisions of the Charter and that a progressive and dynamic interpretation of the Charter was made by the Committee.

A brainstorming session on another important action of the Council of Europe in support of the work of the Platform concerned the creation of a web page aiming at facilitating the exchange of information between members of the Platform. Between two meetings of the Platform and thanks to the efforts of the Department of the European Social Charter, the web page was set up.

### Social Rights at the crossroads

Representatives of the Platform partners presented contributions of their institutions to the European Commission's consultation on the European Pillar of Social Rights.

Danuta Wiśniewska-Cazals from the Department of the European Social Charter, Council of Europe, said that Europe was at a crossroads and respect for and strengthening of social rights, equality and solidarity must be the focus of all political institutions at European and national levels in key areas such as economic and fiscal policies, labour and labour market policies. She stressed that the European Commission's decision to establish the European Pillar of Social Rights clearly showed the central role of social rights and the growing conviction that respect for social rights is the best way to prevent and emerge from crises to increase the participation of citizens in democratic processes, to strengthen their confidence in national and European institutions and to combat fundamentalism and radicalisation by promoting inclusion and social cohesion.

In this context, the European Social Charter was regarded as the fundamental reference framework for the protection of social rights in Europe, as well as for any possible development or updating in the field of social rights. It is a living instrument. Due to the evolving case law of the European Committee of Social Rights and its interpretation of the Charter as a human rights treaty, the Charter reveals enormous potential to meet emerging and persistent social needs related to respect of social rights.

Furthermore, she informed the participants that on 2 December 2016, the Secretary General of the Council of Europe finalised his Opinion on the initiative to establish a European Pillar of Social Rights by the European Commission and, on 16 December 2016, he communicated it to Mr Jean-Claude Juncker, President of the Commission. In order to consolidate the synergy between normative systems for the protection of fundamental social rights on a continental scale, the Secretary General has requested that the provisions of the European Social Charter (revised) be formally incorporated into the European Pillar of Social Rights as a common reference for the guarantee of these rights, and that the collective complaints procedure be recognised for its contribution to the effective realisation of the rights guaranteed by the Charter.

The Opinion was based on the key idea that the "European Pillar of Social Rights" project represents an opportunity to reinforce the common objective of strengthening the synergy between EU law and the European Social Charter. In this context, it was suggested that the Pillar be linked to the treaty system of the Social Charter. For this reason, the Secretary General of the Council of Europe recommended the following:

- "the provisions of the European Social Charter (Revised) should be formally incorporated into the European Pillar of Social Rights as a common benchmark for states in guaranteeing these rights";
- the EU Member States and the EU institutions should make "more explicit and systematic references to the European Social Charter and the conclusions and decisions of the European Committee of Social Rights";
- "the collective complaints procedure(...) should be acknowledged by the European Pillar of Social Rights for the contribution it has made to the effective realisation of the rights established in the Charter and to the strengthening of inclusive and participatory democracies".

Rosana Garcíandia, Legal Research Officer Equality and Citizens, FRA, presented the key points of FRA's contribution to the public consultation on the European Pillar of Social Rights.

She pointed out that the European Pillar of Social Rights was an opportunity to mainstream in EU policies the social rights of the Charter. On the basis of articles 9 and 10 of the TFEU, building a more social Europe should inspire EU policies horizontally. And for building a more social Europe, the EU Charter of fundamental rights should be at the core of the Pillar.

The Pillar was an opportunity in three ways:

- a) to review the EU legal framework and its implementation

In the context of the Pillar, there is a great chance to assess the existing EU legislation and its implementation. In order to do this, the main EU and



international human rights instruments must be taken as a basis. That includes, among others, the EU Charter of fundamental rights, the UN Convention on the Rights of Persons with Disabilities, the European Social Charter and the International Covenant on Economic, Social and Cultural Rights. Socio-economic, civil and political rights are indivisible and this process could acknowledge and strengthen that indivisibility.

b) to set up a roadmap with national benchmarks and a monitoring system

Always respecting the principles of conferral, subsidiarity and proportionality, a roadmap and its monitoring would contribute to better measure the effects of the policies in people. In this regard, the FRA supports a Structure-Process-Outcome framework of indicators that measure progress from a fundamental rights perspective.

c) to provide member States guidance and coordination tools for its implementation

For a better implementation of the Pillar, guidance and coordination tools should be provided to member States through the European Semester and other mechanisms, such as the Structural Reform Support Programme.

Rosana Garciandia concluded by saying that the European Pillar of Social Rights was about Rights, Dignity and Trust.

Laurence Bond from the Irish Human Rights and Equality Commission (EQUINET) presented the contribution of the Commission to the public consultation on the European Pillar of Social Rights, as an example of action at the national level. He recalled that the Irish Human Rights and Equality Commission is an independent statutory equality body serving the EU equality directives and also the national human rights institution. The Commission operates with strategic plans; a particular priority in the current strategic plan is to consider the promotion of enhanced measures to support or protect social and economic rights. It was in this context that the Commission decided to participate in the consultation. The encouragement came also from EQUINET and ENNHRI who asked the members to take part effectively in the consultations. Since the consultation itself was a relatively high-level exercise, the Commission has made an effort to comment on what it considered to be key priorities in the final Pillar.

In its opinion, the Commission stressed that equality and social rights are key values of the European Union and should be at the heart of the Social Pillar. It welcomed references made by the European Commission to a number of identified policy areas that addressed specific equality concerns - gender equality and work-life balance, equal opportunities for persons with disabilities, childcare, etc. But at the same time, the Irish Commission has found some inconsistencies in the way to deal with the problem and has highlighted that the Pillar should present a more

comprehensive approach to equality. In fact, the emphasis on equal opportunities appearing in principle 6 of the draft Pillar deals only with discrimination in employment, whereas it should also address the issue of equality outside employment, in the area of goods and services.

