



Social Rights are Human Rights: The European Social Charter and EU Law in the Area of Social Rights for Building Social Justice in Europe

Date: 14 December 2023, 8.45 -15.00 hrs

Location:; Townhall Europe, Square de Meeûs 5-6, 1000, Brussels, Belgium

Interpretation English- French

Introduction

In commemoration of International Human Rights Day, the Council of Europe and Social Platform will join forces to host a roundtable discussion in Brussels dedicated to deepening the understanding of the pivotal role played by the European Social Charter in safeguarding and advancing social rights. The event aims to go beyond a mere acknowledgment of social rights, emphasising their gradual progression and realisation, particularly in the context of combatting poverty, addressing social exclusion, and fostering a society grounded in principles of social justice, equal opportunity, and fair work and living conditions.

This roundtable event will delve into different aspects of the [Conclusions on EU priorities for cooperation with the Council of Europe 2023-2024](#), which specifically highlight the fundamental role of the European Social Charter in respecting, protecting and fulfilling human rights. Promoting access to Social Rights recognised and protected by the European Social Charter supports the achievement of the goals of the European Pillar of Social Rights, and as such the Charter should be viewed as an essential international law instrument to assist the EU, Member States, Civil Society Organisations and Social Partners in the common ambitions to reduce poverty and social exclusion and realise social justice.

This event will bring together representatives of governments, civil society and social partners, as well as representatives of the Council of Europe, European Commission, European Parliament, Fundamental Rights Agency, ILO, etc. The gathering aims to foster an essential dialogue, cultivating a shared understanding of the pivotal role played by the European Social Charter. The event is planned for around 60 expected participants. The event will be bilingual, with English - French interpretation.

Background:

In the backdrop of contemporary challenges such as the fallout of the global COVID-19 pandemic, the escalating cost of living, energy crises, Russia's aggression against Ukraine, the looming threats of climate change, and heightened tensions in the Middle East, the importance of safeguarding social rights becomes



increasingly pronounced. These crises have led to a surge in social exclusion and marginalisation across Europe.

The European Social Charter is a Council of Europe treaty that seeks to protect fundamental social and economic rights as a counterpart to the European Convention on Human Rights, which guarantees civil and political rights. It provides for a broad range of everyday human rights related to employment, housing, health, education, social protection and welfare.

The Charter is seen as the Social Constitution of Europe and represents an essential component of the continent's human rights architecture, being the most wide-ranging and comprehensive legal instrument for the protection of human social rights at the European level.

Forty-two of the 46 member states of the Council of Europe are parties to either the 1961 European Social Charter or the 1996 Revised European Social Charter, including all European Union member states. The other four Council of Europe member states have signed one of the two Council of Europe social rights treaties, but have yet to ratify them.

The collective complaints procedure was introduced by an Additional Protocol to the European Social Charter adopted in 1995. It entered into force on 1 July 1998. Sixteen member states have embraced the collective complaints procedure either by ratifying the Additional Protocol or by declaring its acceptance under Article D.2 of the revised Charter. The collective complaint procedure provides a system for trade unions and civil society organisations to prompt the examination of the situation in a given state when they consider that the provisions of the Charter are not respected. This is an important good governance tool in pursuing social justice and equality throughout Europe.

The [European Union and Council of Europe priorities of cooperation for 2023-2024](#)¹ specifically highlights the important role of the European Social Charter in relation to the Porto Social Summit. Promoting access to Social Rights recognised and protected by the European Social Charter is a tool to support the implementation of the European Pillar of Social Rights and thus achieving of the goal of building a fairer

¹ "In the context of economic and social rights, the EU will work jointly with the Council of Europe on respecting, protecting and fulfilling human rights in line with the European Social Charter and revised European Social Charter (ESC), which place emphasis on the rights of older persons, women, children, persons with disabilities and migrant workers. Main strands of cooperation in this area will focus on promoting decent work for all and in particular implementing a zero-tolerance policy on child labour and the eradication of forced labour; curbing inequalities by combating poverty and social exclusion, promoting universal access to social protection and non-discriminatory access to social services; social dialogue; the right to safe and healthy working conditions for all, a world of work free of violence and harassment as well as a responsible management in global supply chains. Cooperation with the Council of Europe in promoting social rights is also reflected in its involvement in the biannual fora for monitoring the implementation of the commitments made at the EU's Social Summit, in Porto in 2021. The EU will also promote the effective implementation of the ESC and its protocols, and follow with interest the ongoing reform process aiming to improve the ESC system."



and more inclusive society. The Charter should be viewed as a complementary tool to assist the EU, Member States and non-state actors in our joint ambition to reduce poverty and social exclusion.

