



Accession of The European Union to the United Nations Human Rights Treaties – Explaining Reasons for Inaction

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Abstract

This thesis is concerned with the reasons for the European Union's (EU) inactivity when it comes to ratification of most of the United Nations (UN) human rights treaties. Given the growing competences and presence of the EU in both internal and external policies, as well as Union's image as a human rights supporter and promoter, it is striking that there is almost no external human rights scrutiny of the EU's actions. At the time of writing, the EU is a party to one human rights convention, the United Nations Convention on Rights of Persons with Disabilities (CRPD), and was in the process of becoming a party to the European Convention on Human Rights as well as the Istanbul Convention on Preventing and Combating Violence Against Women. All the other human rights instruments, most notably eight remaining UN human rights treaties, forming together the UN human rights legal framework, are not on the EU's ratification agenda and were so far not given a lot of consideration in this regard.

Through my research, I aim to explain why the European Union does not seek accession to the UN human rights treaties (with the exception of the CRPD). Several possible variables are tested in order to cover all main reasons, as discovered by the scholarship, for international actors to ratify human rights treaties. The variables are: the context (internal and external to the EU and of legal and political character), the added value (for the EU's internal and external policies) and the internalization of the UN human rights system. In order to provide a reference point, I compare the costs, benefits and relationship of the EU with the UN treaties with the case study of the European Convention on Human Rights (ECHR), an external human rights framework to which the EU actively seeks to accede.

I find, through the analysis of available documents and personally conducted interviews, that the main factor accounting for the lack of the EU's interest in ratification of the UN human rights treaties is the low level of internalization of this framework by the EU. Other variables, such as internal and external political context, also explain for EU's inactivity vis-à-vis the UN treaties as compared to the ECHR. Legal obstacles, resulting both from EU and international law, as well as the value added to EU's internal and external policies thanks to the ratification of the UN treaties, do not negatively deviate from the example of the ECHR, making the accession to the UN framework, in some aspects, even comparatively more attractive for the EU. The findings lead to the formulation of policy recommendations and the future research agenda on the EU and UN human rights law framework.