M·H·E
Mental Health Europe

KEEP IN MIND

SECOND EDITION

A quick guide to European Institutions and EU policy-making relevant to mental health and people with mental health problems

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INTRODUCTION

Keep in Mind II is the second edition of the Mental Health Europe (MHE) guide to the Institutions of the European Union (EU). It gives a comprehensive overview of European Institutions and EU policy-making relevant to mental health and for people living with mental ill health. It also provides concrete guidance on how to interact with EU institutions and agencies which will hopefully encourage our members and other stakeholders to increase their participation in EU policy discussions. Ensuring a dialogue between people, national organisations and the European institutions is essential to guarantee that policies reflect the reality for people living in the EU and have a positive impact on their lives.

GET INVOLVED

IN BRIEF

1. THE EUROPEAN INSTITUTIONS AND AGENCIES

Who are they and what do they do?

In this chapter, you will find a brief description of the main EU institutions including their composition and main functions. The EU is made up of a number of institutions and agencies and MHE has selected the most relevant for its work in this guide. You will find a list of all EU bodies at the end of this chapter. This chapter also presents concrete recommendations on how you can get involved with the work of each of the EU institutions. To keep up with their activities, you can register for each EU institution's newsletter which provides most of the information you need to know about. At MHE, we also summarise the most important developments and post them in our monthly newsletter to keep you up to date with what is going on in the EU, so read it carefully!

EUROPEAN COUNCIL

CONSILIUM

Who: Heads of state or government of EU countries, European Commission President, High Representative for Foreign Affairs & Security Policy
Location: Brussels (Belgium)
Current president: Donald Tusk (December 2014-2017)
ℹ In brief: Defines the general political direction and priorities of the EU

The main purpose of the European Council is to set the political direction and priorities of the EU, traditionally by adopting 'conclusions' which reflect the main messages from their discussions. It represents the highest level of political cooperation between EU countries. As such, it can vote on changing EU Treaties, or accepting new countries as members. Although it does not have power to pass laws, the European Council influences the setting of the EU agenda and it is sometimes worth lobbying at the national level to ensure relevant issues appear or remain in the focus of the EU.

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> You can follow the European Counci via 🐦 @EUCouncil & @EUCouncilPress (same accounts as the European Council)

COUNCIL OF THE EUROPEAN UNION

Council of the European Union

Who: Governments representatives. There are 10 Council configurations, each working on a specific policy field. It was formerly known as the Council of Ministers. Location: Brussels (Belgium)
🛈 *In brief: Legislative arm of the EU and voice of EU member governments*

UPCOMING PRESIDENCIES

July – December 2017	Estonia
January – June 2018	Bulgaria
July – December 2018	Austria
January – June 2019	Romania
July – December 2019	Finland
January – June 2020	Croatia
July – December 2020	Germany

In the Council, government ministers from each EU country meet to discuss, amend and adopt laws, and coordinate policies. Together with the European Parliament, the Council negotiates and adopts EU law and the EU budget, while also developing the EU's common foreign and security policy, concluding international agreements and coordinating Member States' policies.

Each Member State, according to a predefined rotation, chairs the Council for six months. Along with the President of the Council, the country holding the Presidency organises and chairs meetings and draws up agreements. Three Presidencies together form a "Trio Presidency" which means that they cooperate with each other in drafting an overall program for an 18-month period.

GET INVOLVED!

> You can follow the Council of the EU via 🐦 @EUCouncil & @EUCouncilPress (same accounts as the European Council)
> Each Presidency also has its own website.
> If your country will be holding the EU Presidency in the near future, please contact your ministries to put mental health on the agenda including by co-organising a conference/seminar. MHE will be happy to support and advice you during this process. MHE usually meets with EU Presidency's Permanent Representation offices in Brussels prior to the beginning of their mandate, and/or during it, to discuss mental health, EU policies and relevant activities.
> Even if your country is not holding the Presidency, if a topic relevant to mental health is being discussed within the Council, please contact your ministries to ensure that the right approach is taken i.e. one that is sensitive to the impact on mental health and is in line with human rights standards.

Council of the European Union, which is a structure of the European Union, should not be confused with **The Council of Europe**, which is an intergovernmental institution that aims at protecting human rights in the EU. The Council of Europe is presented in Chapter 4: International bodies and policy frameworks of relevance to mental health, of the present document.

EPSCO COUNCIL (The Employment, Social Policy, Health and Consumer Affairs Council Configuration)

The most important Council configuration for MHE is the EPSCO Council which usually convenes the National ministers responsible for health, employment, social protection, consumer protection and equal opportunities. It adopts European rules that harmonise national laws on topics such as employment, social, health and consumer affairs policy. However, as employment and social protection policies are primarily the responsibility of the Member States themselves, the EU can mainly adopt non-binding recommendations, or set common objectives for Member States.

EUROPEAN COMMISSION

Who: The leadership of the European Commission is directed by a College of Commissioners, one from each of EU Member States including seven Vice-Presidents, and the High-Representative of the Union for Foreign Policy and Security Policy. The Commission is led by the Commission's President who nominates a responsible Commissioner from each Member State to deal with policy areas. Commissioners must act independently, representing the European Union's general interests and not the specific interests of their Member State.
Location: Brussels (Belgium)
Current president: Jean-Claude Juncker
🛈 In brief: Executive of the EU– promotes the general interests of the EU by proposing and enforcing legislation as well as by implementing policies and the EU budget.

The European Commission is the EU's politically independent executive body. It is responsible for drawing up proposals for new European legislation, and it implements the decisions of the European Parliament and the Council of the EU. It manages EU policies and allocates EU funding. The work of the Commission relies on administrative departments called DGs (Directorate Generals) which are responsible for specific policy areas. They draft laws which become official after the College of Commissioners adopts them during its weekly meeting. MHE works most often with DG Employment, Social Affairs and Inclusion (DG EMPL), DG Health and Food Safety (DG SANTE), DG Justice and Consumers (DG JUST).

