



## **The European Union and Human Rights – Essentials, Insights and Outlooks**

**9 – 12 May 2022**

**Four Seasons Hotel – Mesaimmer Hall**

### **Bibliography and Objectives**

This four-day seminar will discuss the EU's role in the context of human rights. It will look in detail at the main European inter-governmental organisations regarding human rights: The Council of Europe (CoE) and the European Union (EU). The focus will be both on the internal European human rights systems, but also their cooperation and external EU policies. The workshop invites the participants to learn about the European institutions and the tools developed to promote democracy and protect human rights. Drawing on these essentials the participants will also be challenged to assess the EU's position critically and gain practical insights through case studies. Groupwork and the interactive approach of the seminar will enable diverse discussions and learning from each other's experiences and different point of views. The main objective is to gain a better understanding of the European human rights system and to discuss current and future human rights challenges in this regard.

### **Learning objectives**

- Get a detailed overview of the EU values and EU institutions
- Understand the European human rights system and its implications
- Comprehend the difference between the EU and the Council of Europe
- Get a better picture of human rights in the EU and their legislation through case studies and group work
- Understand the decision making process and law-making in the EU
- Be able to analyse and look at the EU's external relations from different angles
- Get to know current and future human rights challenges and their context
- Learn through discussing and debating with each other

## Bibliography

### European Institutions

- Lowenthal P.-J., Article 13 TEU. In: Kellerbauer M. et al. (eds.), The EU Treaties and the Charter of Fundamental Rights - A Commentary (Oxford: Oxford University Press, 2019) 126-133: [\(Online\)](#)
- Lock T., Article 6 TEU. In: Kellerbauer M. et al. (eds.), The EU Treaties and the Charter of Fundamental Rights - A Commentary (Oxford: Oxford University Press, 2019) 80-87: [\(Online\)](#)

### European Union

- The Charter of Fundamental Rights of the European Union [\(Online\)](#)
- Hancoz E., (2020) The Relationship Between the Charter and General Principles: Looking Back and Looking Forward, [\(Online\)](#)
- European Commission (2020), 2019 Strategy to strengthen the application of the Charter in the EU [\(Online\)](#)
- European Commission (2019), 2018 Report on the Application of the EU Charter of Fundamental Rights. [\(Online\)](#)
- European Commission, Reasoned Proposal In Accordance with Article 7(1) of the Treaty on European Union regarding the rule of Law in Poland, 30/12/ 2017, COM 2017 835 final Text of the European Convention on Human Rights [\(Online\)](#)

### Council of Europe

- Practical impact of the Council of Europe monitoring mechanisms in improving respect for human rights and the rule of law in Member States, Strasbourg: Council of Europe, 2014, p. 7-15. [\(Online\)](#)
- Jacobs, White and Ovey, The European Convention on Human Rights, 7th ed., (Oxford: Oxford University Press, 2014), Chapter 1, pp. 3-47 (on Canvas)
- Report 2020 of the Secretary General of the Council of Europe “Multilateralism”: [\(Online\)](#)

### Europe as a Global Actor

- De Búrca G., (2014), The Road Not Taken: The EU as a Global Human Rights Actor: [\(Online\)](#)
- EEAS Fact Sheet: EU as a Global Actor: [\(Online\)](#)
- European Civil Protection and Humanitarian Aid Operations: [Website](#)
- European Parliament, Human rights in EU trade agreements: [\(Online\)](#)

### EU “Values”

- Kube.V, The European Union’s External Human Rights Commitment: What is the Legal Value of [Article 21 TEU?](#)

- Bartels L., [Article 6 and 3 TEU](#), The EU's Human Rights Obligations in Relation to Policies with Extraterritorial Effects

## **Poland and Human Rights**

The subject of EU law: Poland & RoL. A de facto withdrawal from the Union? - 26 October 2021

- [Text](#) of the decision of the Polish Constitutional Court (7 October 2021).
- [Declaration](#) of the President of the European Commission (8 October 2021).

Debate on the rule of law, European Parliament plenary (19 October 2021):

- [Speech](#) of the President of the European Commission;
- [Debate](#).

### **Doctrine:**

- EU Law Live Symposium on the EU law implications of the Polish Constitutional Court Decision in case K 3/21, [\(Online\)](#)

### **What is the rule of law?**

The rule of law is enshrined in Article 2 of the Treaty on European Union as one of the founding values of the Union. Under the rule of law, all public powers always act within the constraints set out by law, in accordance with the values of democracy and fundamental rights, and under the control of independent and impartial courts. The rule of law includes, among others, principles such as legality, implying a transparent, accountable, democratic and pluralistic process for enacting laws; legal certainty; prohibiting the arbitrary exercise of executive power; effective judicial protection by independent and impartial courts, effective judicial review including respect for fundamental rights; separation of powers; and equality before the law. These principles have been recognised by the European Court of Justice and the European Court of Human Rights.

Source: European Commission, Communication "Further strengthening the Rule of Law within the Union", doc. COM(2019) 163 final: [\(Online\)](#)

### ***Additional readings for those interested in UNHCR:***

- International Convention Relating to the Status of Refugees, 28 July 1951, 189 U.N.T.S. 150: [\(Online\)](#)
- Protocol Relating to the Status of Refugees, 4 October 1967, 606 U.N.T.S. 267: [\(Online\)](#)
- Statute of the Office of the United Nations High Commissioner for Refugees, UNGA, A/RES/428, 14 Dec. 1950, available at: [\(Online\)](#)
- UNHCR, Note on the Mandate of the High Commissioner for Refugees and His Office, 2013: [\(Online\)](#)

- UNHCR, ‘Statement by Ms Gillian Triggs, Assistant High Commissioner for Protection, at the Seventy-second Session of the Executive Committee of the High Commissioner’s Programme’, 06 October 2021: [\(Online\)](#)
- UNHCR, Note on International Protection, Executive Committee of the High Commissioner’s Programme, Seventy-second session, Geneva, 4-8 October 2021: [\(Online\)](#)
- European Council on Refugees and Exiles, ‘EU External Cooperation and Global Responsibility Sharing: Towards and EU Agenda for Refugee Protection: ECRE’s Vision of Europe’s Role in the Global Refugee Protection Regime’ February 2017: [\(Online\)](#)

## **UNICEF VIDEO MATERIALS**

A few illustrative short videos about some of the work of UNICEF around the world

[UNICEF | for every child - Bing video](#)

(general video about UNICEF—for every child with Liam Niessen)

[Toxic air for children? Take a deep breath | UNICEF - Bing video](#)

(on toxic air and climate change in general)

[Josaphat’s mission: clean water for every child in South Sudan | UNICEF - Bing video](#)

(what UNICEF does to provide water and sanitation around the world—example of Sudan)

[No child should go to bed hungry | UNICEF - Bing video](#)

(Some of UNICEF’S work on nutrition)

(video on reimagining education)

[Child marriage | UNICEF - Bing video](#)

(on Child marriage and the importance of working with girls and communities to prevent child marriage)