More generally, in the view of the Irish Commission, the Pillar should address the experience of disadvantaged groups in a broader public sphere (hate speech, violence, etc.), but also undertake to provide state and public support to civil society organisations that support these people. There is also inconsistency in the fact that not all groups protected by European equality legislation are addressed in a coherent manner in the Pillar. This is why the Commission has suggested that an equality proofing exercise of the Pillar should be carried out in order to ensure that each of the protected groups is identified and their rights are set out, and that the particular needs of specific groups are highlighted in the policy debate.

Furthermore, the Commission stressed that social policy was not the same as social rights. Social policy is a set of instruments to ensure the realisation of social rights with, as a key element, the definition of objectives and the compatibility of these objectives with commitments on social rights. Social policy should guarantee social rights. Since there was no coherence to reflect the rights of the Charter of Fundamental Rights and the European Social Charter, each principle of the Pillar should be able to refer directly to the rights it seeks to secure.

Finally, the Commission highlighted a number of areas of divergence between EU law and case law of the European Committee of Social Rights and argued that, in line with the objectives of the Turin Process for the European Social Charter, the Pillar should set out measures to take to reform the EU acquis in the social field in order to remedy these divergences between the current EU legislation and the European Social Charter.

In conclusion, Laurence Bond observed that in an exercise such as consultations, it was necessary to ensure that the problems of concern were raised in the discussion, although a significant number of people were also involved in the discussion.

Veerle Stroobants from the Belgian Combat Poverty, Insecurity and Social Exclusion Service (ENNHRI), briefly presented her organisation to explain the position from which it contributed to the consultation on the European Pillar of Social Rights.

The Combat Poverty Service is an independent service established by the Belgian governments and parliaments as an anti-poverty instrument and its legal purpose is to assess the effective exercise of fundamental human rights at risk in situations of poverty. This assessment is based mainly on a process of in-depth dialogue with people living in poverty - as privileged partners - and professionals in various fields: social partners, social organisations, policy administrations, researchers, etc. As a result, the Service publishes biannually a report with conclusions, analysis and recommendations for the various Belgian government levels on how to address the exercise of fundamental rights, in particular for people living in poverty. On that basis, the Service had contributed to the consultation on the European Pillar of Social Rights.

Furthermore, Veerle Stroobants highlighted three interrelated issues put forward in the Service contribution to the public consultation.

The first point is that the fight against poverty consists in guaranteeing the effective exercise of fundamental rights. In Belgium, the fight against poverty is increasingly focused on obligations and conditions, on favours and on inferior or derived rights.

For example, social assistance to guarantee a life in dignity can be granted by the public welfare centre to people who have no means of subsistence and can prove that they are entitled to an allowance. But the amount of this allowance is below the "poverty risk" threshold and even receiving this is tied to a contract that obliges people to reintegrate into the labour market, to do community work on an unpaid basis, etc. People who live in poverty do not often understand the contract; they do not live in the right conditions to realise the conditions to which they have been subjected. Moreover, there is a lack of suitable quality jobs for this group and even if these people can meet the required obligations, their right to work often ends after the activation trajectory they must follow. Fundamental rights and appropriate legislation must therefore be seen as the cornerstone of the fight against poverty. This implies systematically posing the question of the impact of policy measures on the respect of fundamental rights. It should be noted that the already mentioned horizontal social clause is an instrument that has been put forward to assess the possible social impact of each policy on an exemplary basis. In Belgium, various initiatives have been taken to promote this idea. For example, the Service is involved in creating a kind of poverty control in which people living in poverty and their everyday experience are involved.

The second point raised was that social protection and public services should be seen as an investment and not as an economic cost. In fact, while in the European Union, social policy falls within the competence of the member States, European budgetary policy has a major impact on national expenditure on social policies. In Belgium, social protection is increasingly under pressure and is seen as an economic cost and not an investment. It can be seen that unemployment benefits

are degressive over time, that long-term sick people are forced to integrate into the labour market in order to keep their allowances, that access to unemployment benefits for young people is very complicated, etc. At the same time, within the European semester, country-specific recommendations for Belgians were very critical of their social protection system, which was considered too generous and costly. On other occasions, Belgium was often presented as one of the Member States which has been able to mitigate the economic crisis better than the other member States thanks to its social system.

In addition, Veerle Stroobants stressed that her Service was of the view that social protection should be seen as a fundamental right, as stated in the European Social Charter. She added that although the European Pillar of Social Rights has no legal binding force, the Service recommends that it be used as an integral part of the frame of reference used to evaluate national reform programmes by member States in the framework of the European semester where country-specific recommendations can be formulated by combining these economic and social obligations.

The third point concerned quality employment - only quality employment can help to combat poverty. Employment appears to be a response to all kinds of challenges, also to reduce poverty.

Although it is very clear that the unemployed persons have a higher risk of poverty than people who have a good job, in Belgium 3.5% of the people who work are poor - about 220 000 individuals. It is therefore a larger group than the one receiving the subsistence allowance. These vulnerable workers combine multiple conditions of precarious employment, and because of the increased pressure on the unemployed people, they are encouraged to undertake jobs that are not of high quality, and - this is a vicious circle - they do not come out of poverty.

To conclude Veerle Stroobants recalled the lack of indicators for high quality jobs, which would define a quality job as a job that should enable people to improve their living conditions in a sustainable way. People who live this day-to-day and long-term situation should be involved in this process.

Georgi Karaghiozov, Policy Officer, Directorate general for Employment, European Commission, presented the progress of work on the European Pillar of Social Rights. In particular, he shared with the participants the results of the consultation and addressed some of the questions that were raised during the previous presentations.