> You can follow the European Commission on 🐦 @EU_Commission
> You can follow the relevant DGs on: DG EMPL: 🐦@EU_Social, DG SANTE: 🐦@EU_Health, DG JUST: 🐦@EU_Justice
> You can write position papers/press releases and send it to the competent Commissioner, along with the relevant units dealing with the given topic in a specific DG. The Commission also regularly posts open consultations about legislative proposals and other policies to which you can contribute. Keep an eye on the web page to participate.
> You can follow the Commissioners that work on policies relevant to mental health on 🐦 to be updated:
>   • Marianne Thyssen – Commissioner for Employment, Social affairs and Inclusion (@mariannethyssen)
>   • Vytenis Andriukaitis – Commissioner for Health (@V_Andriukaitis)
>   • Věra Jourová – Commissioner for Justice, Consumers, Gender Equality (@VeraJourova).
>   • Frans Timmermans – First Vice President for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights (@TimmermansEU)
> You can also see who works where and see the different departments within a DG by checking the organigrammes (DG EMPL, DG JUST, DG SANTE) and the EU's who is who website.

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EUROPEAN PARLIAMENT

European Parliament

Who: Directly elected Members of the European Parliament (MEPs) representing European citizens. There are 751 MEPs in 8 political groups. The seats in the European Parliament are allocated among the Member States based on their share of the EU population.
Location: Strasbourg (France), Brussels (Belgium) and Luxembourg
Current president: Antonio Tajani (February 2017 – 2019)
🛈 *In brief: Legislative branch of the EU, directly-elected EU body.*

The European Parliament is the EU's law-making body. It shares equal legislative and budgetary powers with the Council of the EU. The MEPs are directly elected by EU voters every 5 years. The next elections will be held in 2019. Some MEPs are known as non-attached Members, which means they do not belong to any political group, but most of MEPs are affiliated to one of the 8 political groups:

> Group of the European People's Party (Christian Democrats)
> Group of the Progressive Alliance of Socialists and Democrats in the European Parliament
> European Conservatives and Reformists Group
> Group of the Alliance of Liberals and Democrats for Europe
> Confederal Group of the European United Left - Nordic Green Left

> Group of the Greens/European Free Alliance
> Europe of Freedom and Direct Democracy Group
> Europe of Nations and Freedom

Thematic work is carried out through 20 committees and several intergroups. The most relevant committees for MHE are the Committee on Employment and Social Affairs (EMPL), the Committee on Environment, Public Health and Food Safety (ENVI), and the Committee on Civil Liberties, Justice and Home Affairs (LIBE).

GET INVOLVED!

> You can follow the European Parliament on 🐦 @Europarl_EN
> You can follow the relevant committees on Twitter:
   • EMPL committee: @EPSocialAffairs
   • ENVI committee: @EP_Environment
   • LIBE committee: @EP_Justice
> Check MHE's Coalition for Mental Health and Well-being which brings together MEPs with a particular interest for mental health.
> To identify MEPs who have an interest for mental health and MEPs from your country, see list of MEPs per country here. Keep regular contacts with them especially those involved in committees that have a link to mental health. You can also, for instance, organise meetings, propose amendments to draft proposals or raise a specific issue. You should also maintain regular contacts with your national MEPs as they may be consulted on certain legislative drafts.
> MHE also encourage its members to invite MEPs who might be interested to join the Coalition for Mental Health and Well-being. MHE has template letters for approaching them and can support as needed for getting in touch with the MEPs. Contact MHE's Communications Officer for more details.
> Other ways of getting in touch with Parliament include contacting your local MEP or the European Parliament Information Office in your country.
> You can also follow MEP members of MHE coalition for mental health and well-being 2014-2019 (@Miriamdalli, @DeirdreCluneMEP, @julie4nw, @MarianHarkin, @StevensHelga, @spietikainen, @CeciliaWikstrom, @adamkosamep, @MaireadMcGMEP and @elukacijewska)
> If you want to monitor the legislative work of the European Parliament, you can also have a look at On Our Watch's website, which provides a list of tools to monitor its political decisions and activities.
> You can also see who works where and see the different departments within a DG by checking the organigrammes (DG EMPL, DG JUST, DG SANTE) and the EU's who is who website.

COURT OF JUSTICE OF THE EUROPEAN UNION (CJEU)

Who: The CJEU is composed of 2 courts. The first one is the Court of Justice composed of 1 judge from each EU country, plus a defined number of Advocates General. The second one is the General Court composed of at least one judge from each Member State. In 2019, it will be increased to 2 judges from each EU country.
Location: Luxembourg
In brief: Ensures respect for EU law and correct application of the treaties.

The Court of Justice of the European Union (CJEU) interprets EU law to make sure it is applied in the same way in all EU countries, and settles legal disputes between national governments and EU institutions. It can also, in certain circumstances, be used by individuals, companies or organisations to take action against an institution of the European Union, if they feel it has somehow infringed their rights under EU law.

GET INVOLVED!

> You can follow the Court of Justice of the European Union on Twitter: @EUCourtPress
> If you feel that the authorities in any country have infringed EU law, you must follow the official complaints procedure.
> If you – as a private individual or as a company – have suffered damage as a result of action or inaction by an EU institution or its staff, you can take action against them in one of two ways. For more information, you can also visit the page Your EU Rights.

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE (EESC)

European Economic and Social Committee

Who: 350 members from all EU countries representing 3 groups: employers, workers and «various interests». This last group brings together a wide range of social, occupational,

The European Economic and Social Committee (EESC) is an EU advisory body. It issues opinions to the European Commission, the Council of the European Union and the European Parliament, thus acting as a bridge between the EU's decision-making institutions and EU citizens. Within the EU decision-making process, the EESC is

economic and cultural organisations that make up civil society in the Member States. They are nominated by national governments and appointed by the Council of the EU for renewable 5-year terms.
Location: Brussels (Belgium)
Current president: Georges Dassis
🛈 *In brief: Represents civil society, employers and employees*

consulted prior to any decision regarding social and economic policies. It can also issue opinions on its own initiative.

GET INVOLVED!

> You can follow the European Economic and Social Committee on Twitter: @EU_EESC
> The EESC also has a Permanent Study group on Disability rights and has set up a liaison group which gathers representatives of civil society and networks to enable dialogue around policies and important matters through which organisations can make their voice heard.
> Don't hesitate to inform the members of the EESC from your country about issues on the ground, which they can bring up in their work, hearings and reports.

COMMITTEE OF THE REGIONS (COR)

Who: 350 members representing local or regional authorities. Each country nominates members to represent regions who are appointed for a renewable five-year term by the Council of the EU.
Location: Brussels (Belgium)
Current president: Markku Markkula
🛈 *In brief: Represents regional and local authorities*

The Committee of the Regions (CoR) is an EU advisory body composed of locally and regionally elected representatives coming from all Member States. Through the CoR they can share their opinion on EU legislation that directly impact regions and cities.

