



## Resolution 181 (1960)<sup>1</sup>

# Reply to Chapter VI of the Second General Report of the European Commission on the activity of the European Economic Community

Parliamentary Assembly

The Consultative Assembly, which from the first has given much consideration to the social development of the member States of the Council of Europe in general, has studied with great interest the Chapter of the Second General Report of the European Commission which deals with the social policy of the European Economic Community.

As early as 1951, in its [Recommendation 14](#), the Assembly advocated a common European policy in social matters. Since then some progress has been made towards that aim in the wider European framework, through the elaboration of the draft European Code and Protocol of Social Security and the draft European Social Charter, which the Assembly hopes to see completed and brought into force as soon as possible. Moreover, on the initiative of the Assembly, the governmental Social Committee was created as a permanent organ of social collaboration between all the Members of the Council of Europe.

The Assembly fully supports the approach which the European Commission has made to the question of social policy within the Community, namely that the social provisions of the Treaty should not be interpreted in a restrictive way and that particularly Article 117 could never be used as an excuse to slow down the social development in any country, but that it implies a progressive development which in some countries must proceed at a quicker pace than in others.

The Assembly believes that many of the social problems with which the Community is faced as a consequence of the establishment and development of the common market will, even if to a lesser degree, be felt also on the wider European plane, because they are to some extent related to the trend towards closer economic collaboration. This applies to such matters as harmonisation of provisions concerning working hours, the duration of paid annual leave, the application of the principle of equal remuneration for men and women workers, the gradual liberalisation of the movement of manpower, the protection of the social security rights of migrant workers, etc.

The social provisions of the Treaty of the Economic Community provide the latter with a forceful stimulus towards a common social policy, which does not exist in the wider framework. However, the Assembly strongly feels that the solution to the important social problems of today should be sought on the broadest possible basis. A too uneven development of different smaller groups will be detrimental to the whole. On the other hand, it would facilitate the general economic collaboration in Europe if the solutions found to important social problems involving some degree of harmonisation, could be extended to the greatest possible number of the European countries.

In the above-mentioned [Recommendation 14 \(1951\)](#) the Assembly called for a study of common arrangements in the social field which might be developed within the Coal and Steel Community. The idea was, of course, that the Members of the Community, because of their close connection in the economic field

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1. (see [Doc. 978](#), Second General Report of the Commission of the European Economic Community, and [Doc. 1110](#), Report of the Social Committee). Text adopted by the Standing Committee, on behalf of the Assembly, on 23rd June 1960



might be led to develop their social collaboration at a higher level and with greater efficiency than one could expect within the Council of Europe as a whole. The other Members of the Council of Europe could then to some extent benefit from the work carried out within the Community and the results obtained there.

The Assembly is of the opinion that this would be even more true at present and in the future. On the other hand, the Assembly feels that to some extent the social aims of the Community can be pursued also through instruments worked out in the wider European framework, such as the Code and Protocol of Social Security and the Social Charter.

It is from this two-fold point of view, and in the hope of a close collaboration, that the Assembly proposes to make a few comments on Chapter VI of the Second General Report of the European Commission, without, however, going into detail.

#### *Problems of social security*

Regulation No. 3 of the European Economic Community constitutes probably the most far-reaching and efficient international arrangement that exists for the solution of the social security problems of migrant workers and their families. This is a problem to which the Assembly attaches great importance and one the solution of which it has tried, through its Recommendation, to further within the Council of Europe. At its last Session, where the Economic Community was represented, the Committee of Experts on Social Security of the Council of Europe considered the question on the basis of Regulation No. 3 of the Community. The International Labour Office has agreed to prepare a draft instrument which would embody at least some of the principles of the Regulation.

With regard to the "general problems of social security", the Assembly supposes that this would also cover the question of common standards of social security at a high level. The development of such European standards is the purpose of the draft European Code and, particularly, of the draft additional Protocol. These instruments, once completed, might well be of interest to the Community, and the Assembly would welcome any initiative by which the Commission might perhaps induce the Governments of the Members of the Community -through the common organs of the Council of Europe -to expedite the process of drawing up the final text and the putting into operation of these instruments.