The European Commission received 16,500 responses to the consultation. The majority of these were collective responses representing collective opinions. However, a total of 1,000 responses were sent by citizens through the online platform that were almost equally spread between individual citizens and citizens

representing certain companies and organisations. In addition, the Commission received about 200 position papers, mostly from NGOs and trade unions, and it held more than 60 events throughout Europe, basically at the member State level. All minutes and reports resulting from these meetings were incorporated into the consultation on the Pillar.

In general, employment has been identified as one of the key issues of our time, especially in light of the growing problems of in-work poverty seen before, during and after the crisis. Reducing unemployment was particularly present in the responses of citizens. Poverty, closely linked to this, was present in the responses of all NGOs, including inequality and social exclusion. It was followed by education and training - the second major concern emerging in the consultation process.

With regard to the social acquis, NGOs and trade unions more specifically argue that it is necessary to revise the acquis and that the acquis is not inclusive enough. NGOs in particular would like to see the acquis extended beyond labour relations. Trade unions feared that there were some gaps in social protection and the acquis, mainly because of the new forms of work that exist today. The employers were of the opposite opinion; they believe that the acquis is currently up to date and sufficiently inclusive, and they have really called for better enforcement of the existing acquis.

As for the member States, their main concern has been the principle of subsidiarity.

The main challenges identified in Europe today, mainly on the basis of citizens' responses, are: demographic trends, inequalities and technological change as a factor of change in the nature of work.

The three top pillar priorities widely supported in the consultation were education and lifelong learning, equal opportunities and gender equality, and work-life balance. The three most controversial issues concerned labour market flexibility, minimum wage and minimum income.

Regarding flexibility in the labour market, NGOs have explicitly argued that greater flexibility in the labour market prevents decent and good working conditions, while employers were of the view that the goal of permanent employment for all is not realistic and they were against it. As for wages and minimum income, NGOs supported the adoption of European legislation to introduce minimum wage and minimum income, while the social partners, employers, trade unions and the member States were against it.

The most frequently proposed amendments were: focus on education and lifelong learning as one of the best ways to enhance convergence in the European Union; mainstreaming equal opportunities and social protection, and the mainstreaming of social dialogue beyond labour relations; the Pillar should apply not only to members of the euro area but also to the whole of the European Union.

In order to make the pillar operational, citizens insisted on the need for binding standards in many areas, while other stakeholders expressed more interest in soft instruments such as open coordination or work through the European Semester. Furthermore, the need to be coherent and consistent with existing policy measures, as well as have impact assessment to ensure the achievement of the goals was highlighted very strongly.

Addressing questions raised by previous speakers, G. Karaghiozov said that the position of the European Social Charter in the European Pillar of Social Rights will be known at the end of April.

He underlined a great convergence between the European Social Charter and European legislation and that it was essential that these standards should be implemented in a correct way. He added that the Commission should continue to support the member States concerned in view of adopting the revised Charter by them.

In terms of benchmarks and the work of the European semester, the pillar should feed into this: the Commission is committed to strengthening the social dimension of the semester. It is currently working on benchmarks on skills, unemployment benefits and minimum income.

Referring to comments on the measurements, Georgi Karaghiozov stressed that although measurements and statistics were extremely important, people's perceptions are also, if not more, important. This question should therefore be addressed as well.

He concluded by saying that Eurostat is currently working on the development of a measurement framework to measure progress towards sustainable development goals at the European level. This is a Commission initiative that came out from the communication on Next Steps for a Sustainable European Future decided in November 2016.

Lauri Leppik, Professor, Chair of Social Policy, Tallinn University, former member and former General Rapporteur of the European Committee of Social Rights, presented the Conclusions 2016 of the European Committee of Social Rights (ECSR) in the field of employment.

He informed the participants that reports were submitted by 34 countries (Albania and Luxembourg failed to meet the deadline). In December 2016, the ECSR adopted 513 conclusions. In 262 cases, the ECSR found the conformity with the Charter (51%), in 166 cases it assessed the situation as being not in conformity with the Charter (32%) and in 85 cases it decided deferral of the conclusion (17%) because there was inadequate reporting and the ECSR could not establish whether the right was protected or not.

L. Leppik pointed out that one paragraph of the Charter covered several issues, so that if there was non-conformity, only one aspect of a paragraph might be infringed, not the entire field.

Thematic group examined by the ECSR in 2016 covered articles 1, 9, 10, 15, 18, 20, 24, and 25 of the Charter. The reference period was 1 January 2011 – 31 December 2014.

Two areas of progress were identified: legislative protection for persons with disabilities and vocational guidance and training systems were improved.

The ECSR also identified problem areas:

- Inadequate employment policy efforts to combat unemployment and promote job creation (indicator based);
- Protection against discrimination in employment on different grounds such as gender or sexual orientation;
- Integration of persons with disabilities in the mainstream education, labour market and society;
- Equal rights between men and women in particular as regards equal pay.

Lauri Lepik then presented the specific problems related to the relevant articles.

Under Article 1§2 of the Charter, discrimination in employment shall be prohibited by law. The ECSR found that, most frequently, the situation was not in conformity with the Charter on the following grounds: insufficient definition of discrimination, insufficient protection against discrimination in employment and missing legislation for a shift in the burden of proof in discrimination cases. In addition, it found that restrictions on the access of nationals of other States Parties to the Charter to civil service posts were excessive (going beyond those permitted by Article G) and constituted a discrimination on grounds of nationality.

Under Article 15§2 of the Charter, access to employment for persons with disabilities shall be secured. The ESCR found that the most frequent reasons of non conformity were the following: lack of legislation expressly prohibiting discrimination in employment on the ground of disability, failure to provide for reasonable accommodation and insufficient integration of persons with disabilities into the ordinary labour market.