GET INVOLVED!

> You can follow the Committee of the Regions on @EU_CoR
> You can take part into online surveys, consultations and events which the CoR post about on its website regularly. The CoR also invites citizens to organise a local and regional public event to talk about Europe, check here.
> You can also stay in touch with the representatives of your region to ensure they bring up issues of concern. You can find out who are your representatives with this tool.

EUROPEAN OMBUDSMAN

Who: The Ombudsman is elected by the European Parliament for a renewable 5-year term.
Location: Strasbourg (France)
Current Ombudsman: Emily O'Reilly
In brief: Investigates complaints against EU institutions, bodies, offices and agencies.

Citizens or residents of the EU as well as European associations or businesses may lodge complaints with the European Ombudsman about poor administration by EU institutions or other EU bodies. The European Ombudsman's role is to launch investigations either in response to complaints or on his/her own initiative. Examples of poor administration are: unfair conduct, discrimination, abuse of power, lack of information or refusal to provide it, unnecessary delays and incorrect procedures.

GET INVOLVED!

> If you want to learn more about how the Ombudsman and the complaints process work, see here.

EU AGENCIES

EU agencies are distinct from the EU institutions. They are separate legal entities whose main mission is to support the work of the EU institutions. There are more than 40 EU agencies.

EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS (FRA)

Director: Michael O'Flaherty
Location: Vienna (Austria)
In brief: EU centre for fundamental rights which helps to ensure that the rights of people living in the EU are protected.

FRA was established in 2007 as an EU Agency with the specific task of providing independent, evidence-based advice on fundamental rights. It collects and analyses information and data; provides assistance and expertise; communicates and raises awareness on human rights.

THE EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK (EU OSHA)

Director: Dr. Christa Sedlatschek
Location: Bilbao (Spain)
🛈 *In brief: European Union information agency for occupational safety and health.*

They develop, gather and provide reliable and relevant information, analysis and tools to advance knowledge, raise awareness and exchange on occupational safety and health (OSH).

EUROFOUND (European Foundation for the Improvement of Living and Working Conditions)

Director: Juan Menéndez-Valdés
Location: Dublin (Ireland)
🛈 *In brief: Provides information, advice and expertise on living and working conditions, industrial relations and managing change in Europe*

Eurofound is a tripartite Agency, whose role is to provide knowledge to assist in the development of better social, employment and work-related policies. Eurofound was established in 1975 to contribute to the planning and design of better living and working conditions in Europe.

CHAFEA (Consumers, Health, Agriculture and Food Executive Agency)

Director: *Véronique Wasbauer*
Location: *Luxembourg*

The CHAFEA was created in 2005. In 2013, the Agency's mandate was prolonged until 2024 and expanded to include actions in the field of health, consumer protection and food safety. The CHAFEA implements, among others, the EU Health Programme. The Agency provides a professional service in performing the tasks and activities entrusted to it by the European Commission and works closely with the DG Health and Food Safety, DG Justice and Consumers and DG Agriculture and Rural Development. Unlike the three above-mentioned agencies, it is an executive agency, which means that it is set up for a limited period of time by the European Commission to manage specific tasks related to EU programmes. This agency is responsible for the implementation of the EU Compass for Action on Mental Health and Well-being, which is explained in Chapter 3.

Influence EU policies through MHE

At MHE, we keep track of all the EU policy developments which are relevant for mental health and we make it our mission to influence the EU institutions; raise awareness and make sure mental health is part of all discussions -all in consultation with our members! Our members are our strength and together we influence policies as a strong collective voice.

If you have a question or would like to get more involved, feel free to contact us.

2. THE EU DECISION-MAKING PROCESSES

HOW DECISIONS ARE MADE?

Three EU institutions are involved in the EU legislative process to produce the policies and laws that apply throughout the EU:

> **The European Commission**, representing the interests of the Union, which usually proposes new laws;

> **The European Parliament**, representing the EU's citizens, which adopts the laws proposed by the Commission jointly with the Council of the EU;

> **The Council of the European Union**, representing the governments of the individual Member States, which adopts the laws proposed by the Commission jointly with the European Parliament.

This whole process is what called the **'Ordinary Legislative Procedure'** (formerly known as 'co-decision'), which gives the same weight to the Parliament and the Council. It is the main legislative procedure of the EU´s decision-making system. Another legislative process, the 'Special Legislative Procedures' only applies in certain scenarios (e.g. taxation) where the European Parliament has only a consultative role while the Council is the main legislator. Once a law is adopted by the European Parliament and the Council of the European Union, the Commission's role is to ensure that it is properly applied and implemented by Member States.

GET INVOLVED!

> **To follow legislative proposals currently discussed within the institutions, check out the tool developed by the Commission "the legislative train schedule" which presents an overview of all proposals and their state of play.**

> **You can also use the Legislative Observatory to follow EU's decision-making process through the European Parliament. There is a useful personalised area on the website called My Observatory which allows you to save your searches and request notifications when changes occur in files that you are interested in.**

> **As mentioned in Chapter 1, when starting to work on a new policy initiative or revise existing legislation, the Commission usually opens a public consultation. It enables different stakeholders to help to shape the Commission's draft proposal before it is discussed and adopted by the Council of the European Union and the European Parlia-**

ment. Check here to see all the past and ongoing public consultations.
> **If you are interested in the EU decision-making process, you can learn more about how EU decisions are made and the Ordinary Legislative Procedure.**

EU LAW

EU law is divided into 'primary' and 'secondary' legislation. The primary legislation consists of **EU Treaties** that have been democratically approved by all EU Member States and on which every action taken by the European Union is based. Treaties set out EU objectives, rules for EU institutions, how decisions are made and the relationship between the EU and its member countries. If a policy area is not cited in a treaty, the Commission cannot propose a law in that area. The aims set out in the EU treaties are achieved by several types of legal acts, which consist of secondary legislation.

What are the different types of EU legal acts (secondary legislation)?

> A **regulation** is a legislation that is directly applicable and binding in all Member States. It does not need to be passed into national law by the Member States although national laws may need to be changed to avoid conflicting with the regulation.

> A **directive** is a legislation that is binding on Member States. However, it usually specifies the result to be achieved but the Member States still have the power to decide how this is done. Usually, directives must be transposed into national law to become effective.

