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Fundamental rights, the rule of law and the post-COVID-19 recovery

09.03.2021 | 10:00 – 12:00 | VIRTUAL PUBLIC HEARING

Programme

The hearing will build on the reflection launched by the EESC Fundamental Rights and Rule of Law (FRRL) Group at its first hearing on COVID-19 in December 2020. That first hearing was entitled "[COVID-19: Mitigating Impact and Overcoming the Crisis](#)". It focused on COVID-19's impact on employers, workers and CSOs and the EU response in terms of rule of law and fundamental rights.

While it is too early to assert that the COVID-19 crisis is being overcome, it is important to already think about the world after. The impact of the crisis on European socio-economic models has reached a critical point. It now appears more and more obvious that the world of tomorrow will not look like the one of yesterday.

The hearing will propose a discussion with the European Commission on how to integrate the lessons learned from the crisis in terms of fundamental rights and the rule of law within the recovery plans.

After a presentation of the Recovery and Resilience Facility (RRF) by the European Commission, social partners will share their views on the way to ensure that freedom to conduct a business and workers' rights are properly considered within the National Recovery and Resilience Plans (NRRPs).

The question of the appropriate management of the plans in terms of inclusion and oversight will then be discussed by civil society and academic representatives. The European Commission will have the opportunity to respond to points made during these presentations, before a more general discussion is open.

Opening

Mr Cristian Pîrvulescu, President of the EESC FRRL Group (Group III, Romania)

Introductory panel

Moderated by Mr Cristian Pîrvulescu, President of the EESC FRRL Group (Group III, Romania)

- **Presentation of the Council conclusions on human rights-based recovery**

Ms Margarida Teixeira Araújo, Deputy Nikolaidis, Permanent Representation of Portugal to the European Union

In February 2021, the Council approved conclusions reaffirming the EU's commitment to human rights in the context of the recovery from the COVID-19 pandemic. They recognised that the ongoing COVID-19 pandemic and its socio-economic consequences are increasingly having a negative impact on human rights, democracy and the rule of law, including civic space. They reaffirmed that a socio-economic response with human rights at its core will allow for a better and more sustainable recovery.

- **Presentation of the Recovery and Resilience Plans**

Ms Éva Török, Policy Officer, Recovery and Resilience Task Force, SG.RECOVER.B.3, European Commission

Member States have until the end of April 2021 to submit National Recovery and Resilience Plans (NRRPs) in order to receive support from the Recovery and Resilience Facility (RRF). European social partners and civil society have demanded to be appropriately involved by governments in the preparation and implementation of these plans. What is foreseen in that regard?

- **Presentation of the EESC Resolution on civil society involvement in the Recovery and Resilience Plans**

Mr Javier Doz Orrit, President of the EESC Ad hoc group on the European Semester (Group II, ES)

In February 2021, the EESC adopted a Resolution on civil society involvement in the Recovery and Resilience Plans. In this Resolution, the EESC considers that all reforms in the restructuring process must be based on the principles underpinning the EU: the protection of human and social rights, democratic values and the rule of law. The Committee also considers it essential to ensure good governance, vigilance against corruption in the management of funds and democratic accountability. What are the Resolution's main findings and recommendations?

Q&A

Moderated by Ms Ozlem Yildirim, Vice-President of the EESC FRRL Group (Group II, France)

1. Social dialogue: how can social partners defend their rights in the recovery plans?

Chaired by Ms Ozlem Yildirim, Vice-President of the EESC FRRL Group (Group II, France)

- **Defending freedom to conduct a business in the recovery phase**

Mr Gerhard Huemer, Director for Economic and Fiscal Policy, SMEUnited

What are the lessons learned from the crisis, in particular concerning the way in which businesses were informed and involved in key decisions that have affected their activities, like lockdown and end-of-lockdown? How to ensure the adequate inclusion of employers in the recovery phase so that they can appropriately defend their freedom to conduct a business?

- **Defending fundamental rights of workers in the recovery phase**

Ms Isabelle Schömann, Confederal Secretary, European Trade Union Confederation (ETUC)

What are the lessons learned from the crisis, with regard to democracy at work, collective bargaining and information, consultation and participation rights of workers? How to ensure adequate inclusion of workers in the recovery phase so that they can appropriately defend their rights?

2. Rule of law and the recovery funds: how to ensure good management, inclusivity and oversight?

Chaired by Ms María Helena de Felipe Lehtonen, Vice-President of the EESC FRRL Group (Group I, Spain)

- **Ensuring the appropriate management of recovery funds**

Prof. Päivi Leino-Sandberg, Professor of Transnational European Law, University of Helsinki

Since January 2021, the Regulation on a general regime of conditionality for the protection of the Union budget is in force. It introduces a mechanism aimed at protecting the EU budget and the COVID-19 recovery funds in situations where breaches of the rule of law in the Member States would affect their sound management. How to ensure that such a conditionality is effective down the line, that is to say that the EU budget is protected against mismanagement resulting from poor rule of law during the implementation phase?

- **Ensuring civil society inclusion and oversight**

Ms Karina Carvalho, Executive Director of Transparency International's national chapter in Portugal

The already mentioned mechanism for the protection of the Union budget foresees that the interests of final recipients and beneficiaries – like CSOs or students – should be properly safeguarded if measures such as the suspension of payments are adopted. How to ensure that the recovery funds will be properly managed in a transparent way and that civil society's oversight and interest will be ensured?

Discussion

Moderated by Ms María Helena de Felipe Lehtonen, Vice-President of the EESC FRRL Group (Group I, Spain)

Conclusion

Ms María Helena de Felipe Lehtonen, Vice-President of the EESC FRRL Group (Group I, Spain)