Article 20 of the Charter guarantees the right to equal opportunities and equal treatment between men and women in matters of employment without discrimination. Under this article, the non-conformity was found on the following grounds: maintained restrictions on the employment of women, missing legislation for a shift in the burden of proof in discrimination cases based on sex and the unadjusted pay gap manifestly too high.

Finally, Lauri Leppik indicated that country reports could be consulted on the website of the Charter ([www.coe.int/socialcharter](http://www.coe.int/socialcharter)).

Danuta Wiśniewska-Cazals from the Department of the European Social Charter, Council of Europe, presented recent achievements in the context of the "Turin Process" for the European Social Charter. She recalled that the "Turin Process" was launched by the Secretary General of the Council of Europe at a conference held in Turin on 17-18 October 2014. It aims at strengthening the system of Charter treaties within the Council of Europe and in its relations with the law of the European Union, based on indivisibility, interdependence and interaction. Its objective is to improve implementation of social and economic rights at European level, alongside the civil and political rights guaranteed by the European Convention on Human Rights. In particular, this process is aimed at the ratification of the European Social Charter (revised) and the acceptance of the Additional Protocol providing for a system of collective complaints by all member States of the Council of Europe.

Furthermore, Danuta Wiśniewska-Cazals presented the latest developments in the context of the "Turin Process".

In January 2016, the Parliamentary Assembly Committee on Social Affairs, Health and Sustainable Development appointed Sílvia Eloisa Bonet (Andorra, SOC) as Rapporteur on the "Turin Process" for the European Social Charter. She is expected to present a report to the Assembly in June 2017 with a view to the possible adoption of a recommendation addressed to the Committee of Ministers and / or a resolution to the attention of the member States.

On the basis of the mandate given by the Committee of Ministers, the Steering Committee for Human Rights (CDDH) drafted in 2016 a document analysing the Council of Europe's legal framework for the protection of social rights in Europe. In



the light of this work, the CDDH will have to identify good practices and, if appropriate, make proposals to the Committee of Ministers in order to improve the implementation of social rights and, in particular, to facilitate relationship between the various instruments for the protection of these rights. The CDDH Drafting Group on Social Rights (CDDH-SOC) meets for the first time on 19-21 April 2017 to examine the draft report on the legal protection of social rights in the Council of Europe prepared by Chantal Gallant (Belgium), Rapporteur of the CDDH on social rights. The group will also elaborate a questionnaire aimed at listing the good practices and difficulties encountered in the member States and their suggestions for improving the system for the protection of social rights.

The Secretary General of the Council of Europe, in his "Report on the state of democracy, human rights and the rule of law - an imperative for security in Europe", published in May 2016, confirmed the priorities of the "Turin Process", with the aim of improving coordination between the various European systems, whether they emanate from the Council of Europe or the European Union, and to promote more homogeneous, integrated and open democratic societies. In the conclusions of his report, the Secretary General also recommended that the States concerned should respect the Conclusions of the European Committee of Social Rights.

On the occasion of the 31st session of the Congress of Local and Regional Authorities of the Council of Europe (Strasbourg, 19-21 October 2016), the Chamber of Regions of the Congress held a debate on the implementation of the Social Charter at regional level. In this context, Luis Jimena Quesada, former President of the European Committee of Social Rights, presented the Charter and detailed its advantages. He asserted that if the implementation of the Charter is primarily the responsibility of States, the local and regional levels are also obliged to implement it spontaneously within the framework of their autonomy. Good coordination between local, regional and national authorities is important for the optimal application of the Charter in the interests of all citizens but also of the State concerned. Luis Jimena Quesada stressed the importance of making the Charter more widely known within local and regional authorities and that the Congress could cooperate more closely with the European Committee of Social Rights.

The Secretary General of the Council of Europe has appointed two staff members from the Department of the European Social Charter as liaison officers for cooperation between the Council of Europe and the European Commission in order to strengthen the synergy between the European Union law and the Charter, and for the consultation process on the European Pillar of Social Rights. Two meetings between the Secretariat of the Council of Europe and the European Commission were held: in Brussels on 1 June 2016 and in Strasbourg on 8 December 2016.

Finally, Danuta Wiśniewska-Cazals presented two conferences held within the framework of the "Turin Process": on "Social rights in the European Union and the European Social Charter" (Brussels, 8 March 2017) and on "Social rights in today's Europe: the role of domestic and European courts" (Nicosia, 24 February 2017).

### Monitoring of social and economic rights and use of indicators

Sille Stidsen from the Danish Institute of Human Rights focused her presentation on Sustainable Development Goals (SDGs) as a framework for monitoring social and economic rights. This presentation was based on a study on synergies between international human rights framework and SDGs agenda. Sille Stidsen stressed that SDGs were underpinned by the commitment to the fundamental human rights principle of equality and non-discrimination – leaving no-one behind.

As regards the SDGs monitoring framework and its human rights relevance, Sille Stidsen pointed out that 230 global indicators were defined for monitoring, 49% of which are directly relevant to monitor specific human rights instruments. Almost all indicators under Goals 1 (Poverty), 3 (Health) and 4 (Education) will provide relevant data for monitoring economic and social rights. Special attention should be paid to vulnerable groups in order to ensure that they are reached. The overall commitment not to leave anyone behind leads to a commitment to build follow up and review on quality, accessible, timely and reliable disaggregated data. This represents the potential to stimulate human rights monitoring through national monitoring of SDGs, to exploit the national mechanism that will be put in place to monitor SDGs in terms of data production.