This roundtable event will focus on elements of the European Union and Council of Europe co-operation agreement in areas including the rights of older persons, women, children, persons with disabilities and migrant workers and explore how the European Social Charter can be an effective tool in tackling inequalities, combatting poverty and social exclusion, promoting universal access to social protection, access to social services, decent work, a zero tolerance for child labour and the eradication of forced labour.

Objectives:

1. Highlight the role of the European Social Charter as an international law instrument and the collective complaints mechanisms as a good governance tool.
2. Discuss social rights as a common mission for the Council of Europe and the European Union.
3. Explore the synergies and collaborative efforts required among institutions and stakeholders, aiming to enhance the realisation of social rights and address challenges collectively.
4. Examine practical ways of ensuring synergy between the European Social Charter and the EU Social Pillar. Explore actionable strategies and policy implementations that strengthen the integration of the Charter into broader EU social policy goals.

Outcomes:

1. Collecting concrete ideas for the effective implementation of the Charter, including the role and contribution of the EU and other actors in achieving this goal.
2. Promote knowledge sharing and best practices in the work with the Charter and the collective complaints mechanism.
3. Empower civil society and trade unions for effective advocacy for social rights using the European Social Charter tools and procedures.
4. Visibility and knowledge about the European Social Charter system is increased.



Draft Programme

08.45 Welcome Coffee & Registration

09.15 Opening Remarks and Welcome

Moderator: Laura DE BONFILS, Secretary General, Social Platform

In opening the event our high-level panel will frame the day's discussions, highlighting the important role of the European Social Charter from the perspectives of different European Institutions and civil society and the need that the European Pillar of Social Rights and the European Social Charter work in synergy.

- **Christophe POIREL, Director of Human Rights, Directorate General Human Rights and Rule of Law, Council of Europe**
- **Eamon GILMORE, EU Special Representative for Human Rights**
- **Aoife NOLAN, President of the European Committee of Social Rights, Council of Europe**
- **Denis GENTON, Director, European Pillar of Social Rights, Strategy, DG EMPL (tbc)**

Questions and answers, all participants

09.45 : Panel 1: Advancing Social Rights: The role of the European Social Charter in synergy with the European Pillar of Social Rights

Moderator: Jekaterina Dorodnova, European External Action Service, European Commission

The session will commence with an overview by **Olivier de Schutter**, Professor at UC Louvain and Sciences Po and UN Special Rapporteur on extreme poverty and human rights, who will present key findings from his study on *"The European Pillar of Social Rights and the role of the European Social Charter in the European Union legal order"*.

We will then briefly hear a short intervention from the panellists:

- **Christophe POIREL, Director of Human Rights, Directorate General Human Rights and Rule of Law, Council of Europe**
- **Denis GENTON, Director, European Pillar of Social Rights, Strategy, DG EMPL**
- **Julie GOMIS, Governmental Committee of the European Social Charter & Ministère des Solidarités et de la Santé, Ministère du Travail, France (tbc)**
- **Peter VERHAEGHE, Advocacy Director, Caritas Europa, Belgium**
- **Drahoslav STEFANEK, Chair of COHOM, European External Action Service**



Questions and answers, open discussions, all participants

11.45 Coffee Break

12.00 Panel II: Harnessing Change: Exploring the Collective Complaints Mechanism for Advancing Social Rights

Moderator: Jan MALINOWSKI, Head of Department of Social Rights, Council of Europe

This panel delves into the practical application of the collective complaints mechanism as a concrete good governance tool for advancing social rights. The discussion will feature insights from civil society, social partners, representatives from institutions and governments. The focus will be on sharing experiences, achievements and challenges faced in utilising the mechanism and the impact collective complaints have in progressing social rights.

Panellists

- **Giuseppe PALMISANO**, Professor of International Law, University of Rome, Former President of the European Committee of Social Rights
- **Stefan CLAUWAERT**, Senior Legal and Human Rights Advisor, European Trade Union Confederation
- **Anne BERGHEIM-NEGRE**, President of University Women of Europe (UWE)
- **Senada SALI** - Legal Director, European Roma Rights Centre (ERRC)
- **Jessica Nguyen**, Policy & Advocacy Manager, European Youth Forum

Questions and answers, open discussions, all participants

13.30 Conclusions and follow-up:

Moderator: Laura DE BONFILS, Secretary General, Social Platform

The roundtable discussion will close with an intervention looking to the future of EU Social Policy and the European Pillar of Social Rights and upcoming plans under the Belgian Presidency of the EU on the road to La Hulpe Declaration and the importance of considering the European Social Charter in this process as the most advanced legal instrument at pan-European level that can provide such an extensive and complete protection of social rights.

- **Laura DE BONFILS**, Secretary General, Social Platform
- **Francesco CORTI**, Social Affairs Advisor, Cabinet of Minister of Social Affairs, Belgium
- **Aoife NOLAN**, President of the European Committee of Social Rights

13.45 Networking Lunch

15.00 Closing of the event