



European
Social
Charter

Charte
sociale
européenne



Annual Convention for Inclusive Growth 2019

20 May 2019

Venue: Crowne Plaza, rue Gineste 3, Brussels

Side event

Independent national defenders for a stronger social Europe post 2020: using the synergies between the European Pillar of Social Rights and the European Social Charter to advance the sustainable development goals in the social area

organised by the European Network of Human Rights Institutions, the European Network of Equality Bodies and the Council of Europe, Department of European Social Charter

Speech of Humbert de Biolley

Deputy Head of Office, Council of Europe Office, Brussels

What is inclusive growth?

According to the OECD inclusive growth is economic growth that is distributed fairly across society and creates opportunities for all.

But growth as we know it doesn't work the same for all and it is sometimes putting people's wellbeing at risk.

At present, in many European countries, inequalities are at their highest levels in 30 years and are widening. Unemployment remains stubbornly high in some countries and in others, the "working poor" are increasing in number. In the United Kingdom for instance, data released on 14 May 2019 shows that unemployment remains at its lowest level since the mid-1970's but that means little to the 4 million workers in the UK who are living in poverty.

There is a need for affordable ways to attain home ownership, but this is an impossible dream for many, and rents are unmanageably high. Ireland's percentage of social housing stock is now less than half that in the UK and Germany, one of the reasons being that

successive governments had handed too much control to developers and to the private sector. Housing is just one of the Irish 'No Child 2020' campaign goals because of the growing number of homeless children in Ireland.

Another issue to be mentioned.

The 2008 financial crisis was a dramatic wake-up call. The economic crisis which Europe and the world have experienced in past years has created challenges for the protection of human rights including social and economic rights. Austerity measures, applied in particular in certain European countries, have exacerbated the already severe human consequences of the economic crisis marked by record levels of unemployment, discrimination, social exclusion and poverty, including child deprivation. Such downturns have more adverse implications for vulnerable segments of the population such as youth, women, single parents, people with disabilities, etc. The impact of austerity measures is likely to have long-term effects on society and to undermine the capacity of central and local authorities to ensure human rights protection.

This reality comes up against the post-war European vision of peace and prosperity. There is little doubt that it is eroding hope among our citizens and faith in our institutions. We see this in the cynicism – and sometimes in the violent protest – that are manifest in parts of Europe today. This strains our democracies. Inaction will only continue to feed the political extremes and populist discourse, so skilfully/ingeniously used by certain.

This is why, in its last Report entitled “Ready for future challenges – reinforcing the Council of Europe”¹, the Secretary General of the Council of Europe, Thorbjørn Jagland, says that the enforcement of social rights to tackle extremes of poverty and inequality is required more than ever. Moreover, the Council of Europe has been characterised by some as the “conscience” of Europe. An important part of that “conscience” is represented by the European Social Charter which, in turn, has been characterised as the Social Constitution of Europe.

¹ “Ready for future challenges – reinforcing the Council of Europe” 2019 Report of Thorbjørn Jagland, Secretary General of the Council of Europe: <https://www.coe.int/en/web/human-rights-rule-of-law/-/ready-for-future-challenges-thorbj-rn-jagland-urges-member-states-to-reinforce-the-council-of-europe>

Together with the European Convention on Human Rights, the European Social Charter embodies the best of the European democratic and social model. It outlines the fundamental rights required to ensure human dignity: the right to education, to health care, to housing, to fair remuneration, social security, and social assistance. This is a means to ensure social justice, consolidate inclusive societies and strengthen democratic security in our member states.

Besides, the Secretary General's Report states that the process of mutual harmonisation with the European Union's standards should be brought forward. It is important to ensure synergy between the European Social Charter mechanism and EU standards and to avoid conflicts between different instruments. The European Social Charter should be central to the implementation of the European Pillar of Social Rights and new ways to promote this should be explored.

One of these ways is precisely the cooperation with National Human Rights Institutions (NHRIs) and National Equality Bodies (NEBs) in the framework of the CoE-FRA-ENNHRI-Equinet Collaborative Platform on social and economic rights², established in 2015. The last meeting of the Platform, held in Athens on 10 April, examined the effects of austerity measures for equality and human rights. The Platform agreed that human rights impact assessments³ of economic reforms have to be carried out regularly by national authorities, which have to look for alternative policies that would prevent harmful forms of fiscal consolidation in future. Those include tackling tax abuse, strengthening tax authorities, debt renegotiation and reallocation of unnecessary expenditures. It has become clear today that, while tensions and differences exist, the approaches adopted by human rights and economics are largely complementary. Convergence of perspectives and approaches between human rights and economics is therefore part of the emerging reality of development.

² Web site of the Platform: <https://www.coe.int/en/web/european-social-charter/coe-fra-ennhri-equinet>

³ See Guiding Principles on human rights impact assessment of economic reform policies: <https://www.ohchr.org/EN/Issues/Development/IEDebt/Pages/DebtAndimpactassessments.aspx>

The Council of Europe is a human rights organisation and as such, it is strongly attached to the idea that human rights should be respected regardless of the economic objectives pursued. The CoE Commissioner for Human Rights issued, already in 2013, actionable recommendations to help governments in their endeavour to align their economic recovery policies with their human rights commitments ⁴.

With regard to the SDGs, the Council of Europe, again, being an organisation founded on the universal values of human rights, democracy and the rule of law, has been contributing to the implementation of the SDGs and its programme of activities has been linked to specific SDGs⁵. In particular, SDGs 1 (no poverty), 3 (good health and well-being), 4 (quality education), 5 (gender equality), 8 (decent work and economic growth), 10 (reduction of inequality within and among countries) etc. Therefore, to advance the sustainable development goals in the social area in Europe, a coordinated and coherent action among all partners at all levels is needed.

In this context, National Human Rights Institutions (NHRIs), National Equality Bodies (NEBs), the European Union, the Council of Europe, the UN, but also civil society organisations, have great potential to promote national and international human rights-compliant responses and protect people from discriminatory measures which result in inequalities. The current Council of Europe Human Rights Commissioner recognises more than ever the role of NHRIs as crucial actors within the global human rights framework⁶.

The European Social Charter represents, in this sense, an important legal basis for the implementation of the European Pillar of Social Rights. Moreover, the conclusions and decisions of the European Committee of Social Rights can be used to identify shortcomings in member States in order to develop targeted policies and responses to specific issues. The European Pillar of Social rights offers, despite the fact that is not legally binding, a unique opportunity to promote strong partnerships between different stakeholders.

⁴ <https://rm.coe.int/safeguarding-human-rights-in-times-of-economic-crisis-issue-paper-publ/1680908dfa>

⁵ <https://www.coe.int/en/web/un-agenda-2030/home>

⁶ See [Human Rights Comment : Paris Principles at 25: Strong National Human Rights Institutions Needed More Than Ever](#), Dunja Mijatović, 18 December 2018

Olivier de Shutter, present here, is going later to present his study on the Pillar and the role of the European Social Charter in the European Union legal order and share his concrete proposals for better synergies between the two instruments. The outcome of this should be a better respect of social rights for the benefit of the European citizens.