Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 67
26 November 1951

Adoption by Member States of the Council of Europe of a common policy in social matters

Report[1]
Social, Health and Family Affairs Committee
Rapporteur: Mr Henri C. J . HEYMAN, Belgium

1. 1951 - 3rd Session - Second part

A. Explanatory Memorandum

1. On the 10th August, 1950, the Consultative Assembly referred to the Committee on Social Questions the following motion, relating to the adoption by Member States of a common policy in the social field, contained in Doc. 38, 2nd Session, 1950 :

2. " Th e Assembly,

3. Considering that European Society is based upon respect for the dignity of man, and has as its aim the betterment of his conditions, that economic unification is essential to the effective improvement of the conditions of the people of Europe.

4. Declares necessary the adoption by the Member States of the Council of Europe of a common policy in social matter :

5. Such a policy implies the application of joint measures, which would overcome the obstacles of a social character to economic unification, in particular by applying a European policy of full employment which would ensure at the same time the right to work, and the free movement of persons, having regard to the international measures necessary for the solution of the European problem of refugees.

6. " Request s its Social Committee to examine the creation of appropriate European institutions. "

7. The Committee on Social Questions subsequently established a special sub-committee to study the matter. At its first meeting on the 5th April, 1951, this sub-committee drew up a provisional programme for a common policy in social matters, which was approved by the Committee on Social Questions in May, 1951, and then submitted to certain non-governmental organisations with a view to obtaining their observations and proposals.

8. At its second meeting on the 12th September, 1951, the sub-committee reconsidered the matter in the light of the information then available to it and submitted its report to the Committee on Social Questions. The latter discussed this report at a meeting held on the 13th September and agreed on the programme contained in the draft Recommendation attached to it.[2]

9. The Committee on Social Questions considered that the Assembly, in a programme for a common social policy, should re-affirm the Recommendations which it has already adopted in the social field, relating to social security, manpower problems and housing. These three questions constituted the original terms of reference of the Committee on Social Questions and have been dealt with in detail in the report submitted to the Assembly by this Committee at the opening of the second Session in April, 1950, (See Doc. 1, 2nd Session, 1950).

10. In view of the results of the Migration Conference in Naples in October, 1951, the Assembly Recommendation 3 of the 14th May, 1951, relating, inter alia, to the establishment of a European Manpower Board, must assume a new importance.[3]

11. Consequently, the first three items of the draft Recommendation comprise : the European Code of Social Security, the Manpower problem and the Housing Problem.

12. The Committee on Social Questions considered that joint action for the purpose of furthering the general ratification of the conventions adopted by the International Labour Organisation was one of the means of achieving conformity in certain important branches of the social policy of the Member States of the Council of Europe. This is included in point (d) of the draft Recommendation. In this connection, the Council of Europe might benefit from the experience of the Brussels Treaty Powers, which have already carried out a similar plan within the framework of their own organisation.

13. The Committee on Social Questions further considered that it would be of great importance to adopt a common attitude in regard to the social effects of present and future efforts towards a greater economic unity between the Member States, such as the economic measures taken within the framework of the O. E. E. C.

---

2. An explanatory note dealing in some detail with each point of the Draft Recommendation forms the subject of a Memorandum prepared by the. Secretariat- General.

3. At the time of tho meeting of the Committee on Social Questions to which tho present Report relates, the results of the Naples Conference were not known to the Committee. The Committee, however, left its Chairman and Rapporteur a certain freedom in drawing up the Pinal text of the Report. Thus it has been possible to lake the existing situation into consideration.

14. Social conditions in Europe may also be affected by economic measures adopted within the framework of the Specialised Authorities, particularly the Coal and Steel Community. Certain steps taken jointly may be necessary in order to counteract the possible adverse social effects of the operation of such organisations. Moreover, it is to be expected that the States participating in the Specialised Authorities will develop common arrangements in the social field as a counterpart to the limited economic unification involved. Such arrangements would be likely to present aspects of interest to all Members of the Council of Europe and should be studied from that point of view.

15. A programme for a common social policy should, therefore, express the need for following up closely the social effects of the above-mentioned economic developments. This is the purpose of points (e) and (/) of the draft Recommendation.

