

## **Statement of Support for the Turin Process to strengthen Social Rights in Europe**

The Turin process, initiated by the Council of Europe (CoE) in October 2014, aims to reinforce the normative system of the European Social Charter within the Council of Europe and in relation to the law of the European Union (EU). Its key objective is to improve the implementation of social and economic rights in the Council of Europe Member States, in parallel to the civil and political rights guaranteed by the European Convention on Human Rights. ENNHRI reiterates its strong commitment to the Turin Process.

The European Social Charter of 1961 and the Revised European Social Charter of 1996 guarantee a wide range of fundamental rights, relating to health, housing, social protection, working conditions, freedom to organise, and protection against poverty and social exclusion.

NHRIs address the full range of human rights, including civil, political, economic, social and cultural rights. Their core functions, to promote and protect human rights, enable them to improve the implementation of economic, social and cultural rights at the national level. They can do this, for example, through training and awareness raising, individual assistance, investigations and inquiries, monitoring, research and reporting, advising governments and parliaments, and engaging with regional and international human rights systems.

ENNHRI members actively engage in the area of economic and social rights and attach great importance to the European Social Charter as one of the instruments that can be used to ensure the implementation economic and social rights, together with the European Convention on Human Rights, the EU Charter of Fundamental Rights, the United Nations core human rights treaties, including the International Covenant on Economic Social and Cultural Rights, and the International Labour Organisation Conventions.

In 2013, ENNHRI hosted an event on Austerity and Human Rights in Europe, which assessed the impact of public spending decisions in times of economic crisis on the enjoyment of social and economic rights. It has also established a Working Group on Economic and Social Rights which will, amongst other things, conduct work to strengthen the capacities and activities of ENNHRI members working in this area. ENNHRI members also contribute to the Platform on Economic and Social rights, jointly operated by the Council of Europe, the EU's Fundamental Rights Agency (FRA), EQUINET and ENNHRI.

ENNHRI members have worked towards the ratification and implementation of the revised European Social Charter and have, in turn, used the decisions of the European Committee on Social Rights to promote human rights in various areas of their work. ENNHRI has collated examples of this work, and facilitates the exchange of good practices in this area (as in Annex).

ENNHRI identifies a number of priority measures within the Turin Process, including ratification by all European states of the Revised European Social Charter, as well as adoption of the Protocol on the collective complaints procedure. In order to enhance the effectiveness of economic and social rights for individuals, ENNHRI encourages endorsement of the Turin Process by State Parties through the adoption of concrete measures at national level.

The [EU priorities for cooperation with the Council of Europe \(CoE\) in 2016-2017](#) include 'regular dialogue and cooperation with CoE on the interaction between the European Social Charter and the laws and policies of the European Union, taking into account the respective legal and political architectures and competences of the EU and CoE'.

ENNHRI encourages the EU and Council of Europe to establish close cooperation to work towards a cohesive framework for the protection of economic and social rights throughout the European region. ENNHRI notes that the European Committee of Social Rights takes into account the law of the EU when interpreting the European Social Charter's provisions. ENNHRI encourages the EU to take into account the European Social Charter when interpreting EU law, as it did when drafting the EU Charter of Fundamental Rights. ENNHRI also recommends that the provisions of the European Social Charter be integrated into the EU's human rights impact assessments.

Finally, ENNHRI reiterates its commitment to engage fully with the Council of Europe, the EU, states, and civil society in the pursuit of these priorities.

### **About ENNHRI**

ENNHRI, the European Network of National Human Rights Institutions, works to enhance the promotion and protection of human rights across wider Europe. National Human Rights Institutions (NHRIs) are independent bodies with a constitutional or legal mandate to promote and protect human rights. They are a key element of a strong and effective national, regional and global human rights framework. NHRIs are accredited by reference to international standards, the UN Paris Principles, to ensure their independence, pluralism, impartiality, and accountability. ENNHRI supports NHRIs throughout Europe, including on establishment and accreditation, exchange of good practices, capacity building, and engagement with regional human rights mechanisms. ENNHRI's Secretariat is based in Brussels.

## ANNEX 1

### Examples of ENNHRI members' work towards the ratification and implementation of the revised European Social Charter

- Under the reporting procedure, the Danish Institute for Human Rights and the Scottish Human Rights Commission in 2015 and the Greek National Commission for Human Rights in 2014 each submitted reports to the European Committee of Social Rights to assist the Committee in its assessment under the reporting procedure for their respective countries.
- Under the collective complaints process, the Centre for Equal Opportunities and Opposition to Racism (the Belgian NHRI) was invited by the European Committee of Social Rights (ECSR) to present its observations in 2012 in respect of Collective Complaint No. 75/2011 International Federation for Human Rights (FIDH) v Belgium.
- In the context of the examination of Ireland under the International Covenant on Economic, Social and Cultural Rights, the Irish Human and Equality Commission drew the attention of the UN Human Rights Committee in 2015 to the Conclusions 2014 of the European Committee of Social Rights for Ireland in respect of the legal minimum wage for young workers, to Conclusions 2012 for Ireland in respect of right to engage in gainful occupation, and to the decision merits in collective complaint No. 83/2012, European Confederation of Police (EuroCOP) v. Ireland, on the right to collective bargaining and the right to organise in Ireland.
- In its recent submission on Socio-economic Rights in the UK, for the review of the UK under the International Covenant on Economic, Social and Cultural Rights, the Equality and Human Rights Commission (covering England, Wales and non-devolved human rights issues in Scotland) highlighted the recommendation of the European Committee of Social Rights which raised concerns about the restrictions placed on workers in the UK to defend their interests through lawful collective action. (Conclusions XX-3 – United Kingdom – Article 6-4)
- The Northern Ireland Human Rights Commission has drawn upon the provisions of the European Social Charter in its various pieces of advices to Government for example, its advice to the Northern Ireland Assembly on the Welfare Reform Bill in 2012 and to the public consultation regarding Shared Parental Rights, Extending Flexibility at Work in 2013.
- Under the collective complaints process, the close interaction between the Greek National Commission for Human Rights (GNCHR) and the Greek General Confederation of Labour (GSEE) is a relevant example of how NHRIs may support NGOs in taking collective complaints under the Charter. The GSEE, which has already submitted a complaint before the ECSR, is a GNCHR member represented in the GNCHR Board. More precisely, GSEE submitted the Complaint No. 111/2014 at a time when the GNCHR was strongly advocating in favor of a Human Rights Impact Assessment (HRIA) mechanism and analysing in its reports the ESC implementation in Greece.
- Under the general monitoring mandate of the GNCHR, the GNCHR is constantly invoking the ECSR's decisions in its reports. A recent example: [GNCHR's report on the right to social security](#) (5.5.2016). The ECSR's decisions regarding austerity measures in Greece have been thoroughly analysed by the GNCHR in its special reports (inter alia [Statement of the Greek National Commission for Human Rights \(GNCHR\)](#) on the impact of the continuing austerity measures on human rights (15.7.2015), [The NCHR Recommendation and decisions of international bodies on the conformity of austerity measures to international human rights standards](#) (2013)