



Resolution 1824 (2011)¹

Final version

The role of parliaments in the consolidation and development of social rights in Europe

Parliamentary Assembly

1. The Parliamentary Assembly deplores the recent decisions in a number of European countries to introduce massive cuts in welfare programmes that were designed to secure access to social rights, and notes that the consequences of such decisions may be dramatic, in particular for the poorest and most disadvantaged categories of the population.
2. The Assembly believes that parliaments have a vital role to play in consolidating and developing social rights in Europe to counter such developments. Emphasising the principles of indivisibility and interdependence of human rights (including social rights), the Assembly calls on the parliaments of member states to take into account international social rights standards in the exercise of their main functions, namely legislation, representation and oversight.
3. The Assembly stresses, in particular, the importance of securing the right to health, including the right to a healthy, clean and safe environment, as one of the fundamental social rights directly related to the right to life.
4. The Assembly thus calls on the parliaments of member states to:
 - 4.1. take measures to implement the recommendations contained in Assembly [Resolution 1792](#) (2011) on the monitoring of commitments concerning social rights, and, in particular, continue promoting, at European and national level, the signature, ratification and implementation of the 1991 Protocol amending the European Social Charter (ETS No. 142, "Turin Protocol"), the Additional Protocol of 1995 Providing for a System of Collective Complaints (ETS No. 158), and the European Social Charter (revised) of 1996 (ETS No. 163);
 - 4.2. include, as part of parliamentary debates on human rights, a regular review of the implementation of social rights, ensuring, in particular, that governments take the appropriate measures to follow up on the decisions taken by the European Committee of Social Rights with regard to the implementation of the articles of the revised European Social Charter;
 - 4.3. regularly scrutinise government policies implementing the right to health, and keep abreast of new developments to ensure that scientific progress is respectful of human rights and dignity;
 - 4.4. take the human rights perspective into consideration as a primary criterion when conducting parliamentary scrutiny of public policies and deciding on budgets, in particular in the social and health field;
 - 4.5. ensure parliamentary oversight of the implementation of international agreements, programmes and budgets that may have an impact on social rights, in accordance with Assembly [Resolution 1289](#) (2002) and [Recommendation 1567](#) (2002) on parliamentary scrutiny of international institutions;

1. Assembly debate on 23 June 2011 (25th Sitting) (see [Doc. 12632](#), report of the Social, Health and Family Affairs Committee, rapporteur: Mrs Ohlsson; and [Doc. 12658](#), opinion of the Committee on the Environment, Agriculture and Local and Regional Affairs, rapporteur: Sir Alan Meale). Text adopted by the Assembly on 23 June 2011 (25th Sitting). See also [Recommendation 1976](#) (2011).



4.6. raise awareness amongst parliamentarians and parliamentary research staff on social rights, including through the provision of specialised training and general induction courses for newly elected parliamentarians;

4.7. create an all-party group on the development of human rights with a view to involving parliamentarians and parliamentary research staff in discussions on the development of a third generation of human rights with respect to a healthy, clean and safe environment;

4.8. strengthen interparliamentary co-operation and improve the exchange of best practices at international level, in particular by:

4.8.1. improving co-ordination and strengthening co-operation between members of national parliamentary committees whose actions may have an impact on the consolidation and development of social rights at national and European level, including also members of human rights committees and European affairs committees at the national level.

4.8.2. improving co-ordination and information exchange on the implementation of social rights between parliamentarians from the same country in international forums, including the Parliamentary Assembly, the European Parliament, the Nordic Council, the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC), the Inter-Parliamentary Union (IPU) and the Parliamentary Network on the World Bank (PNoWB);

4.8.3. taking an active part in the Council of Europe conference on the environment, climate change and human rights to be held in Strasbourg in October 2012, with a view to discussing the development of a third generation of human rights with respect to a healthy, clean and safe environment, and to exchanging best practices at local, regional and national levels;

4.8.4. taking an active part in international campaigns aimed at the promotion of human rights, including, *inter alia*, the network of contact parliamentarians of the Parliamentary Assembly committed to combating violence against women and the network of contact parliamentarians of the Council of Europe's ONE in FIVE campaign to combat sexual violence against children;

4.8.5. establishing co-operation with COSAC to exchange best practices in the field of parliamentary scrutiny of government programmes.

5. The Assembly believes that member states also need to take urgent action in order to guarantee effective access to social rights in line with international standards, obligations and commitments, and thus calls on them to:

5.1. take the necessary measures to ensure realisation of the commitments on social rights enshrined in the Council of Europe and in the United Nations conventions;

5.2. apply the principles of equality and non-discrimination as a lever for the implementation of social rights;

5.3. make greater use of the Parliamentary Assembly in overseeing the work of international organisations whose decisions have an impact on the implementation of social rights, in particular those that do not have inbuilt parliamentary bodies, such as the World Health Organization;

5.4. ensure that national positions expressed at international level in the field of economics, finance, and trade are respectful of national commitments under international human rights treaties;

5.5. with a view to consolidating and developing the right to health, which remains a particular priority, take measures to:

5.5.1. incorporate into their national legislation and practice the principles and rights enshrined in the revised European Social Charter, paying particular attention to the principle that everyone has the right to benefit from any measures enabling him or her to enjoy the highest possible standard of health attainable;

5.5.2. contribute to the drafting, signature and implementation of a new protocol to the revised European Social Charter on the right to health, including the right to a healthy, clean and safe environment;

5.5.3. guarantee the implementation of international treaties on the right to health with regard to specific target groups (children, women, people with disabilities, the elderly), in specific contexts (occupational health) and through the improvement of the enabling conditions with regard to the right to health (environmental effects on health);

5.5.4. implement the Council of Europe conventional instruments that have an impact on the right to health, including the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (ETS No. 164, "Oviedo Convention"), and its protocols;

5.5.5. in line with Assembly [Recommendation 1614](#) (2003) on environment and human rights, sign, ratify and implement the United Nations Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters ("Aarhus Convention") and its Protocol on Pollutant Release and Transfer Registers.