Sille Stidsen noted that the SDGs framework is not perfect: it includes overall reference to human rights, but the indicators do not capture them all. Some indicators fall short of measuring the human right aspect and only look at the economic or quantitative aspect. For example, if we want to measure equality and inclusion, the indicator measures only the economic dimension (proportion of people living below the median income). By the way, this provides an opportunity for everyone to develop additional relevant indicators at the national level. Other indicators focus too much on outcome, and fail to capture the structural and process aspects of States' obligation to respect, protect and fulfill human rights. In addition, the commitment to monitor implementation with disaggregated data is not reflected across all indicators. Some of them do not reflect discrimination.

A distinction should be made between structural, process and outcome indicators. For example, maternal mortality has two complementary indicators: proportion of births attended by skilled health personnel (process indicator) and maternal mortality ratio (outcome indicator). It should be noted that 83 of 113 human rights relevant indicators focus on outcome – only 35 are structural or process indicators.

NHRIs and NEBs have the potential to fill gaps in indicators: using knowledge and data on vulnerable groups, mapping available information, ensuring that data disaggregation covers population groups that are vulnerable in the given national context, engaging in development of complementary national indicators where relevant, securing structural and process monitoring and using OHCHR guidance for the design of human rights indicators.

Louise Callier, Adviser in the Policy and Society Department, UNIA (Belgium), said that the Centre she represents is authorised to carry out any studies and research necessary for the accomplishment of its missions. For this purpose, it may produce and provide all useful information and documentation. It may also collect and publish statistical data and legal decisions necessary for the assessment of the application of laws, decrees and orders, without the possibility of identifying the parties involved.

UNIA has developed two specific tools to monitor discrimination and diversity in Belgium. It has exceptionally obtained competence at federal level to find structural solutions to inequality, enshrined in article 4 of the UNIA cooperation agreement, where the importance of measuring is already stated. This is included in the strategic plan.

Since 2008, UNIA has been developing a tool for documenting and measuring discrimination in Belgium: the diversity barometer. A combination of research methodologies such as discrimination tests, attitudinal and tolerance surveys, statistical analysis of existing data, is used to analyse and measure the degree of discrimination of different minority groups, like ethnic minorities, persons with disabilities, LGBT, youth and elderly persons, women and men in the labour market, housing and education.

The report of the first "barometer" - labour market oriented - was published in 2012. The second "barometer" - on housing - was released in 2014 and the third - on education - is planned for 2017. After an evaluation of the process and the methodology involved in the "barometer", the cycle will resume with a second "barometer" on the labour market. So far, "barometers" have always been supported by the competent authorities for the topic under study. The idea is to have a new "barometer" on work and housing every six years, with the hope of seeing a significant decrease in discrimination.

The work is carried out using quantitative and qualitative tools and considering real participation (in the labor market, public housing, etc. measured through administrative data), attitudes (among the majority groups vis-à-vis minority groups and vice versa) and behavior (discriminatory) (measured by testing the real-life situation, for example by sending two equal CVs with a single modified name or gender detail). The study is outsourced to academic and independent experts. The different ministries responsible for the various areas support it politically.

Among the strengths of the "barometers" are: recommendations to decision-makers, multiple measures to approach complex phenomenon of discrimination and cross-referencing of discrimination criteria. A challenge to be faced: in a large-scale project, it is difficult to reflect the specificities of each group. An evaluation of the "barometer" will be carried out in 2018 with the aim of including the European dimension.

At the same time, since 2006, UNIA has been developing a system of "socio-economic monitoring". This monitoring consists of data on key labour market indicators (participation rate, employment rate, wage, etc.) broken down by national origin. The analyses are based on objective, anonymous and validated data derived from existing administrative databases. The two reports of the socio-economic monitoring, published in 2013 and 2015, give a very clear picture of the participation of people of foreign origin in the labour market, showing differences and inequalities in terms of employment, both quantitative and qualitative. This was a long process, as there were sensitivities regarding the collection of data based on ethnic origin in Belgium, rooted in particular in the Second World War.

The socio-economic monitoring uses nationality at birth of the person concerned and nationality at birth of the parents. With this indicator, it is possible to give a detailed overview of the situation on the labour market, for example, and to show the inequalities in each aspect of the labour market (part-time work, flexible work, quality work, etc.).

Among the strengths of the socio-economic monitoring are: recommendations to policy makers, evidence of ethno-stratification hypothesis and administrative, objective and exhaustive data. Its weaknesses are: it is not a measure of discrimination but a description of the situation; no causal analysis of inequality in the labour market is possible with the data provided.

Although the two projects have a different starting point, they are closely interrelated and should be considered as a complementary effort to map and analyse inequalities in Belgian society, and to measure the weight of discrimination as an explanatory process for the unveiled inequalities. It is also important to understand the mechanisms of discrimination in order to improve recommendations and policies. In Belgium, these measurements can be used as evidence in courts of law on both direct and indirect discrimination.

Rosana Garciandia, Legal Research Officer Equality and Citizens, FRA, in her second presentation focused on how to monitor social and economic rights. In particular, she presented the work that FRA has done to develop indicators with a human rights-based approach. She underlined that FRA's mandate was to "develop methods and standards to improve the comparability, objectivity and reliability of data at European level, in cooperation with the European Commission and member States".

On this basis, FRA piloted the use of human rights based indicators in three areas of work:

- Roma inclusion (right to non-discrimination, rights of the child and a range of social rights);
- Rights of persons with disabilities (right to political participation, right to independent living);
- Rights of the child (participation in judicial proceedings).

The S-P-O framework consisted of a set of indicators for measuring Structure, Process and Outcome. Structure indicators measured acceptance and commitments to human rights standards, i.e. laws and policy. Process indicators measured efforts to translate commitments into desired results, that is, policy measures. Outcome indicators measured the results of efforts to satisfy human rights holders' experiences.