#### *Free circulation of workers*

The experience which the Community will gain in this important field, over and above what has already been accomplished by the OEEC, will presumably be helpful also to other Members of the Council of Europe. The draft European Social Charter contains also provisions concerning the "right to engage in a gainful occupation in other member countries". Regulations and administrative methods which may be developed in the framework of the Community could facilitate the implementation of the provisions of the Charter in this field. It would be of great interest to the Assembly to be kept informed of the work of the Committee referred to in paragraph 175 of the Second General Report of the Commission -the Committee which will assist the Commission in suggesting practical measures to apply the principle of the free circulation of workers.

It is stated in Article 48 of the Treaty of the Community that free circulation of workers implies the abolition of all discrimination based on nationality with regard to employment, remuneration and other working conditions. Such abolition of discrimination corresponds to one of the basic principles of the social programme of the Council of Europe. The Assembly suggested, in its [Opinion No. 5](#) of September 1953, that a comparative table showing the present extent of discrimination in the social field should be drawn up and serve as a basis for further action in this field. The Assembly would welcome any initiative of the European Commission which would accelerate such action by means which might be applied also outside the Community, It should be mentioned in this connection that the draft European Social Charter contains provisions, based on International Labour Convention No. 97, concerning equality of treatment as between migrant workers and nationals and that the [Opinion No. 32 \(1960\)](#) of the Assembly on the draft Social Charter includes also the right of foreign workers to be accompanied or joined by their families.

#### *Regional Development*

On this particular aspect of the question, the Assembly would mention that in its [Recommendation 201 \(1959\)](#) it called for the co-ordination of the work of European organisations in this field and the establishment of a common documentation centre. It also recommended that the Committee of Ministers should support the follow-up of the work necessary to complete the economic and social atlas of the regions of Europe -a work which is, no doubt, of considerable interest also to the European Commission.

#### *Vocational training*

This is also a field of common interest and possible collaboration. The Assembly would like to draw the attention of the European Commission to the project which is now being developed concerning the establishment of an International Vocational Training Information and Research Centre. This is an undertaking by the Council of Europe, with which the ILO and the OEEC will be associated, and the centre is expected to constitute a special section of the International Labour Office.

#### *Social services*

The organisation of social services to help and protect the individual is a question of interest also to the Assembly. Incidentally, the opinion of the Assembly on the draft European Charter contains, not only a general provision for such social services, but also a special provision to promote cooperation between social services, public and private, in both emigration and immigration countries in order to assist migrant workers to solve problems connected with migration.

#### *General labour problems*

In its [Resolution 126 \(1957\)](#) on the political, economic, social and agricultural aspects of the Treaty instituting the European Economic Community, the Assembly, inter alia, asked "that social legislation in the different countries be brought into line as rapidly as possible... and that, in the social field, due account should be taken of the contents of the European Social Charter which the Council of Europe is in process of working out."

The Assembly has now adopted an Opinion in the shape of a draft Charter and is waiting for the Governments to establish the final text. The Assembly believes that the Social Charter, which establishes common standards, could become an important instrument in the development of a common European social policy and serve as a link between all the Members of the Council of Europe.

#### *Future collaboration in the social field*

As already mentioned, the Assembly considers that it would be of great importance that Members of the Economic Community, in their social policy, maintain as far as possible close contacts with the other Members of the Council of Europe. At the parliamentary level, the Opinion asked of the Assembly on the Report of the European Commission ought to be the first step towards a wider collaboration in this field. On the other hand the governmental Social Committee of the Council of Europe can, under its terms of reference, "exchange views at the request of members on current developments and questions of mutual interest in the field of social administration and policy". Thus, one or more of the Governments of the Members of the Community might initiate broad discussions on the greater European plane of any arrangement in the social field contemplated within the Community. Even if such discussions could only rarely lead to a general adoption of such arrangements, they could in any case serve to help formulate the arrangements in such a way as to facilitate as much as possible their eventual future extension.