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Developments in human rights at local and regional levels

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Commissioner for Human Rights of the Council of Europe

Dear members of Congress,

It is always a pleasure for me to come to your sessions as an opportunity to continue our dialogue on how best we can cooperate in the implementation of human rights at local and regional level.

In the past 5 years of my mandate, I have had several occasions of carrying out this dialogue with you, including outside the sessions. During my country visits I have regularly met with mayors, municipal councils, regional governors. I have also sent letters to mayors, made recommendations in reports, supported your efforts and sometimes criticised decisions taken at local level against the enjoyment of human rights.

Just last week I was in Slovenia where I met the mayor of the Škocjan municipality to discuss the situation of the Roma settlement of Dobruška vas, where some families live in serious deprivation, without access to drinking water, electricity and sanitation. This particular settlement is illegal, even though the Roma families have lived there since the mid 1950', and the relations with the municipality are very difficult. I heard that the Slovenian government has implemented important measures for Roma over the past ten years and that other municipalities there have done very well in integrating Roma communities. To me, this example showed that local authorities often have the key to resolve concrete human rights problems.

At the beginning of March I went to Portugal to see with my eyes a promising initiative carried out in Torres Vedras as part of the ROMED II programme that the Council of Europe has been implementing in the last years. I was heartened to see the positive changes brought about by the participation of Roma mediators in the work of local government and the involvement of community groups in decision making to tackle issues such as discrimination, educational attainment and job opportunities. This pragmatic and participatory approach shows that cooperation between Roma and the majority population at the local level, fostered by strong political leadership, is a worthwhile investment that needs to be supported and sustained.

Such an initiative illustrates well how local authorities, if adequately supported also by national and international partners, can have a positive impact in fostering the enjoyment of human rights and in overcoming stereotypes, thus helping establish the conditions for a more inclusive society.

This is, however, more easily said than done. You often face very complex human rights issues, from freedom of assembly and expression, to the reception and integration of migrants; from services provided to ensure women's access to their sexual and reproductive health and rights, to the obligations to secure economic, social and cultural rights. As the case law of the European Court of Human Rights also increasingly reminds us, you play a crucial role in the human rights system because your action or inaction can either be part of the solution or be the cause of the problem.

As you know, I have repeatedly stressed this concept and the fact that I consider you as key partners in my work. Therefore, today, I would like to focus on how we can work complementarily and in a mutually supportive way.

This session's agenda is particularly rich of examples of topics where our work intersects. For example, right after my intervention, you will discuss the need to fight anti-Gypsyism more effectively. This is a topical: anti-Gypsyism is a long-standing problem in Europe that deeply undermines the efforts undertaken to foster Roma inclusion and denies the values we stand for. A counter-narrative to that of those engaging in anti-Gypsyism is therefore needed, one that focuses on positive messages and show the way forward. To this end, I have published many articles and reports on the need to change policies, laws and discourse? so as that Roma are treated on equal footing with other citizens. I also encourage you to strengthen your co-operation with the Council of Europe Special Representative for Roma Issues because this can be beneficial both to identify and share positive practices and to ensure that the image that local and regional decision makers portray of Roma is free from stereotypes and prejudices. In this context, your support to the Charter of European political parties for a non-racist society that you are going to discuss later on today would send a strong message of your commitment to establishing a more inclusive society for all. I invite you to use this Charter as a reference to frame your action in this field.

An additional topic that I know you are wrestling with is the reception and integration of migrants. This is an epochal challenge that I am afraid many member states are failing to respond to adequately. Such a failure is not neutral for you. Across Europe, national authorities increasingly develop restrictive laws and policies, aimed, for example, at limiting social benefits and family reunification rights, or to deter irregular migrants by withdrawing access to basic assistance,-, This has not only caused unnecessary human suffering for hundreds of thousands of migrants and asylum-seekers, but also often resulted in an additional strain for those local authorities which are left alone in catering to migrants' needs in terms of accommodation, education, access to food and health, as well as to ensure their effective integration in society. Despite this enormous challenge, some of you have engaged in effective solutions that I think should be better acknowledged and shared nationally and internationally. I and my predecessors have published several reports which can facilitate awareness raising on various aspects related to migration, including as regards unaccompanied migrant children and the integration of migrants and refugees. In June I will publish another report on family reunification, which will underscore the rights at stake, its importance from an integration point of view and the many obstacles that still need to be lifted to facilitate it. I will make sure that you can receive a copy of it and I would welcome discussing it further in our next meetings. In addition, the Council of Europe programme on Intercultural Cities provides a useful platform to learn and share effective governance solutions that I invite you to explore. One aspect of this programme worth mentioning here is its focus on the development of a plan aimed at helping cities manage diversity as a resource to build more cohesive, participative and stable societies.

