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Adopted by
Social Platform's
Steering Group
16 December
2014

POSITION ON AN EU INTERNAL STRATEGY TO PROMOTE HUMAN RIGHTS

TABLE OF CONTENTS

KEY MESSAGES	p. 3
INTRODUCTION	p. 3
WHY WE WANT A STRATEGY	p. 4
RECOMMENDATIONS TO THE EU	p. 3-4
EXAMPLES OF HOW AN EU INTERNAL STRATEGY TO PROMOTE HUMAN RIGHTS CAN BE IMPLEMENTED BY THE EU	p. 5

Social Platform is the largest civil society alliance fighting for social justice and participatory democracy in Europe. Consisting of 48 pan-European networks of NGOs, Social Platform campaigns to ensure that EU policies are developed in partnership with the people they affect, respecting fundamental rights, promoting solidarity and improving lives.

Social Platform proposes a five year **Strategy** to integrate human rights instruments and [EU Charter of Fundamental Rights](#) obligations in all EU competences (whether exclusive, shared, supportive or coordinating), to be used to implement each of the human rights ratified by the EU. This strategy should be accompanied by an **Action Plan** with concrete actions on how the EU will deliver on identified human rights, specifying who will ultimately be responsible for their implementation and monitoring.

KEY MESSAGES

1. **In all areas of competence, enact legislation and policies that ensure effective realisation of human rights across the EU, including social rights.**
2. **Identify and utilise EU competencies to maximum effect.**
3. **Support member states in preventing human rights violations, monitor compliance and issue sanctions when necessary.**

WHY WE WANT A STRATEGY

Human rights are underlying values of the EU, and accordingly the EU must be accountable for their respect; indeed, the EU plans to accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms. We are particularly concerned about the impact of EU and member state policies and actions on the entitlement and enjoyment of social, economic and cultural rights for people living in Europe. We are worried that the EU continues to neglect incorporating a social dimension into its policies, such as the [Investment Plan](#). An EU Internal Strategy is vital for the EU to consistently take into account human rights – both when violations occur and when upholding human rights.

The [EU Strategic Framework and Action Plan on Human Rights and Democracy](#) (2012) governing the EU's external affairs demonstrates political leadership. We call for the EU to be coherent in its internal and external ambitions, and to ensure consistency in terms of the respect and promotion of human rights between EU policy areas.

An EU Internal Strategy to Promote Human Rights would complement and strengthen other rights-specific EU frameworks and strategies¹, and would enhance coordination with the Council of Europe.

RECOMMENDATIONS TO THE EU

1. **In all areas of competence, enact legislation and policies that ensure effective realisation of human rights across the EU, including social rights.**
 - Go beyond respecting and protecting human rights, and take a proactive role to ensure the realisation of human rights (such as positive actions and public duties).
 - Systematically consider the added value of EU ratification of or accession to international and European human rights instruments, as it has done with the United Nations Convention on the Rights of Persons with Disabilities.
 - Encourage member states to adhere to human rights instruments and mechanisms of the Council of Europe and the UN, particularly the [European Social Charter](#) and Collective Complaints procedures.

¹ Such as: An EU Agenda on the rights of the child, an EU Roadmap for LGBT equality, an EU Strategy for Equality between Women and Men, and an EU Framework for National Strategies to combat specific forms of racism

2. Identify and utilise EU competencies to maximum effect

- Identify wherever EU instruments can support the promotion of human rights, such as internal market rules, the Europe 2020 Strategy and National Reform Programmes, to address institutional failure to recognise and uphold basic rights, particularly discrimination in employment and education and inequalities arising from social exclusion:
 - Integrate the Commission's fundamental rights check-list into the impact assessment process to ensure that human rights impact assessments are carried out systematically for all policy and legislative proposals. The current revision of the impact assessment guidelines should go beyond compliance with the EU Charter of Fundamental Rights and take into consideration international human rights instruments.
 - Make use of the Council's guidelines on steps to be taken to check the fundamental rights compatibility of the Council's preparatory bodies.
 - Ensure that human rights assessments are carried out in emergency situations too, such as in the development of emergency measures in response to the economic crisis.
- Maximise the use of existing resources, knowledge and expertise through regular and structured dialogue with the Council of Europe, the Fundamental Rights Agency, the Office of the UN High Commissioner for Human Rights and civil society organisations.
- Engage in a civil dialogue with European NGOs in a timely manner, allowing them to consult with members on national, regional and local level. This would encourage meaningful input based on rights-holders and stakeholders' such as service providers and social entrepreneurs' experiences of human rights violations on the ground².
 - European Commission First Vice-President Frans Timmermans foreseen annual colloquium on the state of play of fundamental rights in Europe is one such occasion where civil dialogue should be prioritised. This Forum should also be an opportunity to bring in information from Council of Europe and United Nations mechanisms, in order to increase cooperation and identify potential rights violations and concerns raised in those instances.

3. Support member states in preventing human rights violations, monitor compliance and issue sanctions when necessary.

- Give the [EU Agency for Fundamental Rights](#)³ a strong and independent mandate to monitor member state compliance and to guide EU actions that promote human rights in Europe.
- Thoroughly monitor human rights by gathering data collected by member states and national human rights institutions to populate process and outcome indicators, including in the field of equality. Information collected through UN bodies, including the Universal Periodic Review mechanism and Committees' concluding observation, should also be taken into account.
- Assess national authorities' compliance with human rights when monitoring member states' implementation of EU law and respect of the EU Charter of Fundamental Rights.
- Systematically open infringement proceedings when member states violate EU laws related to human rights; for example, violations of non-discrimination laws must be treated with the same readiness as breaches of internal market rules. Make use of the [EU Framework to strengthen the Rule of Law](#).

² [Social Platform contribution to the public consultation on the Commission's Stakeholder Consultation guidelines](#)

³ FRA's proposal for [An EU internal strategic framework for fundamental rights: joining forces to achieve better results](#) (2013)

EXAMPLES OF HOW AN EU INTERNAL STRATEGY TO PROMOTE HUMAN RIGHTS CAN BE IMPLEMENTED BY THE EU

<p>Strategy: linking the principle of equality between women and men with EU competences (e.g. on internal market, competition, the Euro and monetary affairs).</p> <p>Action: <u>Women on Boards</u> In 2012, the Commission proposed a law with the aim of getting at least 40 percent of women onto corporate boards of European companies in order to accelerate progress towards gender balance in the sector.</p>	<p>Strategy: linking <u>EU treaty obligations</u> on non-discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation to EU competence on EU funds.</p> <p>Action: <u>Preconditions for EU funds</u> In 2013, the Council adopted regulation on EU funds including explicit conditions for anti-discrimination, gender equality and disability that have to be fulfilled before EU funds can be accessed.</p>	<p>Strategy: adopting ten Common Basic Principles on Roma inclusion in 2009, aimed at improving the human rights situation of Roma people, leading to Council conclusions on the issue in 2011.</p> <p>Action: <u>An EU Framework for National Roma Integration Strategies</u> The 2011 EU framework encourages member states to develop national strategies based on the Europe 2020 social targets of education, employment, healthcare and housing.</p>
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