Opinion 95 (1979)[1]

Fifth period of supervision (1974-1975)

Parliamentary Assembly

The Assembly,

1. Having regard to Part IV of the European Social Charter, and in particular to Articles 28 and 29, dealing with consultation of the Assembly on its application ;

2. Having examined the conclusions of the Committee of Independent Experts regarding the supervision of application of the Charter, and particularly Article 4, paragraph 3, Article 5, Article 6 and Article 7, paragraphs 1, 2, 3 and 4, during the period 1974-75, and having also considered the Fifth Report of the Governmental Committee on the European Social Charter ;

3. Expressing its satisfaction that the application of the Charter is still being progressively improved by the adoption in various states of laws, regulations and practices bringing national rules into line with the provisions of the Charter ;

4. Noting, however, with regret that the Charter is not always fully implemented by states which have ratified it, and regretting the fact that the Committee of Ministers has never made full use of Article 29 of the Social Charter to address recommendations to Contracting Parties who fail to respect their obligations ;

5. Agreeing with the committee of experts on the need, at a time of recession, to attach special importance to the provisions of the Charter in connection with action to counter underemployment and unemployment, particularly among young people, and to improve the situation of migrant workers ;

6. Considering that it is also important that Contracting Parties be urged to devote their full attention to the proper application of the Charter with regard to equal pay for male and female workers, the right to organise and bargain collectively, and the right of children and adolescents to protection,

7. Recommends that the Committee of Ministers, with a view to improving the application of the European Social Charter, address recommendations to those countries, namely Austria, Cyprus, Denmark, the Federal Republic of Germany, Ireland, Italy, Norway, Sweden and the United Kingdom, who to some extent do not respect their obligations under it, and further invite early ratifications from the nine member states who have not yet done so.

1. See Doc. 4371Doc. 4371, report of the Committee on Social and Health Questions. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 28 June 1979.