> A **decision** is a legislation that can be addressed to Member States, groups of people, or even individuals. It is binding in its entirety. Decisions are used, for example, to rule on proposed mergers between companies.

> A **recommendation** is not binding. It allows the institutions to make their views known and to suggest a line of action without imposing any legal obligation on those to whom it is addressed.

> An **opinion** is not binding. It is an instrument that allows the institutions to make a statement without imposing any legal obligation on those to whom it is addressed. It can be issued by the main EU institutions (Commission, Council, Parliament), the Committee of the Regions and the European Economic and Social Committee. While laws are being made, the committees give opinions from their specific regional or economic and social viewpoint.

All these types of legal acts are officially adopted when the Council of the European Union and the Parliament have jointly agreed to the provisions. It enters into force upon its publication in the Official Journal of the European Union.

3. THE EU POLICY-MAKING PROCESSES

The third chapter lists and describes EU policy tools which are relevant to mental health. There have been multiple new policies developed over the years. Given MHE's approach of mainstreaming mental health in all policies, we are at the forefront of monitoring all fields to ensure that mental health is reflected. In this chapter, you will find tips on how to use the specific policy/tool and how to contribute to policy-making processes.

HEALTH POLICY

THE EUROPEAN FRAMEWORK FOR ACTION AND THE EU COMPASS ON MENTAL HEALTH AND WELL-BEING

The Joint Action on Mental Health and Well-being

The Joint Action on Mental Health and Well-being (2013-2016) was a three-year project which brought together Member States, the Commission and stakeholders active in the field of mental health from across Europe such as MHE. It was the first real forum for the exchange of best practices on mental health at European level. It addressed issues related to five areas:

› **Mental health at work**
› **Mental health in schools**
› **Depression and suicide and implementation of e-health approaches**
› **Developing community-based and socially inclusive mental health care**
› **Mental health in all policies**

The close of the Joint Action on Mental Health and Well-being has left us with two important gifts: The European Framework for Action on Mental Health and Well-being and the re-launched of the EU Compass for Action on Mental Health and Well-being.

GET INVOLVED!

If you want to learn more about the Joint Action on Mental Health and Well-being, you can find all its reports here.

The EU Framework for Action on Mental Health and Well-being

The Framework addresses the five themes previously listed that the Joint Action on Mental Health and Well-being had worked on. It is a non-binding call to action which supports national governments to review their policies in the field of mental health and also provide guidance for the review and development of EU's own policies. It also lists good practices in mental health promotion and prevention.

GET INVOLVED!

If you want to learn more about the Framework and how you can use it within your organisation, MHE has developed a Guidance note on how to use the European Framework for Action on Mental Health and Well-being.

The EU Compass for Action on Mental Health and Well-being

The EU Compass provides Member States and stakeholders with an opportunity to share annual activity reports about their activities on mental health, the reasons behind them, the progress made in their implementation and the achievements made through them. The EU Compass focuses on 7 priority areas through the years. The priorities for 2016 were prevention of depression & promotion of resilience and improving accessibility to mental health services. The priorities for 2017 are mental health at work, mental health in school and preventing suicide. The upcoming priorities for 2018 are providing community-based mental health services and developing integrated governance approaches. You can follow-up these priorities each year in the EU Compass for Action in Mental Health and Well-being annual report which is the result of the annual survey regarding the activities of Member States and stakeholders in mental health. Each year between 2016 and 2018, a forum will also be held to discuss the annual themes. The EU Compass also collects examples of good practices from EU countries and stakeholders on an ongoing basis and you are strongly encouraged to contribute to this!

GET INVOLVED!

Read the 2016 EU Compass for Action on Mental Health and Well-being report here.

EU HEALTH POLICY PLATFORM

In 2016, the European Commission launched the EU Health Policy Platform. It is an online forum which facilitates and encourages discussion and exchange of best practices in specific thematic networks between the European Commission and civil society. The EU Health Policy Platform also holds face-to-face meetings such as the Biannual EU Health Policy Platform meetings, which brings together pan-European, national and local health stakeholders to enhance their communication with the Commission's services and amongst themselves twice a year. There are also the Biennial EU Health Policy Platform Conferences which bring together a broader set of stakeholders to discuss future pressing issues in the field of health every two years.

In partnership with the European Federation of Associations of Families of People with Mental Illness (EUFAMI), MHE lead the Mental Health Thematic Network of the EU Health Policy Platform. Following extensive consultation on the HPP, the Joint Statement on Mental Health was adopted with 21 signatories to date and calls for action on mental health and focuses on the follow up to the Joint Action on Mental Health and Well-being and the resulting Framework for Action.

GET INVOLVED!

If you want to participate to the Health Policy Platform, you will need to sign up to the Platform and to request access to at least one network.

THE EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK (EU OSHA)

EU-OSHA is the EU information agency for occupational safety and health. Their work contributes to the European Commission's EU Occupational Safety and Health (OSH) Strategic Framework 2014-2020 and other relevant EU strategies and programmes, such as the Europe 2020 Strategy. EU-OSHA works to improve working conditions in Europe by making European workplaces safer, healthier and more productive and by promoting a culture of risk prevention. MHE joined their 2016-2017 campaign «Healthy Workplaces for All Ages» which ensures that safe and healthy working conditions throughout the whole working life are good for workers, business and society as a whole by including special attention to mental health.

GET INVOLVED!

Read about EU-OSHA campaigns and what you can do.
› You can also have a look at the «Psychosocial risks and stress at work» section of EU-

THIRD EU HEALTH PROGRAMME (2014-2020)

Even though EU competence to legislate in the area of health is limited, the EU is required by its founding treaty to ensure that health is protected within EU policies and to work with the EU countries to improve public health, prevent illness and eliminate risks to physical and mental health. The third EU Health Programme is the main instrument for implementing the EU health strategy, which consists of supporting the EU Member States' efforts to protect and improve the health of their citizens and to ensure the accessibility, effectiveness and resilience of their health systems.