Furthermore, Rosana Garciandia presented FRA's experience with S-P-O indicators measuring progress in Roma inclusion.

FRA's mandate on Roma inclusion included collecting evidence on the realisation of fundamental rights, and supporting the Commission and member States in their efforts to monitor and evaluate progress on Roma integration. The Council Recommendation on effective Roma integration measures in member States (2013) calls to make use of any relevant core indicators or methods of empirical social research or data collection for monitoring and evaluating progress on a regular basis, particularly at the local level, enabling efficient reporting on the situation of Roma in the member States with the optional support of the FRA.

In this context, FRA and the Commission set up a Working Party on Roma Integration indicators in 2012, assisting member States in their efforts to develop indicators for monitoring progress in the implementation of National Roma Integration Strategies. Member States appointed National Roma Contact Points and consultation with national stakeholders took place. The Working Party elaborated indicators and tested them. The focus was on Process indicators aligned to the Council Recommendation on Roma integration. The first reporting based on indicators was available in 2016.

Rosana Garciandia then explained how data were collected on Process indicators: member States provide general information by thematic area and they report on specific measures in each area. A mapping of actions is done regarding these measures and country- specific comments are also provided to contextualise the information.

She stressed that populating S-P-O indicators entailed many challenges. This meant bringing together different perspectives and methods, and this also meant bringing together many policy actors (National Roma Contact Points, local administrations, the people...). Despite the challenges, the S-P-O indicators, i.e. human rights indicators, allowed the capture of all efforts, from legislation and policy making to policy implementation and to the effect of those in people. FRA strongly supported this approach.

## Website and SharePoint of the Platform

Tanya Montanari from the Department of the European Social Charter, Council of Europe, presented the new web page and SharePoint with restricted access of the Platform. Both IT tools are part of the general web site of the European Social Charter: [www.coe.int/socialcharter](http://www.coe.int/socialcharter). The Platform's web page is accessible from the main page of the web site of the Social Charter and therefore easy to check.

Tanya Montanari went through the different sections of the Platform's web page in order to explain its structure and functionalities. The web page is built in a simple and comprehensive manner and includes:

- general presentation of the Platform;
- "news" section where can be found news on social and economic rights issues including all the meetings of the Platform;
- "documents" section where can be found the Platform meetings' reports, but also other related documents;
- "meetings" section where could be found a list of the Platform's meetings.

The Platform's collaborative space with restricted access was also presented. The members of the Platform can upload documents, presentations, studies and other social and economic rights related papers. There is also a Calendar where all the registered members can publish meetings or set up deadlines. A discussion board was also set up to allow the Platform's members to discuss on line different issues. The contact list allows consulting the contact details of the Platform's members on line, sending messages or initiating a discussion.

The public website and the restricted access collaborative space (SharePoint) will be managed by the Department of the European Social Charter. It was underlined that without the active participation of the Platform's members, both tools cannot be viable, especially the public web page. Therefore, the Platform's members were invited to share with the Council of Europe any relevant information which could be published on the Platform's web page, as well as documents, reports, studies etc.

It was decided to take stock of the use of both the public web page and the restricted access collaborative space at the next Platform meeting in Riga in September 2017. In order to better prepare the discussion on that particular point, a short questionnaire was prepared by the Council of Europe and distributed to all members of the Platform. The replies and suggestions will be presented and discussed in Riga.

## Interventions before the European Committee of Social Rights by National Human Rights Institutions and Equality Bodies

Lauri Leppik, Professor, Chair of Social Policy, Tallinn University, former member and former General Rapporteur of the European Committee of Social Rights observed that the collective complaints procedure may be more powerful than the general reporting procedure. He stressed that NHRIs and NEBs should promote the ratification of this mechanism as only 15 States are bound by it so far. The "Turin process" seeks new ratifications, but has not seen any results in this regard.

Lauri Leppik reminded the participants who can submit a collective complaint alleging unsatisfactory application of the Charter: international organisations of employers and trade unions (ETUC, OIE, BusinessEurope); international non-governmental organisations which have participative status with the Council of Europe and have been put on a list established for this purpose by the Governmental Committee (71 INGOs); representatives of national organisations of employers and trade unions within the jurisdiction of the Contracting Party against which they have lodged a complaint and representatives of national non-governmental organisations (if the state concerned makes a declaration to this effect).

The 71 INGOs with participative status and entitled to submit collective complaints include the International Federation of Human Rights, the Equal Rights Trust and the European Network of Ombudspersons for Children (which is an equivalent network to that of ENNHRI and Equinet).

The features of the collective complaints procedure are as follows: individual complaints are not allowed; there shall be a 'collective' aspect of the rights involved; the collective complaints procedure is not conditional upon the exhaustion of domestic remedies; the procedure is 'adversarial' in that both the complainant and the government present their arguments on equal footing.

In total 142 complaints were submitted over 1998- March 2017. The procedure first examines the admissibility of complaint and then decides on the merits (written procedure and hearing).

According to Rule 32A - Request for observations - upon a proposal by the Rapporteur, the President may invite any organisation, institution or person to submit observations. Any observation received by the Committee in application of paragraph 1 of this Rule shall be transmitted to the respondent State and to the organisation that lodged the complaint. For example, the French defender submitted to the Committee his views on a case concerning unaccompanied minors in France. The University Women of Europe lodged 15 complaints on equal pay against the 15 parties to the protocol. Also, each organisation may decide whether to comment on one of the pending cases (available online).

Furthermore, Lauri Leppik observed that the technical quality of complaints varies considerably. Sometimes the text of the complaint is truly a quality work, but there are also prominent organisations that make very weak complaints. In such a case, the written procedure is greatly extended in order to establish the facts of the case.



