

Human rights and the local level



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FRA Mandate

- to provide **assistance and expertise on fundamental rights issues** to the European Union institutions and the Member States, when implementing European Union law
- to collect, record, analyse and disseminate relevant, **objective, reliable and comparable information and data** on fundamental rights issues in the EU
- to promote **dialogue with civil society**, in order to **raise public awareness** of fundamental rights and actively **disseminate information about its work**

Multi-annual Framework (2013-17; 2018-22) sets out areas of activities and thematic focus

- Access to justice
- Victims of crime
- Information society & data protection
- Roma integration
- Judicial cooperation
- Rights of the child
- Discrimination
- Asylum, migration and integration of migrants
- Racism and related intolerances

Fundamental rights at risk

- Fundamental rights are not a given, continually at risk
- Human rights frameworks for protection and promotion of rights
 - UN Conventions (e.g. CRPD, CRC)
 - European Convention on Human Rights
 - Charter of Fundamental Rights
 - European Social Charter
- European values – respect for human dignity, equality, respect for human rights
 - TEU – articles 2, 3

Role of the local level

- Charter application to regional and local bodies, and public organisations
- Standards, procedures and institutions that ensure human rights in the EU cover national and international organisations, as well as the local level
- Rights are lived out and realised at the local level
- Local authorities as State emanation – legal entity of public law – with obligations to comply with legal order

Local authorities as duty bearers

- Local authorities are just as much duty bearers as States
- LAs exercise State competencies at local level
 - Provide public services affecting all aspects of citizens' lives
 - Defined in Constitutions of most States
 - Responsible for fulfilment of international commitments at local level
 - Responsible for EU commitments (e.g. Charter)
- Municipalities as duty bearers when administering funding
 - Legal entity administering funding or executing projects
 - Obligation to ensure use of funds and activities financed through funds do not violate human rights
 - Art.7 of the Regulation (EU) No 1303/2013 setting the common ESIF principles – (equality between men and women, non-discrimination)
 - Art. 4(2) of the Regulation – (horizontal principles: respect, promotion of HR)

- Violations of fundamental rights at local level → established through due process of law
 - Complaint filed with relevant authorities
 - Complaint investigated by administrative authorities or courts
- Many potential risks of violations of fundamental rights can already be considered
- Illustrative example: area of disability and rights set out in the UNCRPD

FRA work at local level

- Highlights importance of and role of local level in many aspects of rights (protection, respect, promotion)
- Cities at forefront of fundamental rights emergencies
- Integration of migrants and their descendants
- Roma inclusion
- Asylum and migration situation

Link to Urban Agenda

- Urban Agenda offers a unique opportunity to show real European solidarity
- Look at UA Action Plans and see how these can be implemented at the local level
- Potential of cities
 - Cities, in particular LAs, can ensure that fundamental rights are linked to and underpin the objectives of the UA
 - bringing FR perspective into practical implementation of various local strategies and policies
 - finding solutions to complex problems in a participatory way



Thank you for your
attention!

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