The four objectives of the Third EU Health Programme are the following:

› **Promote health, prevent diseases and foster supportive environments for healthy lifestyles taking into account the 'health in all policies' principle;**
› **Protect Union citizens from serious cross-border health threats;**
› **Contribute to innovative, efficient and sustainable health systems;**
› **Facilitate access to better and safer healthcare for Union citizens.**

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HUMAN RIGHTS POLICY

THE UN CRPD (United Nations Convention on the Rights of Persons with Disabilities) AND THE EU

The UN CRPD is a ground-breaking international legally binding human rights treaty which protects the rights of persons with disabilities. People with long-term mental health problems who face barriers in society -persons with psychosocial disabilities- are included in the definition of a person with a disability. The Convention does not create new rights but re-iterates how the human rights of persons with disabilities can be fully protected, respected and fulfilled. It promotes, protects and ensures the full and equal treatment of all human rights and fundamental freedoms by all persons with disabilities.

In 2010, the EU became the first inter-governmental organisation to ratify a UN human rights treaty when it ratified the UN CRPD, making it part of EU law. It also

means that the EU must take part in the reporting system like all other parties to the Convention. The Committee on the Rights of Persons with Disabilities is the UN treaty body responsible for the Convention and for monitoring its implementation by States Parties through the review process. It also has the power to review individual complaints against States which have signed the Optional Protocol to the UN CRPD. The EU underwent its first review by the Committee in August 2015. Following this review, the Committee issued recommendations to the EU on how to implement the Convention. These recommendations now form a basis for the EU's work on the UN CRPD going forward. MHE has been following implementation of this review and will continue to do so until the next review cycle in 2021.

At the European level, the EU Framework for the UN CRPD promotes, protects and monitors the implementation of the Convention in matters of EU competence, as required by the UN CRPD. It complements national monitoring frameworks which are responsible for promoting, protecting and monitoring the UN CRPD in EU Member States.

Due to the EU's accession to the UN CRPD, it has become of central importance to the work of MHE. We can use the instrument as leverage to call for the implementation of the rights by the EU and all its Member States.

GET INVOLVED!

> **For more on the recommendations received by the EU from the CRPD, check here.**
> **Want to get involved in your national review process of the UN CRPD? Check out MHE's toolkit**
> **Want to see the case law of the Committee? Check here**
> **Want to learn more about EU CRPD Framework work programme 2017-2018? Check here**
> **You can also look at MHE's implementation report 2016 to see how the EU is doing on implementing the recommendations.**

THE EU DISABILITY STRATEGY 2010-2020

The EU Disability Strategy 2010-2020 aims at the full empowerment and participation of people with disabilities in society and is intended to build on the UN CRPD. The main focus of the Strategy is the elimination of barriers in the following areas: accessibility, participation, equality, employment, education & training, social protection, health and external action. While the Strategy is not exhaustive, there are several aspects of the Disability Strategy which are important for the work of MHE and for people with psychosocial disabilities including participation, equality, employment, social protection and health. The strategy outlines how, by taking specific actions, the EU and national

governments can fully implement the UN CRPD and empower people with disabilities. In 2016, the Commission published a progress report on the EU Disability Strategy which also noted progress on implementation of some of the recommendations received from the Committee on the Rights of Persons with Disabilities.

GET INVOLVED!
› Read MHE's contribution to the mid-term review of the Disability Strategy.
› See the Progress report on the Disability Strategy.

THE EQUAL TREATMENT DIRECTIVE

In 2000, the EU Directive on equal treatment in employment and occupation was adopted, protecting among others the rights of people with disabilities in the field of employment and training. The European Commission then proposed in 2008 a directive on non-discrimination outside employment including on access to social services - the horizontal Equal Treatment Directive. This proposed directive is still currently under discussion however progress is slow as some Member States continue to block the Directive in the Council.

GET INVOLVED!
MHE continues to push for the adoption of a horizontal Equal Treatment Directive including through our membership of a coalition of NGOs (Equality for All).

THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

The Charter of Fundamental Rights of the European Union (the Charter) provides a legal framework for ensuring a whole range of civil, political, economic and social rights of people living in the EU. The Charter contains rights and freedoms under six titles: dignity, freedoms, equality, solidarity, citizens' rights, and justice. The Court of Justice of the European Union is in charge of ensuring that the provisions of the Charter are respected. With the entry into force of the Treaty of Lisbon, the Charter became legally binding on the EU institutions and on national governments meaning that the EU institutions and Member States have to respect the rights in the Charter when applying EU law. The most relevant articles for MHE include Article 24 (right of the child), Article 25 (right of elderly), Article 26 (integration of persons with disabilities), Article 34 (healthy working conditions) and Article 35 (right to healthcare).

SOCIAL POLICY

THE EUROPEAN PILLAR OF SOCIAL RIGHTS

The European Pillar of Social Rights (the Social Pillar) is a framework of social rights and principles. This framework will be used to screen the employment and social performance of the euro area and participating Member States in order to drive reforms at national level. It will, if adopted and properly implemented, deliver new and more effective rights to EU citizens. The Social Pillar represents a new opportunity for the EU to rebalance its policies in favour of a more fair and social Europe. It is also an opportunity for MHE and its members to further advocate for better investment in mental health promotion and prevention as well as support services and healthcare as well as for the rights of persons with psychosocial disabilities.

The rights in the Social Pillar are laid out in 3 categories: equal opportunities & access to the labour market, fair working conditions and social protection & inclusion. These categories are divided into 20 rights/principles. From those, some are more relevant to our work and the work of our members such as education, training and life-long learning; active support to employment; secure and adaptable employment; work-life balance; healthy, safe and well-adapted work environment and data protection; health care, inclusion of people with disabilities and housing and assistance for the homeless.

THE EUROPE 2020 STRATEGY

In 2010, the EU adopted a 10-year strategy for smart, sustainable and inclusive growth - the Europe 2020 Strategy. It sets out five ambitious targets to be achieved by 2020 on employment, research & development, climate change & energy, education and poverty & social exclusion. As part of the strategy, a reporting cycle called the European Semester, is applied to Member States which evaluates their economic and fiscal policies.

More on how the European Semester cycle works

The European Semester is coordinated by the European Commission, which every November publishes the priorities and guidelines for the coming year, which is then followed every February by the country reports for each EU Member State, assessing their economic and social policies. Each EU Member States then presents to the European Commission with their national reform programmes, setting out the initiatives they are undertaking to reach the targets in the Europe 2020 Strategy. Following this, the European Commission publishes the Country Specific Recommendations for each Member State, which are then incorporated in national reform plans and budgets for the coming year.