Finally, he confirmed that the Committee is interested in studying the relevant reports and analyses on the subject of a given complaint, even if they are written in a national language.

Benoit Van Keirsbilck, Director of Defence for Children International (DCI), Belgium, focused his presentation on the use of the collective complaint mechanism to improve the reception conditions of migrant children and families (Complaint No. 69/2011 lodged by Defence for Children International v. Belgium).

Unaccompanied children were in the street in Belgium at the height of the refugee crisis. The Government decided that a distinction should be made between "deserving" and "undeserving" and decided that only asylum-seekers were entitled to accommodation. The others stayed in the street or in the "hotels" which were of an unacceptable standard.

Many NGOs working at the local level have tried to support children, both materially and legally. Many of these children were alone without parents, did not speak the language, did not know where to seek advice (get a lawyer, seek legal recourse). A network of organisations has been set up to reach children dispersed across the country. They tried to determine individual cases and bring them before the courts. When they won a trial for a child, the government found a place for this child by removing another child from the dwelling.

The European Social Charter provides special protection for children (in particular Articles 7 and 17), in addition to the European Convention on Human Rights and the United Nations Convention on the Rights of the Child. Despite this legal protection, many children continued to live on the streets.

The challenge is that the Charter applies to foreigners only to the extent that they are nationals of other Contracting Parties who are legally resident or regularly working in the territory of the Contracting Party concerned. Even those who wanted to access the asylum procedure did not know how to proceed. Another challenge is the existence of a gap between theoretical rights and effective rights. Finally, it should be recognised that there was causality between lack of reception and violation of social rights.

When building the case, DCI consulted several sources of information: press articles, NGOs reports (Doctors without border, homelessness organisations), official statistics, responses to parliamentary questions, reports/ testimonies on situation of children in certain hotels or neighbourhoods and report from the Ombudsman for children.

The European Committee of Social Rights interpreted the Charter in harmony with the UN Convention on the Rights of the Child.

In its decision on the merits, the Committee stated that accompanied and unaccompanied foreign minors unlawfully present in a country do not come within

the personal scope of the Charter. The personal scope of the Charter should not deprive these children of the protection of the most basic rights enshrined in the Charter or to impair their fundamental rights such as the right to life or to physical integrity or the right to human dignity. The Committee decided that Belgian authorities violated the following provisions of the Charter: Article 17 – the right of children and young persons to social, legal and economic protection, Article 7 – the right of children and young persons to protection and Article 16 – the right of the family to social, legal and economic protection.

Finally, Benoit Van Keirsbilck pointed out the strengths of the collective complaints procedure: no need to identify an individual complainant (as before the European Court of Human Rights); the child doesn't have to carry the burden of the complaint; no need to exhaust national remedies (so no need to wait until the end of the procedure at national level); faster than the procedure before the European Court on Human Rights; even States which are not parties to the collective complaints procedure are affected by the interpretation of the Charter.

NHRiS and NEBs could provide legal and technical support to the complaint: support the burden of proof, document the case, analyse the legality of the case, follow up (lobby, advocate, include information in annual reports to the Parliament).

Outline for the next meeting to be held in Riga

Anete Ilves, representative of the Ombudsman's Office of the Republic of Latvia, presented the invitation of the Ombudsman to host the 5th meeting of the Platform in Riga on 26 September 2017. She pointed out that social and economic rights play a crucial role in the day-to-day work of the Ombudsman. The Ombudsman uses the mandate to improve the welfare of the inhabitants of Latvia. However, the Government and the Parliament occasionally avoid meeting their promises on social and economic rights.

The Ombudsman considered that supporting national human rights institutions in their work is an instrument to improve respect for social and economic rights at European level and to ensure the implementation of the European Social Charter.

The meeting of the Platform in Riga would indicate the importance of social and economic rights at European level, as well as the interest of the Council of Europe,

FRA, EQUINET, ENHHRI or other European countries for the improvement of well-being in Europe. Thus, the Government and Parliament of the Republic of Latvia would be made aware of the importance of social and economic rights.

Given that previous Platform meetings have focused on the European Social Charter in general, the Ombudsman believes it would be important to engage in discussions on the implementation of specific articles of the Charter. Therefore the Ombudsman of Latvia would like to suggest the right to protection against poverty and social exclusion as the main topic of the next meeting (Article 30 of the Charter).

The reason for this choice is that 24% of the EU population is at risk of poverty and social exclusion, rising to 31% in Latvia (606 000 residents of Latvia). Also, since 2011 the Ombudsman has chosen social and economic rights as a priority in his work. In addition, the Government wants to propose changes in the tax policy by 2017. Since the municipal elections will be held this year and the parliamentary elections next year, the Ombudsman wants to raise awareness of the experiences of other countries and to attract the attention of the media, to ensure that the government understands that poverty is also on the agenda at European level.

In her concluding remarks, Katrine Steinfeld, Policy Officer, EQUINET, thanked the Council of Europe for the excellent work in coordinating and leading this cooperation platform. This is the 4th meeting of the platform, and it has come a long way since its inception in 2015.

The partner organisations are grateful to the members of the Platform for their involvement, especially those who offered to host the Platform: the Serbian colleagues who welcomed the meeting to Belgrade last year and the Latvian colleagues who offered to host the meeting this year. They also thank those who share their experience and expertise. The active engagement and information sharing by members is what gives substance to the work of the Platform.