16. For the purpose of effecting and developing a common policy in social matters, regular contacts should be established between the social administrations in the various Member States.

17. Within the Council of Europe there are two groups of States, each of which has, within its own framework, established a remarkably close and far-reaching collaboration in social matters, namely, the Brussels Treaty Powers and the Scandinavian countries. The methods developed by these two groups of States, by which regular contacts are maintained between the social administrations of the participating states, should be taken into account. This is the purpose of point (g) of the draft Recommendation.

18. In order to avoid overlapping with the work of other international organisations, the Committee on Social Questions, before drawing up the draft Recommendation, undertook a careful study of the programmes in the social field of ten important inter-governmental organisations, including the United Nations, the I. L. 0. and the 0. E. E. C.

19. Basing itself on the preceding considerations the Committee submits to the assembly the following draft Recommendation and draft Order :

1.

B. Draft Recommendation

The Assembly,

Considering that European society is based upon the respect for the dignity of man, and has as its aim the betterment of his conditions, Considering that the unification of the social legislation of the Member States represents an essential step in the progressive unification of Europe, Recommends to the Committee of Ministers that a common policy in the social field should be adopted by Member States of the Council of Europe.

(a) European Code of Social Security.

The efforts of the Council of Europe directed towards the creation of a European Code of Social Security, based on Assembly Recommendation 28, adopted on the 24th August, i960, should be continued, in close collaboration with the International Labour Organisation.

(b) European Manpower Problems.

In accordance with the need which gave rise to Assembly Recommendation 3, adopted on the 14th May 1951, the Council of Europe should participate effectively in the solution of the European manpower problem.

(c) Housing.

The Assembly Recommendation 31, adopted on the 26th August, 1950, calling for a Committee of Experts to draw up a programme of collaboration relating to housing, and the creation of a Technical Building Centre, should be put into effect.

(d) Ratification of Labour Conventions.

Joint action should be undertaken within the framework of the Council of Europe for the purpose of furthering the general ratification of international conventions adopted by the International Labour Organisation. With this in view a Committee of Experts on labour conditions should be appointed to study the obstacles which exist in the Member States to the ratification of these conventions, as well as the means to hasten ratification.

(e) Social Consequences of the Action undertaken within the framework of the Organisation for European Economic Co-operation.

The Council of Europe should follow closely the social consequences of the action undertaken by European States within the framework of the O. E. E. C, and particularly the measures relating to migration within Europe.

(f) Relations between the Council of Europe and the Specialised Authorities.

The Council of Europe should follow closely the social effects of the establishment and activities of the Specialised Authorities, particularly of the Coal and Steel Community. The purpose would be primarily to detect any risks threatening the social conditions in the Member States of the Council of Europe, as a result of the activities of the Specialised Authorities, and to endeavour to ensure common action by its Member States to counteract such risks. Secondly, and on a long-term basis, the Council of Europe should study common arrangements in the social field which might be developed by the States participating in the Specialised Authorities.

(g) Contact between the Social Administrations of the Member States.

The Council of Europe should study methods of ensuring regular contacts between the social administrations of the Member States, taking into account the experience of the Brussels Treaty Powers and the Scandinavian countries in the establishment of such contacts.

(h) General Observations.

The Council of Europe should seek to avoid any duplication of effort in the social field with the work being carried on by other organisations. It should therefore endeavour to ensure the essential co-ordination of these various activities, in collaboration with the organisations in question.

C. Draft Order of the Assembly

The Assembly—

1. Instructs its Committee on Social Questions to continue the study of such additional questions as may at a later stage be suitable for inclusion in the programme for a common policy in the social field.[4]

2. Considers that, in order to implement the above programme, it is- necessary to set up within the Secretariat-General a service which should be responsible for the work required from the Secretariat-General in connection with all social questions, so long as they remain the concern of the Council of Europe. This applies whether or not such, questions are for the time being under consideration by the Consultative Assembly or by the Committee of Ministers.

4. The questions particularly contemplated by the Committee on Social Questions are listed in Part VIII of the paper prepared by the Secretariat-General.