



MINISTERIAL CONFERENCE ON SOCIAL COHESION

MOSCOW, 26 February 2009

**Statement by Professor Polonca KONČAR
President of the European Committee of Social Rights**

The rights approach is the right approach

Excellencies,
Ministers,
Ladies and Gentlemen,

I am very grateful to the organisers of the Conference to give me the opportunity to address such a distinguished audience at the opening session of this Ministerial Conference.

Let me express the sincere wish that this first Conference of European Ministers responsible for social cohesion will lead to concrete results and identify solutions to the very many social issues Europe is facing today.

The European Committee of Social Rights I represent today, is the body responsible for assessing the conformity of national situations with the European Social Charter.

The European Social Charter is the leading Council of Europe treaty in the field of social human rights. The members States of the Organisation have constantly reaffirmed their commitment to respect the indivisibility of all human rights and thus treat social rights as human rights.

The Charter draws its inspiration from the Universal Declaration of Human Rights adopted in 1948 and also from the ILO which was founded in 1919, in the wake of a destructive war, to pursue a vision based on the premise that universal, lasting peace can be established only if it is based upon decent treatment of working people.

The Social Charter contributes to the reinforcement of social cohesion in European countries as it concerns rights in the following fields : housing, health, education, work, and social protection. In addition, the Charter enshrines values such as dignity, solidarity, autonomy, participation and non-discrimination which are essential to ensure the full realisation of all human rights.

Today the Social Charter is ratified by 40 of the 47 Council of Europe member States. I want to insist on importance of the ratification of the Charter by all member States and I am particularly glad to understand that the Russian Federation will soon proceed to its ratification.

Out of the 40 States parties, 25 are bound by the Revised Charter and I want to invite all countries to ratify the Revised Charter. This revised treaty is in fact more modern and made the legal sets of norms of the Council of Europe and of the European Union compatible. It should therefore attract the attention of all Council of Europe member States.

What is the Social Charter contribution to social cohesion?

The Charter is strongly linked to the European Convention of Human Rights. We all know that social exclusion does not only affect the social rights of the persons concerned. It also heavily affects the enjoyment of their civil and political rights. It is clear that the rights contained in the Charter bear the same importance and the same value as the rights proclaimed by the Convention.

Interlinks and interactions between the decisions of the European Committee of Social Rights in the collective complaints procedure and the judgments of the European Court of human rights in the procedure of individual applications are more and more frequent.

The Council of Europe can be extremely proud of the work done with and through the Charter over the last decade: thanks to a reform which helped to simplify the functioning of the control mechanism and make it more efficient, the Charter helped changing the lives of numerous Europeans. The European Committee of Social Rights points out very frequently in its decisions on collective complaints that “the rights of the Charter are concrete and they have to be ensured in an effective way”.

The Charter’s aim is, by no means, to harmonize or uniform the social policies of Council of Europe member States. Its purpose is to ensure that, whatever social policies are carried out by States, the fundamental rights of every individual are respected. It is clear that the specific situation of all vulnerable groups is at the heart of the Committee’s mandate.

Today, Europe and the world are facing a huge crisis. Its consequences on the social situation of many individuals are enormous. We must reflect on the impact of this crisis on social cohesion.

The crisis calls for a coordinated political multilateral action. This action should be based on human rights, of which social rights are an integral part.

We all know what can be the consequences of neglecting social rights: the core values of the Council of Europe would be endangered in particular a true democracy and the respect of all human rights.

The European Committee of Social Rights is therefore convinced of the importance to reinvest in Social Rights, and this not only during the current economic and social crisis but also far beyond. Indeed, the crisis will be all the more damaging on European people because the protection of social rights was not properly ensured over the years preceding the crisis.

Therefore, in matters of social cohesion, the rights approach is the right approach.

I wish our Conference a great success.

Thank you.