European semester of policy coordination
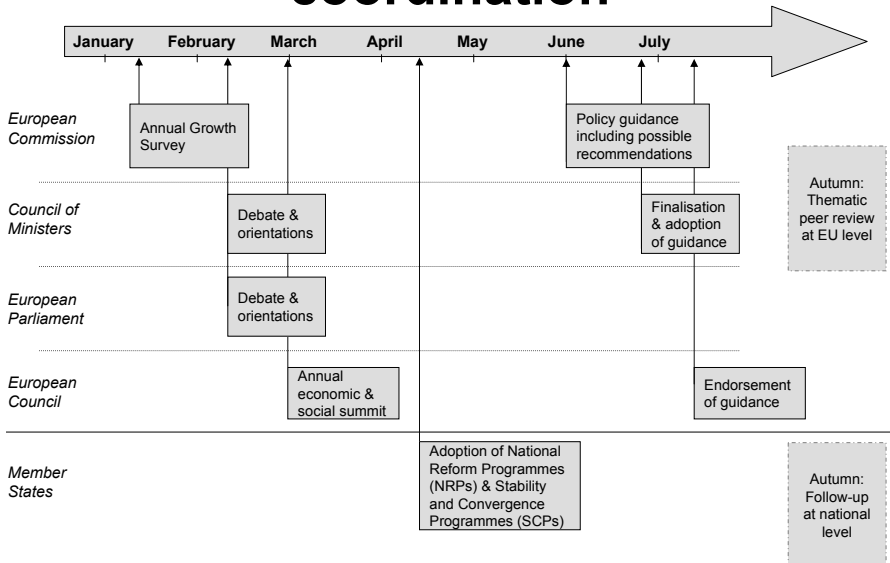
> **Follow-up on the European Semester cycle and review the EU Country Specific Recommendations drafted by the European Commission to ensure that health and mental health aspects are not overlooked and are incorporated into national reform plans and budgets by keeping in touch with your government.**
> **MHE usually does press release about the CSRs. See the press release for 2017 here.**
> **You can also check for the annual Eurostat's publication «Smarter, greener, more inclusive? - Indicators to support the Europe 2020 strategy» which aims to provide statistical analysis to support and monitor the progress of the Europe 2020 strategy towards its headline targets.**

THE EUROPEAN PLATFORM AGAINST POVERTY AND SOCIAL EXCLUSION

The European Platform Against Poverty and Social Exclusion is one of 7 headline initiatives to aimed at implementing the targets of the EU2020 Strategy. The target of the Platform is to lift 20 million people out of poverty and social exclusion by 2020. One of the areas for action is to enhance policy coordination among EU countries through the Social Method of Coordination (OMC) implementation which is monitored by the Social Protection Committee (SPC). Through this method, the EU provides a framework for national development on social protection and for coordinating policies between EU countries on issues related to poverty and social exclusion, health care, long-term care and pensions. It focuses on access to quality and sustainable health care and on closing the gap between the supply and demand for long-term care. It explores how to extend or restore older people's autonomy and capacity to live independently, while people are now reaching an age where declining physical and mental health can lead to social exclusion. The Commission has also identified a number of key initiatives designed to help meet the poverty target.

You can contact the Social Protection Committee members from your country and inform them regularly about mental health related issues. You can also encourage them to bring in a proposal for a peer review on mental health (check here to obtain more information on previous peer reviews).

THE SOCIAL INVESTMENT PACKAGE (SIP) AND ITS RECOMMENDATION AGAINST CHILD POVERTY

The Commission's Social Investment Package (SIP) is one of the mechanisms to reach Europe 2020's targets. The European Commission adopted the Recommendation 'Investing

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in Children – Breaking the cycle of disadvantage' as part of the Social Investment Package. The Recommendation provides guidance for EU Member States on how to tackle child poverty and social exclusion through measures such as family support and benefits, quality health and childcare and early-childhood education. It has a specific reference to the need to devote special attention to children with mental health problems. The European Platform for Investing in Children (EPIC) helps Member States to implement this Recommendation and is also a tool to monitor the activities brought by the Recommendation and a platform for sharing the best policymaking in this field. MHE is also part of the EU Alliance for investing in children as poverty and social exclusion can have negative impacts on the mental health and well-being of disadvantaged children including increases in child suicide.

GET INVOLVED!
See the Communication on Social Investment for Growth and Cohesion for more information on the Social Investment Package (SIP)

EUROPEAN STRUCTURAL AND INVESTMENT FUNDS (ESIF)

Over half of EU funding is channelled through the 5 European structural and investment funds (ESIF). They are jointly managed by the European Commission and the Member States. Two funds, the European Social Fund (ESF) and the European Regional Development Fund (ERDF) are the most important in relation to funding for mental health, as explicit provisions allow the use of the ESF and the ERDF to promote deinstitutionalisation for the countries who have specified it as a need in their country.

The European Social Fund is Europe's main instrument for supporting and inclusive growth. ESF's activities in this field follow four priorities: fighting marginalisation, promoting social enterprise, supporting local partnerships and encouraging inclusive approaches. It helps disadvantaged groups who, for a variety of reasons, face difficulties or discrimination in some aspects of their everyday lives. The European Regional Development Fund (ERDF) aims to strengthen economic and social cohesion in the European Union by correcting imbalances between its regions. ESF funding is available through the Member States and regions. Organisations interested in ESF funding for a project can find more information here or by contacting ESF Managing Authority in their country or region.

GET INVOLVED!
You can also take a look at the European Expert Group on the Transition from Institutional to Community-based Care's Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care.

4. INTERNATIONAL BODIES & POLICY FRAMEWORKS OF RELEVANCE TO MENTAL HEALTH

COUNCIL OF EUROPE

The Council of Europe is an inter-governmental organisation focused on promoting human rights, democracy and the rule of law in Europe. It has 47 Member States, including all EU Member States. The Council of Europe can make legally binding laws with the agreement of its members. As previously mentioned, the Council of Europe should not be confused with other EU bodies such as the Council of the European Union.

The European Court of Human Rights (ECHR) is a Court of the Council which interprets and applies the European Convention on Human Rights signed by the 47 Member States. The Convention is an international treaty under which the Member States of the Council of Europe promise to secure fundamental civil and political rights, not only to their own citizens but also to everyone within their jurisdiction. The decisions are binding on Member States and can lead to important changes in policies and legislation. Cases can be taken against Member States which infringe rights secured by the Convention.

GET INVOLVED!

