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The 65th anniversary of the European Social Charter: social rights as the foundation of resilient democracies and social justice

Report[1]
Committee on Social Affairs, Health and Sustainable Development
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1. Reference to the committee: Bureau decision on a request for urgent debate, Reference 4919 of 21 November 2025. In accordance with Rule 50.4 of the Assembly's Rules of Procedure, the report of a committee shall not contain an explanatory memorandum if the report is prepared under the urgent procedure.

A. Draft resolution[2]

1. The Parliamentary Assembly is convinced that the aim of social progress set out in the Statute of the Council of Europe (ETS No. 1) is one of the main guiding principles of the Organisation and highlights that the European Social Charter (ETS No. 35 – "the Charter") was drawn up 65 years ago as a cornerstone instrument and the counterpart, in the sphere of economic and social rights, to the European Convention on Human Rights (ETS No. 5).

2. The Assembly underlines the paramount importance of the European Social Charter (revised) (ETS No. 163, "revised Charter") which, for 30 years, has formed the most comprehensive legal framework for the protection of economic and social human rights in Europe. It commends the European Committee of Social Rights for its outstanding contribution to this protection system.

3. The Assembly has been an unwavering supporter of the Charter. It plays a key role in the application by the Council of Europe member States of the rights guaranteed by the Charter, the development of these rights and the contribution that social cohesion can make to democratic security. The Assembly welcomes the fact that, in 2025, following its Resolution 2627 (2025) "Promoting universal health coverage", the Council of Europe joined the Universal Health Coverage Platform (UHC2030), thus providing an opportunity to promote access to healthcare for all, as guaranteed by the Charter.

4. The Assembly is concerned that the rights guaranteed by the Charter are today under unprecedented pressures, with major financial, administrative and social implications for governments, institutions and citizens, and welcomes the renewed commitment of the member States in favour of these rights and of social justice, as asserted in the Reykjavík Declaration of 2023 and the High-Level Conference on the Charter held in Vilnius in 2024.

5. This social rights-centred approach is in line with the European Pillar of Social Rights of the European Union and the United Nations Sustainable Development Goals and echoes the Doha Declaration, adopted at the Second World Summit for Social Development in 2025. Such an emphasis is all the more necessary in the light of the International Labour Organization's 2026 report on employment and social trends, which highlights the persistent structural weaknesses of labour markets and the urgent need to strengthen social rights and protections.

6. Decent living conditions and social justice and cohesion are recognised to be essential at European and international level for democracy to be stable, and anything which undermines them is acknowledged to pose a direct threat to democratic security. For the Council of Europe member States, this means that the Charter is one of the keys to their democratic stability.

7. In the Assembly's view, acknowledging this is crucial. It therefore welcomes the fact that the Secretary General of the Council of Europe has emphasised the centrality of social rights and social justice to democracy, placing this dimension among the key elements of democratic stability in his roadmap towards a New Democratic Pact for Europe.

8. With this goal in mind, the Assembly values the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints (ETS No. 158, "Collective Complaints Protocol") and regrets the fact that only sixteen of the States Parties to the Charter and the revised Charter have ratified it. The collective complaints procedure is the main institutional channel through which civil society – NGOs and social partners – can take part in the Charter system. It is relevant to all the generations in that it provides a channel for the social concerns of the entire population, from the young to the elderly, to be directly raised by those affected. In this connection, the Assembly regards ratification of the Collective Complaints Protocol both as a sign of democratic maturity and a concrete measure to foster democratic participation, expressing confidence in the principles which should guide society for all generations in the years to come.

9. The Assembly welcomes the decision of the Republic of Moldova to host the next High-Level Conference on the Charter in Chișinău on 18 and 19 March 2026. It urges the member States who will meet in Chișinău to agree on measures recognising that investing in social rights is both a moral imperative and a key strategic step in protecting democratic stability by reducing inequalities, strengthening social cohesion and social justice and restoring trust in institutions.

10. The Assembly urges member States to demonstrate to their populations their commitment to addressing the social and economic inequalities in European societies by reaffirming their support for a united and resolute implementation of the Charter. It encourages the ten member States which have not yet ratified

2. Draft resolution adopted unanimously by the committee on 27 January 2026.

the revised Charter – Croatia, Czechia, Denmark, Liechtenstein, Luxembourg, Monaco, Poland, San Marino, Switzerland and the United Kingdom – to take advantage of the momentum provided by the Chișinău conference to add their ratifications.

11. The Assembly also calls again on the four countries which have not yet done so, namely Denmark, Germany, Luxembourg and the United Kingdom, to ratify the Protocol amending the European Social Charter (ETS No. 142, "Turin Protocol"), which provides for the members of the European Committee of Social Rights to be elected by the Assembly, as already requested in Assembly Resolutions 1824 (2011) "The role of parliaments in the consolidation and development of social rights in Europe" and 2180 (2017) "The 'Turin process': reinforcing social rights in Europe".

12. The Assembly is convinced that for the Charter to have a real impact within member States, parliamentarians must be amongst its strong supporters and in a position to use its provisions in their work. National parliaments are however often overlooked in this respect. It is crucial to think more about the potential they represent.

13. Members of national parliaments are central to the life of the Charter because it is they that line up legislation and national budgets relating to Charter obligations, hold the executive to account in relation to the findings of the European Committee of Social Rights, instigate reforms in areas where shortfalls in the implementation of social rights persist and promote the process of ratifying the Charter. Owing to their dual role as members of the Assembly and their national parliaments, Assembly members have a particular duty to contribute to these efforts.

