



Building a secure future for all

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Excellencies, ladies and gentlemen, dear colleagues!

I am honoured and pleased to address you on an important topic that is close to my heart. In a previous life, I had the honour to serve as a minister of social integration in a Council of Europe member state, so I am well aware of the difficult challenges you face and the particular nature of your headaches.

I want to start by addressing the question “why should we care about social cohesion?” The word “cohesion” is related to the word “cohere” – to stick together. If we cannot strengthen the glue that helps our societies stick together, our societies can come apart along various dividing lines – along lines of ethnicity or religion, along regional lines between richer and poorer regions, along generational and other lines.

Without a strong glue to hold our societies together, social and economic development is difficult, because there is no solidarity, no trust, no cooperation. Without such a glue, cultural development is problematic, because people do not share common memories of the past or common hopes for the future, they cannot speak the same language – both literally and in a figurative sense. Without a social glue to bind our societies, democracy and human rights are problematic, because people do not have shared values and expectations, they do not give others the benefit of the doubt, and conflicts, tension, inequality and social exclusion can result.

Even in the best of times, the task of promoting social cohesion is a difficult one, as migration and demographic change transform our societies. In the context of the global financial crisis, our societies have come under even greater strain and the glue is weakening.

I would like to submit to you that human rights are an essential glue that can help promote social cohesion in times of crisis. I would like to argue that there are three basic human rights tasks that can help strengthen social cohesion:

- 1) Ensuring protection of the most vulnerable, especially through strong anti-discrimination policies;
- 2) Bringing to life international norms pertaining to equality and social and economic rights; and
- 3) Creating strong national mechanisms to promote human rights and including them in the process of planning and monitoring austerity measures.

Let me start with a few words about the most vulnerable – those who have a difficult time in defending their own rights and are most frequently subject to discrimination and social exclusion. I have in mind here children, people with disabilities, older persons with small pensions, Roma and migrant workers.

A number of Europe-wide studies suggest that age, disability and ethnicity are the most frequent grounds for discrimination. At the top of the list in most countries as victims of discrimination were Roma and sub-Saharan Africans.

Discrimination is fundamentally at odds with democracy, which presumes the equal rights and dignity of all members of society. Discrimination is a human rights violation with dire consequences for the individual – it causes psychological trauma and economic loss, it leads to passivity, alienation and exclusion. Individual cases of discrimination have a broader impact, often affecting many members of the target group, as any member could have been a victim. If you are Roma and know that the employer discriminated against another Roma applicant, why should you bother applying? Discrimination is not only morally wrong and illegal, it is bad for business – research suggests that cultural and gender diversity makes a company more productive and innovative and better able to serve a diverse clientele.

In order to combat discrimination, it is necessary to address prejudices and stereotypes in the education system, in the media, in public discourse. It is also necessary to have comprehensive anti-discrimination legislation, well-trained law-enforcement and strong equality bodies to aid victims and raise awareness. Most of all, it is necessary to punish those who discriminate and signal that this kind of behaviour is unacceptable and will not be tolerated.

Let me turn now to the second human rights task i mentioned at the beginning – bringing to life international norm related to equality and social inclusion. The Council of Europe has two legal instruments of particular relevance to ensuring non-discrimination and social inclusion. The first is Protocol 12 to the European Convention on Human Rights which sets out a general prohibition against discrimination. Its scope covers all human rights granted by law, also social and economic rights, and treatment by all public authorities.

Protocol no. 12 deserved universal ratification. It constitutes a comprehensive guarantee against discrimination which is subject to the scrutiny of the European Court of Human Rights. Yet only 18 Council of Europe member states have so far ratified the Protocol, though 37 countries have in fact signed it. I urge more member states to proceed to ratification.

We should also give more attention to the European Social Charter. It is the key standard for social and economic rights in Europe with a strong emphasis on non-discrimination. The country monitoring and jurisprudence of the European Committee on Social Rights have set a series of minimum requirements which member states should apply in social and economic protection.

The charter also has a clear focus on meeting the needs of vulnerable groups which is visible in the collective complaints treated by the European Committee of Social Rights. The housing rights of Roma, the right to mainstream education by children with disabilities, the pension rights of older persons and the rights of migrants have generated many cases under the Social Charter and the jurisprudence on these cases should guide law and practice in member states.

32 member states have ratified the revised European Social Charter while 11 member states have ratified the 1961 charter alone. Only 15 member states have accepted the collective

complaints procedure. More countries should adhere to this system so that they can benefit from the experience of the European Committee of Social Rights, which can help define priorities and identify measures for alleviating the worst effects of the crisis.

Let me now address the third human rights task I mentioned - creating strong national mechanisms to promote human rights and including them in the process of planning and monitoring austerity measures. Strong national mechanisms are also essential in addressing the first two tasks of implementing anti-discrimination policy and bringing to life international norms.

National human rights structures come in many shapes and sizes – general purpose or specialized ombudsmen, equality bodies, human rights commissions and similar such bodies. If these bodies are doing their job well, they know the situation of vulnerable groups very well - they conduct research and monitoring, they receive complaints and provide various forms of assistance to them, some have hotlines for various vulnerable groups. Governments should take advantage of the knowledge of these national human rights structures in planning and monitoring the impact of austerity measures.

In a number of Council of Europe member states, such bodies have helped to mitigate the impact of the economic crisis on vulnerable groups by providing expert analysis and advice to the government and parliament. In some countries, they have even done full-fledged human rights assessments of budgets. Unfortunately, some of these bodies have seen their operational capacities curtailed through staff or budget cuts and the closure of regional offices.

National human rights structures can also help governments implement a human rights compliant policy in times of austerity by assisting in ensuring participation, transparency and accountability. These procedural human rights principles are also critical to social cohesion. Often, responses to the crisis have been decided without sufficient national consultation and sometimes even parliamentary control. National human rights structures can help give voice to the concerns of the most vulnerable and, with their investigations and research, help ensure transparency and accountability.

Thus, social cohesion is currently being strained by the crisis, but the cure should not be sought only in fiscal sustainability, a strong financial sector, and more European solidarity. We need to remember that human rights is the glue that keeps our societies together in good times and in bad, that protection of the vulnerable, a focus on non-discrimination and social rights, and the creation of strong national human rights mechanisms can help us live better through the crisis.