> **See how to take a case to the ECHR here.**
> **MHE especially keeps track of judgments given in relation to mental health. See our first collection analysing the court decision here.**

Another treaty of importance for human rights within the Council of Europe is the European Social Charter which guarantees fundamental social and economic rights related to employment, housing, health, education, social protection and welfare as a counterpart to the European Convention on Human Rights. The Charter lays specific emphasis on the protection of elderly people, children, people with disabilities and mi-

grants. It requires that enjoyment of the abovementioned rights be guaranteed without discrimination. The European Committee of Social Rights is in charge of monitoring the implementation of the European Social Charter.

GET INVOLVED!
> **You can read the Revised European Social Charter**
> **You can learn more about the two ways the European Committee of Social Rights is monitoring the implementation of the Charter by the Collective Complaints Procedure and the Reporting system**

The Commissioner for Human Rights is elected for 6 years. The role of the Commissioner is to act independently to foster the observance of human rights, to provide advice and to promote awareness in the human rights field. The Commissioner also works with national ombudspersons institutions.

GET INVOLVED!
Commissioner has carried out significant work on the rights of persons with disabilities. You can learn more about it here and find some issue papers notably about the right of people with disabilities to live independently and be included in the community and the right to legal capacity for persons with intellectual and psychosocial disabilities.

The Venice Commission (officially known as the European Commission for Democracy through law) is an advisory body of the Council of Europe and assists and advises individual countries in constitutional matters in order to improve democratic institutions to protect human rights.

The Conference of INGOs is an institution of the Council of Europe which acts as a platform for civil society to engage with the work of the organisation. From 1952 to 2003, INGOs were acting as representatives of civil society but only on a consultative basis. In 2003, the introduction of the participatory status has enabled INGOs to increase their participation in the policies and work programme of the Council of Europe. It also reinforced cooperation between the Council of Europe and the various NGOs in Member States. More than 300 INGOs enjoy participatory status, including MHE.

COUNCIL OF EUROPE DISABILITY STRATEGY 2017-2023

The Council of Europe adopted its Strategy on the Rights of Persons with Disabilities 2017-2023 on 30 November 2016 under the title: «Human rights: a reality for all». The

Strategy aims at achieving equality, dignity and equal opportunities for persons with disabilities. This requires ensuring independence, freedom of choice and full and active participation in all areas of life and society. This goal will be achieved through work and activities around five priority areas: equality and non-discrimination, awareness raising, accessibility, equal recognition before the law, freedom from exploitation, violence and abuse. Unlike the UN CRPD, the Strategy on the Rights of Persons with Disabilities does not create legal obligations for Member States, but aims at better harmonising the work of the Council of Europe with the UN CRPD and guiding and supporting the work of Member States towards full implementation of the UN CRPD.

GET INVOLVED!

The Council of Europe invite Member States and other stakeholders, while implementing the Strategy, to take into consideration the developments within the Council of Europe, as well as in the UN, on the interpretation and implementation of the UN CRPD.

DRAFT ADDITIONAL PROTOCOL TO THE OVIEDO CONVENTION

The Oviedo Convention (The Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine) is an international legally binding instrument adopted over 20 years ago. In 2015, the Council of Europe launched a public consultation on the draft of a worrying Additional Protocol specifically on 'involuntary treatment and placement' of people with mental health problems which runs contrary to the UN CRPD. MHE has been advocating for this Protocol to be withdrawn as, if adopted, it may lead to the violation, rather protection, of the rights of persons with psychosocial disabilities.

GET INVOLVED!

> **You can monitor the work of the Council of Europe relating to the rights of persons with psychosocial disabilities and persons with mental health problems including the proposed Additional Protocol to the Oviedo Convention.**
> **You can also get in touch with us if you want to advocate against the draft Additional Protocol by contacting the Members of the Bioethics Committee or the relevant national ministries of your country including your ministry for Health.**
> **You can insert references to our statements etc on the Oviedo Convention here.**

UNITED NATIONS (UN)

The United Nations is an international inter-governmental organisation which aims at maintaining international peace and security, promoting development and providing humanitarian assistance, upholding international laws, protecting human rights and promoting democracy and fighting climate changes. The UN has a total of 193 Member States and it is through the UN that many of the most important human rights treaties have been adopted including the Universal Declaration of Human Rights and the UN CRPD. The UN fosters international cooperation on a whole host of issues including health, development and human rights.

GET INVOLVED!

The UN CRPD is the main policy tool of relevance for mental health. Go back to the 'Human Rights Policy' section of Chapter 3 to learn more about it.

WORLD HEALTH ORGANIZATION (WHO)

The World Health Organization (WHO) is a specialised agency of the UN. Its goal is to build a better, healthier future for people all over the world. To achieve this goal, WHO Secretariat staff work side by side with governments and other partners to ensure the highest attainable level of health for all people by directing and coordinating international health within the United Nations' system. There are currently more than 150 country offices and 6 regional offices, such as the Regional Office for Europe.

GET INVOLVED!

› You can go here to learn more about the WHO's work on and approach to mental health.
› The WHO Regional Office for Europe's website also has its own section on mental health.

THE EUROPEAN MENTAL HEALTH ACTION PLAN 2013-2020 (WORLD HEALTH ORGANIZATION)

This action plan from the WHO's Regional Office for Europe, which includes 53 Member States, focuses on seven interlinked objectives and proposes effective actions to strengthen mental health and well-being in the European Region.

It corresponds to the four priority areas of the WHO's European policy framework for health and well-being (Health 2020) and will contribute directly to its implementation.

The Action Plan has been developed in close consultation with Member States, experts and NGOs and its objectives were adopted by Member States in the WHO European Region, the European Commission and the Council of Europe in the European Declaration for Mental Health, signed in Helsinki in January 2005, and endorsed by the WHO Regional Committee for Europe, it also takes a human rights-based approach with reference to the UN CRPD (2008) and incorporates the conclusions of the European Pact for Mental Health and Well-being (2008).

INTERNATIONAL LABOUR ORGANIZATION (ILO)

The ILO is a specialised UN agency. It brings together governments, employers and workers representatives of 187 Member States. It aims at setting labour standards, developing policies and promoting decent work for all women and men. It is also promoting rights at work, encouraging decent employment opportunities, enhancing social protection and strengthening dialogue on work-related issues. It is responsible for the development and adoption of international labour laws.

