

PUTTING HUMAN RIGHTS AT THE HEART OF EUROPE'S FUTURE

SUMMARY REPORT

Human rights experts and leaders meeting 7-8 September 2022

Europe stands at a delicate moment in its history, facing a convergence of major tests. Each of them taken on their own is significant. Together, they pose profound questions about the political, economic, and societal future of the continent.

This is a moment for strong commitment to put human rights at the heart of our vision for Europe's future. It is also time to demonstrate our determination to work together to this end.

Against this backdrop, the EU Agency for Fundamental Rights (FRA) brought together around sixty human rights leaders and experts from across the continent to discuss elements of a human rights vision for the future and to identify opportunities for action.

A full conference report will be available soon, including the specific ideas and proposals which arose from the meeting. Meanwhile, this is a summary of the conclusions.

An inflection point for Europe

The meeting focused on three major and overlapping human rights challenges: the climate crisis; the rise of disinformation and corresponding decline in civic engagement; and the war in Ukraine.

These human rights challenges are not unique to Europe, including the war in Ukraine which has a global impact. Nor are they the only challenges facing Europe, as we emerge from the pandemic and confront worsening economic pressures. And importantly, these challenges cannot be considered in isolation from each other.

The war in Ukraine and climate change are both bringing new migrants to Europe, who must be treated alike in line with international human rights law.

The energy crisis caused by the war is driving a cost-of-living crisis, exacerbated by the changing climate, with serious implications for socio-economic rights.

Disinformation and assaults on democratic institutions, which flourish more easily in times of economic difficulty, are complicating the response to each of these crises. Grappling expertly with the ever-increasing digitalisation of our lives and societies will be crucial to addressing this.

These are all urgent and complex challenges that require multi-faceted responses. They pose deep questions of our political and economic systems. They demand both careful self-reflection and courageous action.

The ambition of this meeting was to consider what contribution human rights could make in response to these current challenges, and to inspire co-ordinated or joined-up action to this end.

Towards smart, joined-up human rights responses

To reaffirm the value of human rights as a universal language, the discussions brought out six main approaches which should shape rights-based responses to the current challenges. These are all crucial for the renewal of a human rights agenda for Europe.

Threading through them are a few important themes. One is the longstanding challenge of gender. Despite years of attention, both real and nominal, gender equity remains an unfulfilled promise for human rights. Another is the complexity of the human rights ecosystem in Europe, including multiple bodies with overlapping mandates, and the need to build partnerships and smart co-operation. And another is the question of power, agency, and inclusivity, especially in the areas of language, decision-making, and funding.

Each of the six approaches set out below is complex in its own right. But they all emerged through the discussions as essential characteristics of strengthening human rights. The meeting reaffirmed that the present moment demands radicalism and boldness. These approaches are offered in the spirit of promoting ambitious thinking about a human rights agenda for Europe.

1. Bringing economic, social and cultural rights to the centre of our agenda

Economic, social and cultural rights have long been underemphasised by countries in the Global North, including in Europe. But today it has become ever clearer how problematic this is, both within Europe and in terms of its narrow human rights proposition to countries in the Global South.

Economic inequality – and to an extent rising poverty – was a central theme in many of the protest movements of 2019 and it continues to feed into political polarisation in Europe and beyond. The Coronavirus pandemic exposed the widespread underinvestment in economic and social rights. The growing cost-of-living crisis, which is hitting the poorest and most left-behind communities hardest, is bringing urgency to the issue yet again. It also creates conditions for a populist backlash.

The human rights community now needs to draw on its full range of tools and rediscover a truly integrated vision of human rights. This should include developing a serious proposition

about economic, social, and cultural rights in Europe. It should avoid repeating the same mistake by over-compensating and neglecting civil and political rights, but should instead embrace the full spectrum of rights and move ahead with confidence and courage.

2. Developing an inter-generational approach to tackle human rights challenges

The climate crisis, which is also now firmly established as a human rights crisis, demands that we apply an inter-generational lens to all our thinking about human rights. The roots of climate change lie in an unsustainable economic model which has consistently disadvantaged many young people. Its increasingly severe consequences will be borne mostly by younger and future generations, particularly those living in vulnerable situations.

As a vision of progressive optimism for human rights has dissipated, members of a younger generation are instead inheriting deep existential threats to the world and confronting an anxious future.

Many young people do not feel heard as they express their fears. At the same time, older people feel abandoned. The human rights community must respond to this. It must now develop a deep instinct for the rights of future generations, also not leaving older people behind.

3. Embracing inter-disciplinary thinking

The meeting stressed the need for systems thinking, acknowledging the interrelationship between human rights and numerous other fields, such as economics, religion, and the arts.

There is a challenge for the human rights community to learn to speak the language of other disciplines, even as we expect others to speak ours.

The discussions gave particular emphasis to the need to generate fresh economic thinking informed by human rights, and to the importance of seeking a deeper interaction between these two fields.

