COUNCIL CONSEIL
OF EUROPE DE L'EUROPE

TRAINING AND ADVOCACY SESSION :

THE EUROPEAN SOCIAL CHARTER IN PRACTICE

AN INITIATIVE OF THE
ACADEMIC NETWORK ON THE EUROPEAN SOCIAL CHARTER
established under the auspices of the
Secretary General of the Council of Europe, Mr Terry Davis

in cooperation with the Platform of European Social NGOs (Social Platform)
and the European Trade Unions Confederation (ETUC)

Brussels, 18-19 January 2007

Aims
This day-and-a-half training and advocacy session aims at providing the participants with a specialized knowledge of the mechanisms of the Council of Europe European Social Charter and of the most recent trends in the case-law of the European Committee of Social Rights. The training is addressed to international and national non-governmental organisations, employers' and workers' unions, lawyers advising these organisations or wishing to invoke the Charter more systematically before national authorities, and public servants. The programme includes both plenary sessions and smaller working groups, in order to ensure that all those attending receive the focused presentations they are most interested in.

Location
Fondation universitaire
11 Rue d'Egmont
1000 Brussels
(metro Porte de Namur, see www.fondationuniversitaire.be)

Registration and contact
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Registration fee
In order to compensate for the costs of the documentation, the travel of the experts, and catering (coffee breaks and lunch on January 18th), the registration fee is set at 50 euros. However, no fee is required from NGOs who are members of the Social Platform or from the card-holding members of the Ligue des droits de l'Homme. This fee may either be paid upon arrival at the training session, or it may be paid in advance to the following bank account of the 'Université catholique de Louvain' :
ACCOUNT NUMBER:091-0015728-43
IBAN: BE66.0910.0157.2843
with the communication: 'COMPTE INTERNE DPRI7961 DESCHUTTER - ANESC'
NAME OF THE BANK: DEXIA
ADDRESS: Boulevard Pachéco, 44
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PROGRAMME

Day 1 – 18 January

9.30 to 10.30 AM
Introduction (plenary): Olivier De Schutter (UCL, ANESC)

> Historical development of the ESC : what is unique to the ESC and what have been the results of its revitalization ? How does its effectiveness compare to that of the European Convention on Human Rights and to that of the EU Charter of Fundamental Rights in the EU ?
> The obligations of States under the ESC : how useful is the ESC as tool in the hands of social actors? What impact does the ESC have on European Community Law?

10.30 to 12.30 AM
The Procedure of the ESC (plenary): Gerard Quinn (former member, European Committee of Social Rights), Gisella Gori (Secretariat of the European Social Charter), and Stefan Clauwaert (ETUI-REHS) for the role of the ETUC in the procedure

> Reporting by States and the input of social partners and NGOs : what may unions and civil society organizations gain from participating ?
> Collective Complaints : what may we expect from these procedures and how difficult are they to file ? which costs are involved? Which expertise is required?
> Application of the ESC at the national level : how can the ESC be used before national authorities, judicial, administrative or political ?

12 .30 AM
Lunch

2.00 to 4.00 PM
Transversal issues (plenary): Jean-François Akandji-Kombe (Univ. de Caen, ANESC) and Mark Bell (University of Leicester, ANESC)
The scope of application *ratione personae* of the ESC, with a special focus on the usefulness of the ESC to migrants
The requirement of non-discrimination in the ESC, with a special focus on persons with disabilities, the Roma, and other ethnic minorities

4.00 to 6.00 PM
Working group I (labour law issues): [ETUC representative with Gisella Gori (Secretariat of the European Social Charter)]
Freedom of association, the right to collective bargaining, and the right to consultation within the undertaking

Working group II (other issues): Ida Elisabeth Koch (Danish Institute for Human Rights, ANESC)
The rights of the child under the ESC : what has the Charter to offer children?
The overall introduction will be followed by the discussion around case-studies proposed by the European Network Against Racism (ENAR), on the following issues :
- Access to Education for Roma, Sinti and Traveller communities (there are a whole range of contexts) ;
- Issue of children in asylum detention center in Denmark.

Day 2 – 19 January

9.30 to 11.30 AM
Working group I (labour law issues): [ETUC representative with Gisella Gori (Secretariat of the European Social Charter)]
Health and safety at work and the right to vocational guidance and training

Working group II (other issues): Wouter Vandenhole (Katholieke Universiteit Leuven and Tilburg University)
The right to protection against poverty and social exclusion and the right to housing
The presentations of these questions will be followed by the discussion around case-studies proposed by the European Network Against Racism (ENAR) and the European Federation of National Organisations Working with the Homeless (FEANTSA), on the following issues :
- introduction of restrictions to social welfare in Ireland (Habitual Residence Condition) following EU accession in 2004 ;
- access to housing provision, leading to homeless new of new migrants in the UK and Ireland ;
- the right to health for homeless persons

11.30 to 12.30 AM
Strategizing on the basis of the Charter (plenary)
Open discussion introduced on the basis of two presentations:
• the role of the ETUC in the Social Cohesion Committee and the role of the Council of Europe in the promotion of fundamental social rights, Gérard Fonteneau (ETUC) and ETUC secretariat
• the role of NGOs in the promotion of fundamental social rights at the European level, by Anne-Sophie Parent (Platform of Social NGOs)

For further information on the Academic Network of the European Social Charter :
http://www.nottingham.ac.uk/law/hrlc/european-law-unit/ESC_Academic_Network.php