Such a plan is crucial to adopt a more systematic approach to human rights. This is an issue that lies at the heart of my preoccupations. Piecemeal approaches cannot lead in fact to viable and sustainable improvements in the enjoyment of human rights. This is why I am devoting a considerable part of my work to the promotion of human rights action plans. These strategies can greatly help moving towards the realisation of human rights because they foster the allocation of responsibilities among domestic authorities, facilitate the participation of the public, establish accountability of those sectors of governments responsible for the implementation of the plan and also help frame the discussions among international human rights organisations, national and local authorities, and a large spectrum of other actors, including national human rights institutions, the media and civil society. To date, eight member states are implementing national human rights action plans while two others are working on developing their first one. In some others, discussions are under way to renew them while other countries have developed sectorial strategies. In June I am convening a second meeting in Strasbourg to take stock of the situation and facilitate the exchange of experience among representatives of member states.

It is my firm conviction that by facilitating synergies in the implementation of human rights obligations, such plans can provide an effective governance tool also for you. This is why I strongly invite you to consider adopting them or participating in a national one, and to give full support to the implementation of the Congress Human Rights Action Plan. This is in fact a useful tool to approach the problems you are

facing in a more strategic and systematic way. My office participates actively in the preparation of the Human Rights Manual that is under preparation as part of this plan and I look very much forward to seeing the result because I believe it can help equip you and your administrations with the necessary knowledge of norms, methodologies and solutions to tackle the various problems you face every day.

One such problem is certainly that of the impact of economic deprivation and poverty on the enjoyment of human rights. I have focused a great deal of my work on this issue and therefore I followed with great interest your discussion on youth policies earlier on. This is a crucial topic, in particular in times of acute youth unemployment and increased electoral support that populist movements find in young discontents. Nine years after the economic crisis began, the economies of many European countries are still struggling to recover and millions of unemployed young people are facing an uncertain future. In some countries, the economic depression has not offered much prospect to young people for decades now. Additionally, while some countries' economies seem to be recovering, child poverty rates remain as high as during the years of the crisis, with long lasting effects on the development of children and adolescents. Cushioning and fixing this problem is as much an economic as a political question. The combination of youth unemployment, especially over a long term, and reduced socio-economic protection has in fact negative personal, societal and fiscal consequences, which may ultimately lead to the emergence of phenomena able to undermine social cohesion and stability. It is therefore urgent to join forces to find more effective measures to improve the situation.

Another topic of common interest is the rights of persons with disabilities. I am just back from Cyprus where the Council of Europe Disability Strategy 2017-2023 was launched. Two issues in particular impinge on your work: accessibility and de-institutionalisation. It is your responsibility, along with national authorities, to ensure that public buildings, especially schools, transport etc., are accessible to all. This is expensive but it is key that all new structures, all new transportation be made accessible. It is your responsibility, along with national authorities, to ensure that people can live in the community with adequate support and services and not be relegated to institutions. This is tough to do - institutions provide jobs and voters like them, but they are bad for human rights. You will encounter resistance everywhere, through vested interests or lack of ambition. I say take the funding that is available at EU level and use this historical opportunity to de-institutionalise.

Another topic on which I think we could strengthen our cooperation is women's rights. This is a particularly important topic on which I have done extensive work lately and I will continue focusing on it. From access to justice for victims of domestic violence to gender pay gap, from access to health services to representation in politics, women are still treated as second-class citizens in the vast majority of our member states. This shameful situation requires a rapid change in mentality, policies and laws. In many of my country reports I have stressed how crucial it is that local authorities play their part too, be it in ensuring enough and adequate shelters to women victims of violence or guaranteeing access to health counselling and medical practice to women. I am particularly worried by a regressive trend that is now putting at risk rights that we considered for granted for women, including sexual and reproductive health and rights. Towards the end of the year, I will publish a specific report on this issue and once it is published I would welcome discussing with you how it can be used within your competences to improve women's enjoyment of their rights.

Many of the topics that you are discussing this week are pressing issues that seem too complex to solve. Some might even be tempted to consider human rights standards as hindrances to the solution of these problems. In reality, the contrary is true. With some political will and cooperation among international, national and local levels, human rights standards can become a useful governance tool to design and implement solution-based policies.

In particularly challenging times for the European values of solidarity and cooperation, you can tip the balance in favour of human rights. I am your ally. In the remaining year of my mandate, I will remain at your side to make your challenges more visible, your requests for help more audible and your quest for solutions easier.

Thank you.