Mental Health Europe is member of the mental health working group of the ILO Business and Disability network. The mental health working group gathers best practices of mental health prevention and promotion at international level. It gathers businesses, experts and representatives from civil society.

GET INVOLVED!

You can learn more about the working group on mental health and the ILO Global Business and Disability Group here.

THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)

The OECD is an intergovernmental economic organisation with 35 member countries. Its mission is to promote policies that will improve economic and social well-being around the world. The OECD acts as a forum in which governments can work together to share experiences and good practices, seek solutions to common problems and coordinate members' domestic and international policies by understanding what drives economic, social and environmental change.

GET INVOLVED!

The OECD has a complete section on its website about mental health, which includes numerous publications on various topics, such as mental health systems in OECD countries, mental health care, and an important section on mental health and work which includes a key publication in the field of mental health at work Fit Mind, Fit Job.

5. USEFUL WEBSITES

Mental Health Europe, its Projects and Coalitions & Alliances

Mental Health Europe (MHE): **www.mhe-sme.org**

Coalition for Mental Health and Well-being: **https://mental-health-coalition.com/**
The European Expert Group on Transition from Institutional to Community-based Care (EEG): **https://deinstitutionalisation.com/**
The European Alliance for investing in children: **http://www.alliance4investinginchildren.eu/**
The European Alliance for Mental Health – Employment & Work (EUMH Alliance): **https://eumhalliance.com/**
Train Improve Reduce: **https://trainimprovereduce.wordpress.com/**
Tried and Trusted: **https://employmentforyouth.wordpress.com/**

European Union Institutions

Europa – Official website of the European Union: **http://europa.eu**

Court of Justice of the European Union: **http://curia.europa.eu**

EU factsheet on the European Union:
http://www.europarl.europa.eu/atyourservice/en/displayFtu.html

European Commission: **http://ec.europa.eu**

European Council: **http://consilium.europa.eu**

European Court of Auditors:
http://eca.europa.eu/portal/page/portal/eca_main_pages/home

European Ombudsman: **http://ombudsman.europa.eu**

European Parliament: **www.europarl.europa.eu**

Your sources for data and figures

Eurofound: **https://www.eurofound.europa.eu/**
Eurostat: **http://ec.europa.eu/eurostat**
OECD: **http://www.oecd.org/**
FRA: **http://fra.europa.eu/**

Advisory bodies

Committee of Regions (CoR): **www.cor.europa.eu**
CoR local events: **http://cor.europa.eu/en/events/Pages/cor-local-events.aspx**
European Economic and Social Committee: **www.eesc.europa.eu**

Useful links on EU law

A plain language guide to Eurojargon: **http://europa.eu/abc/eurojargon/index_en.htm**
Consolidated texts of the Lisbon Treaty:
www.statewatch.org/news/2008/jan/eu-lisbon-treaty-consilidated.pdf
EU case law: **http://curia.europa.eu/en/content/juris/index.htm**
EU Legislative Train – Interactive guide on EU laws:
http://www.europarl.europa.eu/legislative-train/
EUR-LEX – the portal to European Union law: **http://eur-lex.europa.eu/en/index.htm**
EU Treaties and law: **https://europa.eu/european-union/law_en**
EUROVOC – a multilingual thesaurus on the EU: **http://europa.eu/eurovoc**
Legislative Observatory of the European Parliament (OEIL): **www.europarl.europa.eu/oeil**

Social policy

DG Employment, Social Affairs and Equal Opportunities: **http://ec.europa.eu/social**
DG Employment, Social Affairs and Equal Opportunities: Social Protection & Social
Inclusion: **http://ec.europa.eu/social/main.jsp?catId=750&langId=en**
DG JUST: Tackling discrimination:
http://ec.europa.eu/justice/discrimination/index_en.htm

Health

DG Health and Consumer Protection: **http://ec.europa.eu/health/index_en.htm**

DG Health – Mental Health: **http://ec.europa.eu/health/mental_health/policy_en**

EU activities on public health: **http://europa.eu/pol/health/index_en.htm**

EU-Compass for Action on Mental Health and Well-being:
http://ec.europa.eu/health/mental_health/eu_compass_en

Mental health at the work place and anti-discrimination

DG Employment, Social Affairs and Equal Opportunities -
Tackling discrimination at work:
http://ec.europa.eu/social/main.jsp?langId=en&catId=158

Employment Equality Directive: **http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0078:en:HTML**

Disability

The European Union Disability Strategy: **http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0636:FIN:en:PDF**

Persons with Disabilities: **http://ec.europa.eu/social/main.jsp?catId=1137&langId=en**

The UN CRPD : **http://www.ohchr.org/EN/HRBodies/CRPD/Pages/Convention-RightsPersonsWithDisabilities.aspx**

Research on disability by the EU Agency for Fundamental Rights (FRA):
http://fra.europa.eu/en/theme/people-disabilities

Fundamental Rights

Equinet: **http://www.equineteurope.org/**

The Charter of Fundamental Rights of the European Union:
http://ec.europa.eu/justice/fundamental-rights/charter/index_en.htm

European Union Agency on Fundamental Rights: **http://fra.europa.eu/en**

European Network of National Human Rights Institutions: **http://ennhri.org/**

International bodies

Council of Europe: **www.coe.int**

ILO – disability and work:
http://ilo.org/global/topics/disability-and-work/lang--en/index.htm

OECD: **http://www.oecd.org/**

United Nations: **https://www.un.org/**

World Health Organization – Regional Office for Europe: **www.euro.who.int**

World Health Organization – Regional Office for Europe – Mental Health:
http://www.euro.who.int/en/health-topics/noncommunicable-diseases/mental-health

Other Institutions

European Committee on Social rights:
http://www.coe.int/t/democracy/migration/bodies/ecsr_en.asp

OHCHR Europe: **http://www.europe.ohchr.org/EN/Pages/WelcomePage.aspx**

OSCE Office for Democratic Institutions and Human Rights:
http://www.osce.org/tolerance-and-nondiscrimination

Mental Health Europe is a European non-governmental network organisation committed to the promotion of positive mental health, the prevention of mental distress, the improvement of care, advocacy for social inclusion and the protection of the rights of (ex)users of mental health services, persons with psychosocial disabilities, their families and carers.

FOLLOW OUR WORK AT: WWW.MHE-SME.ORG

@mhesme

facebook.com/mentalhealtheurope

https://www.linkedin.com/company/5341240/