She underlined the ambitious agenda of the meeting. It was enriching to see that the voices of citizens and civil society responding to the European Commission's public consultation on the European Pillar of Social Rights were very much in line with the feelings of the Platform members on the core mission of a European Pillar of Social Rights. Integration with existing equality and human rights instruments remains a key concern for Platform members, including consistent and due attention to equality groups and social investment. It was interesting to note that the European Pillar of Social Rights is viewed by some to be the European Union's opportunity to reconnect with the public. The importance of social and economic rights to engaging with the lived experience of persons was highlighted in Platform members' wish to involve persons experiencing poverty and disadvantage in the future events of the Platform.

Participants also appreciated receiving continuous updates on the “Turin Process” which is important in this respect, including the [opinion](#) of the Secretary General on the Pillar, and important events that have taken place in the framework of the “Turin Process”. They look forward to using the new [Platform website](#) to share information with one another about such events, including relevant events at national level where Platform members might be interested in engaging.

It is worth recalling a valuable input from the Danish Institute for Human Rights on how indicators can be shaped to better monitor social and economic rights in the context of the monitoring obligations that will be set up for the Sustainable Development Goals (SDGs), and the timeliness of engaging with national statistical agencies to shape data collection appropriately. Some Platform members engage in independent research in order to ensure sufficient data collection, such as the Belgian Interfederal Center for Equal Opportunities, which monitors social and economic rights in the context of its regular Diversity Barometer research. The expertise of the Fundamental Rights Agency (FRA) in data collection was another invaluable contribution, reminding of the complex work already done by the agency on developing rights-based indicators using the OHCHR principles in the field of Roma rights, rights of persons with disabilities and the rights of the child.

The Conclusions of the European Committee of Social Rights continue to inspire the work of the Platform, and it was good to be reminded of the possibility for members of the Platform to intervene before the Committee. Some members of the Platform have already supported the collective complaints before the Committee, but it was extremely inspiring to hear the experiences of the Belgian NGO Defence for Children International. Participants also appreciated the reminder of the role of the European Network of Ombudspersons for Children in the monitoring mechanism.

Katrine Steinfeld concluded by thanking the participants for yet another inspiring meeting and hoping to continue the dialogue in Riga in September.

## APPENDIX I PROGRAMME

### *PROGRAMME*

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- 08.30 – 09.00      Registration
- 09.00 – 09.30      Welcome by Henrik Kristensen, Deputy Head of the Department of the European Social Charter
- Opening remarks, including summary conclusions of the Belgrade meeting and identified objectives by Julie Lejeune, Legal Policy Officer, ENNHRI
- 09.30 – 11.00      Social Rights at the crossroads
- Moderator: Julie Lejeune, Legal Policy Officer, ENNHRI
- Presentation of contributions to the European Commission consultation on the Pillar of Social Rights by:
- Council of Europe - Danuta Wiśniewska-Cazals, Department of the European Social Charter
  - FRA – Rosana Garcíandia, Legal Research Officer Equality and Citizens
  - EQUINET – Laurence Bond, Irish Human Rights and Equality Commission
  - ENNHRI – Veerle Stroobants, Combat Poverty, Insecurity and Social Exclusion Service, Belgium
- Progress of work on the European Pillar of Social Rights by Georgi Karaghiozov, Policy Officer, Directorate General for Employment, European Commission
- Conclusions 2016 of the European Committee of Social Rights in the field of employment by Lauri Leppik, Professor, Chair of Social Policy, Tallinn University, former member and former General Rapporteur of the European Committee of Social Rights
- Recent achievements in the context of the Turin Process by Danuta Wiśniewska-Cazals, Department of the European Social Charter, Council of Europe
- Discussion

- 11.00-11.15 *Coffee break*
- 11.15 – 12.45 Monitoring of social and economic rights and use of indicators
- Moderator: Julie Lejeune, Legal Policy Officer, ENNHRI
- Introductory remarks by Sille Stidsen, Danish Institute of Human Rights on “Sustainable Development Goals as a new framework for work on economic and social rights” (tbc)
- Framework for monitoring and targeting social and economic rights by
- Louise Callier, Adviser in the Department Policy and Society, UNIA (Belgium)
  - Rosana Garciandia, Legal Research Officer, Equality and Citizens’ Rights Department, FRA
- Steered discussion with members
- 12.45 - 14.15 *Lunch break*
- 14.15 – 15.15 Website and SharePoint of the Platform
- Moderator: Rosana Garciandia, Legal Research Officer, Equality and Citizens’ Rights Department, FRA
- Presentation of the Website and SharePoint by Tanya Montanari, Department of the European Social Charter, Council of Europe
- User feedback / needs
- ENNHRI
  - EQUINET
- Discussion of next steps for the best use of this tool
- 15.15–16.00 Interventions before the European Committee of Social Rights by National Human Rights Institutions and Equality Bodies
- Moderator: Katrine Steinfeld, Policy Officer, EQUINET

Presentation by Lauri Leppik, Professor, Chair of Social Policy, Tallinn University, former member and former General Rapporteur of the European Committee of Social Rights

Collective complaint Complaint No. 69/2011 lodged by Defence for Children International (DCI) v. Belgium – presentation by Benoit Van Keirsbilck, Director of DCI, Belgium

16.00 – 16.15

*Coffee break*

16.15 – 16.45

Outline for the next meeting to be held in Riga

Moderator: Danuta Wiśniewska-Cazals, Department of the European Social Charter, Council of Europe

Presentation by Anete Ilves, Ombudsman's Office of the Republic of Latvia

Discussion

16.45 – 17.00

Conclusions by Katrine Steinfeld, Policy Officer, EQUINET

## APPENDIX II LIST OF PARTICIPANTS

Designing effective tools for the promotion and protection of social and economic rights

4<sup>th</sup> Meeting

of the CoE-FRA-ENNHRI-EQUINET Collaborative Platform

on Social and Economic Rights

28 March 2017

Council of Europe, Strasbourg

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Council of Europe

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Conference of INGOs

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