14. In the light of the above, the Assembly calls on the parliaments of the member States to draw up a programme of activities in the wake of the Chișinău conference to give practical expression to this new drive and, in particular to:

14.1. strengthen the capacities and knowledge of parliamentarians and parliamentary research services with regard to the Charter;

14.2. systematically integrate the Charter into studies on the impact of draft legislation;

14.3. hold parliamentary hearings on progress on the implementation of decisions taken by the European Committee of Social Rights, to which civil society and social partners should be invited;

14.4. hold a debate on the ratification of the revised Charter, the Turin Protocol and the Collective Complaints Protocol;

14.5. review, one by one, the provisions that they have not accepted, with a view to their adoption;

14.6. review, one by one, the reservations adopted on ratification of the Charter and its protocols, with a view to lifting them;

14.7. establish specific co-operation on social rights with the national institutions tasked with protecting human rights.

15. Lastly the Assembly would point out that in order to guarantee that European system for the protection of social rights is clear, consistent and legally certain, particular emphasis should be placed on the interpretation of the Charter by the European Committee of Social Rights. In this connection, the Assembly considers that national authorities, including parliaments and courts, are duty-bound to take full account of the findings, conclusions, decisions and statements of interpretation of the Committee when applying the Charter in order to take the required legal, social and economic measures at national level.

B. Draft recommendation[3]

1. The Parliamentary Assembly refers to its Recommendation 1976 (2011) "The role of parliaments in the consolidation and development of social rights in Europe", its Resolution 2180 (2017) and Recommendation 2112 (2017) "The 'Turin process': reinforcing social rights in Europe" and its Resolution... (2026) "The 65th anniversary of the European Social Charter: social rights as the foundation of resilient democracies and social justice".

2. The Assembly welcomes the Protocol amending the European Social Charter (ETS No. 142, "Turin Protocol"), and the reforms set in motion by the Committee of Ministers since 2022 to improve the effectiveness, clarity and impact of the European Social Charter (ETS No. 35, "the Charter").

3. The Assembly emphasises that in the context of unprecedented pressures on democracies, social and economic rights must be one of the priority areas to address, including in the context of the work around the New Democratic Pact, and that the Charter is one of the main pillars of democratic stability and security. It invites the Committee of Ministers to keep this centrality to the forefront in its decisions and priorities concerning the Pact and the Charter.

4. 2026 marks the 65th anniversary of the original Charter and the 30th anniversary of its revised version (European Social Charter (revised), ETS No. 163, "revised Charter"). The Assembly considers therefore that this year marks a unique opportunity and high point in the work to promote social rights. It invites the Committee of Ministers to put in place a range of initiatives to translate this undertaking into practice and to:

4.1. initiate and facilitate a programme of activities and exchanges around the Charter including debates, conferences and campaigns, including in this work, civil society – especially young people – and social partners with a view to raising the Charter's profile and promoting its effective implementation;

4.2. promote and expedite, with the relevant ministries, the ratification of the revised Charter and the Additional Protocol to the European Social Charter providing for a system of collective complaints (ETS No. 158, "Collective Complaints Protocol");

4.3. with regard to the election by the Assembly of the members of the European Committee of Social Rights, which is the only provision of the Turin Protocol which is not applied, adopt a unanimous decision to this effect pending further progress on the ratification by member States of the Protocol;

4.4. reflect upon and incorporate the political impetus given by this anniversary year in the future priorities of the Council of Europe Programme and Budget.

5. The Assembly considers it particularly important for the fundamental right to a healthy environment to be recognised in a legally binding instrument as part of the efforts to promote social cohesion, democratic stability, social equality and justice. One of the options the Assembly would support is for the revised Charter to be complemented by an additional protocol specifically establishing the right to a healthy environment.

6. Despite years of work by the Steering Committee for Human Rights (CDDH), as a result of which it was able to present its "study on the need for and feasibility of a further instrument or instruments in the field of human rights and the environment" and the positive example provided by several member States – Andorra, France, Iceland, Luxembourg, Monaco, Portugal, Slovenia and Spain – the Committee of Ministers, meeting in Luxembourg for the ministerial session of 14 May 2025, avoided the heart of the matter. This failure to act lies in stark contrast with the undertakings made in the Reykjavík Declaration, through which the member States recognised the imperative need to strengthen the protection of human rights in the context of the environment. The result is that Europe is still the only continent which does not have a regional legal framework safeguarding the right to a healthy environment.

7. The Assembly is also particularly keen to remove all clauses from the Council of Europe's human rights treaties which, like Article 38 of the Charter and Article A of the revised Charter, enable parties not to apply the treaty to all their territory. These clauses are incompatible with the norms provided for by the Vienna Convention on the Law of Treaties of 23 May 1969 and mean that the excluded territories are subject to different human rights standards.

3. Draft recommendation adopted unanimously by the committee on 27 January 2026.

8. In the same way, the Assembly recalls that the Charter and the revised Charter apply only to nationals of a State Party, and to foreigners who are legally resident or regularly employed in the territory of the State Party in which they are present. This restriction is also at variance with the universality of human rights upheld by the Council of Europe.

9. In the light of all these areas for improvement, the Assembly urges the Committee of Ministers to use the occasion of the ministerial session in Chișinău in May 2026, to instruct the CDDH to draw up a feasibility study on a revision of the material, territorial and personal scope of the Charter.