There is also an intimate relationship of human rights, peace, and security, especially in relation to the war in Ukraine and the corresponding rise of a securitisation agenda in European countries bordering Russia. There will be a crucial role for human rights in influencing and shaping a range of peace and security efforts in the coming months.

4. Building public support for human rights

Ultimately, the legitimacy of human rights depends on public consent and support. But there has never been a stage to make the case for human rights once and for all. Rather, there is a need for a constant process of reaching out to people in a way that resonates with them and shows how human rights protect and can improve their lives.

It is a process in which education, the arts, and other communication and outreach play an essential role. Formal education about human rights is necessary. But there is also a deeper role for the education and arts sectors in creating a sense of mutuality and shared humanity, as well as nurturing the collective imagination about alternative possibilities for the future.

There is also a foundational need to protect media freedom and the conditions for investigative journalism and public sector broadcasting, which are part of the basis for the democratic functioning of our societies. This is threatened by state control of media, and perhaps even more so by the unprecedented control which big technology companies wield over our access to information. A healthy media environment, based on freedom of expression, is crucial for promoting transparency and accountability, for combating disinformation, and for generating public debate around complex issues in society.

5. Confronting legacies of colonialism

Since 2020, the human rights community has made some effort to become more attuned to the dynamics of racism and the legacies of colonialism, including how they shape human rights challenges today.

Europe bears a deep responsibility through its historic role in the world. But there are also experiences of colonial domination within Europe, and Russia's invasion of Ukraine represents a disturbing return of colonialism to Europe. In confronting this, it will be important to recall and apply human rights lessons from the experience of Balkan states 30 years ago.

In addition, confronting economic inequality and the climate crisis requires an understanding of the historical and present dynamics of colonialism. It is perhaps also relevant to how we address the control of our information ecosystem by a small number of technology companies (with algorithms that perpetuate pre-existing patterns of discrimination), and the need to put more power in the hands of users.

But there are important internal lessons for the human rights community as well. The way we do human rights work needs to critique and undo structures and modalities that are colonialist in nature instead of perpetuating them.

6. Defining responsibility, expanding participation and partnerships

The onus is often placed on the human rights community to safeguard human rights. However, the meeting included a rich discussion about the proper roles of different constituencies in creating positive human rights change. Underpinning this was an acknowledgement that primary responsibility rests with states, and that public opinion and consent are a crucial condition for human rights progress.

States are the primary but not the only duty-bearers. Of course, the European Union (EU) itself has a state-like authority. But neither are the governmental and inter-governmental levels the only appropriate locus for action.

Corporations have certain defined responsibilities, for which state regulation is needed alongside self-regulation. Cities can play a crucial and innovative role, as the Human Rights Cities Network has shown. Religious communities can offer a certain moral leadership and large constituencies of engaged people.

Civil society plays an important bridging role: it must be protected and empowered but should then use its position to protect and empower others. In particular, the formal civil

society sector (including the professional human rights community) should aim to give voice and agency to activists and human rights defenders in all their diversity.

Rights-holders themselves, especially those from marginalised or otherwise vulnerable communities, also need to be able to speak for themselves on matters of human rights. In keeping with the focus on future generations, the diverse voices of young people particularly need to be heard and included in decision-making.

But the web of actors and disciplines involved in human rights protection is broader still. Litigation has shown itself to be particularly promising especially where progressive legislation is in place. Journalism, the arts, religion, education, sports and the field of economics are all among the diverse places where human rights work needs to be done.

A grounded hope

Despite the magnitude of the issues under discussion, the meeting ultimately gave rise to a qualified sense of hope. The emphasis on systems thinking seemed to militate against hope: the prospects for fundamental social, economic, and political changes appear remote, particularly within the short time horizon for preventing the worst effects of the climate crisis. Yet, there emerged a strong sense that leadership on human rights involves a responsibility to cultivate hope, as fragile as the grounds may be.

Cultivating hope involves both optimism and pragmatism, breaking down the seemingly impossible into achievable steps, and being propositional about the future. There is a risk of overcomplicating the task ahead of us. We already know many of the technical solutions, but the focus must be on building political will and public support, and on building partnerships and coalitions to enable this.

Even the darkest places offer hints of hope. Perhaps the generous embrace of many people displaced by the war in Ukraine could become a resource to tackle the political orthodoxy of 'Fortress Europe' Looking for sustainable solutions to the challenges which the war has brought might create conditions for a dialogue around universal protection, while the institutional responses create positive precedents. Perhaps the war will give fresh impetus to a pursuit of accountability which has become increasingly remote in recent years.

As the FRA Director expressed it in his closing remarks, hope is ultimately grounded in experience: in the ways that we have seen human rights work changing lives; and in a belief in the fundamental decency of the people with whom we live.

It is, in the end, about solidarity: about seeing ourselves in the vulnerability of others, seeking out a story to link us, and acting upon it.