

Specific terms of reference of the Working Group on Social Rights (GT-DH-SOC)

1. Name of committee: Working Group on Social Rights (GT-DH-SOC)

2. Type of committee: Working Group

3. Source of terms of reference: Steering Committee for Human Rights (CDDH)

4. Terms of reference:

i) To examine:

- the implementation of Recommendation No. R(2000)3 of the Committee of Ministers to member States on the right to the satisfaction of basic material needs of persons in situations of extreme hardship;
- the case-law of the European Court of Human Rights on any positive obligations in the field of social rights;
- the developments in relation to the European Social Charter;
- the developments in relation to the Charter of Fundamental Rights of the European Union;
- the on-going work within the United Nations with regard to the elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights recognising a right to individual and/or collective complaints;
- the developments in relation to Protocol 12 of the ECHR;
- any other relevant international instruments and developments in this field.

ii) On the basis of such elements, to consider whether any possible new rights or aspects of such rights might be appropriate for justiciability under the control system established under the ECHR.

5. Composition:

i) The working group is composed of a Chair and seven members, specialists in the field of social rights: Belgium, Bulgaria, Finland, France, Ireland, Netherlands, Russian Federation and Turkey (Chair).

ii) Other member States, the observers to the CDDH, as well as the Parliamentary Assembly and the European Committee for Social Cohesion (CDCS) may also participate in the work, at their own expenses.

6. Working methods:

i) The GT-DH-SOC will consult/exchange views with the European Committee of Social Rights and the European Court of Human Rights.

ii) The GT-DH-SOC will decide about the appropriateness of engaging consultants.

7. Duration of the terms of reference:

The present terms of reference will be reviewed on 30 June 2005.