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The “Turin Process”: reinforcing social rights in Europe

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A. Draft Resolution

1. Social rights are fundamental human rights. Only the enjoyment of socio-economic rights, and social inclusion, allow people to fully enjoy their civil and political rights. In Europe, many can benefit from social rights guarantees at respectable levels, and protection through strong legal instruments and mechanisms, but too many still remain trapped in cycles of disadvantage and poverty. Moreover, an overall trend towards downgrading social rights guarantees can be observed across Council of Europe member States and the inequality gap between the rich and the poor is on the rise, in terms of income and wealth.
2. In the light of this evident need for action, the Parliamentary Assembly is concerned about the current level of compliance with major European social rights standards such as the European Social Charter (revised) (ETS No. 163) and its Protocols. It considers that this social rights instrument and related mechanisms are not used to their full potential, not least due to the outstanding ratifications by several member States.
3. The Assembly is also concerned about a lack of coherence between the legal systems and case law related to different European organisations, in particular the Council of Europe and the European Union, which has the capacity to undermine the effectiveness of the respective instruments. Thus, decisions by the Court of Justice of the European Union do not always fully take into consideration Council of Europe standards. Moreover, the collective complaints mechanism linked to the European Social Charter treaty system clearly needs to be strengthened and receive wider support from Council of Europe member States including European Union member States.
4. The Assembly has always promoted the European Social Charter (revised) as the most comprehensive social rights standard in Europe. It will continue to do so in close co-operation with other Council of Europe bodies, in particular the European Committee of Social Rights (ECSR). It also commits to stepping up dialogue and co-operation with the European Parliament, as well as other European bodies, such as the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC). It firmly intends to further nourish the dialogue between national delegations and parliaments initiated through the "Turin process" for the European Social Charter, which was launched by the Secretary General of the Council of Europe in October 2014 as a political process aimed at reinforcing the normative system of the Charter and at improving the implementation of social and economic rights.
5. Beyond the "Turin process" at Council of Europe level and the European Pillar of Social Rights as a political

Amendment 1

Tabled by the Committee on Political Affairs and Democracy

In the draft resolution, after paragraph 1, insert the following paragraph:

"The Assembly stresses that a healthy democracy is inextricably linked to economic, educational and social policies, these should respond to the needs of the people and aim at reducing social inequalities that breed political disaffection, distrust and resentment against the political establishment and lead to populism and sometimes violent reactions".

statement within the European Union, the ambitious objectives of a future, comprehensive and sustainable "European Strategy of Social Rights" should be to achieve equal opportunities for all, less income inequality and social cohesion, including the most vulnerable, in order to preserve European democracies and the overall peace that Europe has known over the past decades.

6. The Assembly thus calls on Council of Europe member States to support, through their governments and parliaments, debates and co-operation launched under the "Turin process" by taking the following action:
 - 6.1. contribute to strengthening the European Social Charter as a normative system by:
 - 6.1.1. in the case of the 13 member States which have not yet done so, ratifying the European Social Charter (revised), to improve levels of compliance with this major social rights standard;
 - 6.1.2. in the case of the four countries which have not yet done so (Denmark, Germany, Luxembourg and the United Kingdom), ratifying the Protocol amending the European Social Charter (ETS No. 142, "Turin Protocol") to allow for the election of ECSR members by the Assembly, as already requested in Recommendation 1976 (2011) on the role of parliaments in the consolidation and development of social rights in Europe;
 - 6.1.3. in the case of the member States which have not yet done so, ratifying the Additional Protocol to the European Social Charter Providing for a System of Collective Complaints (ETS No. 158), in order to ensure more effective monitoring of social rights compliance;
 - 6.1.4. participating actively in the parliamentary activities aimed at promoting the European Social Charter treaty system and enhancing its implementation, which are regularly organised by the Assembly in co-operation with other Council of Europe bodies, notably the ECSR, and providing voluntary contributions to this end;
 - 6.2. strengthen the pan-European dialogue on social rights and the co-ordination of legal and political action with other European institutions, notably the European Union and its bodies, by:
 - 6.2.1. stimulating and actively participating in regular exchanges between specific committees of the Parliamentary Assembly and the European Parliament;
 - 6.2.2. promoting the formal incorporation of provisions of the European Social Charter (revised) into the European Pillar of Social Rights as a common benchmark, and the consideration of rights guaranteed by the Charter in the subsequent implementation process by member States of the European Union;

Amendment 2
Tabled by the Committee on Political Affairs and Democracy

In the draft resolution, before paragraph 6.1.1, insert the following paragraph:

"reaffirming the principles of the indivisibility and interdependence of human rights in the public discourse and in legislative and policy papers;"

- 6.2.3. promoting and supporting a pan-European "Parliamentary Dialogue on Social Rights" to federate European parliamentary bodies and national parliaments in regular debates with other partners (including governments and civil society), possibly including a high-level conference on social rights in Europe;
- 6.2.4. based on existing European normative systems, notably the European Social Charter (revised) and the Charter of Fundamental Rights of the European Union, promoting the development of a pan-European "Strategy of Social Rights" and related policy indicators;
- 6.3. improve compliance with the highest social rights standards at the national level, by:
 - 6.3.1. regularly checking national policies against the priorities identified by political processes at the European level, including the "Turin process", the European Pillar of Social Rights, and the relevant resolutions of the Assembly;
 - 6.3.2. based on various European standards and recommendations, developing targeted national strategies to address specific but complex socio-economic challenges, such as equal opportunities for all (including by improving rates of youth employment and female participation in the labour market), more income equality (thus preventing cycles of disadvantage and reducing child poverty) and social cohesion, including for the most vulnerable.

B. Draft Recommendation

1. The Parliamentary Assembly recalls its Recommendation 1976 (2011) on the role of parliaments in the consolidation and development of social rights in Europe, and its Resolution ... (2017) "The 'Turin process': reinforcing social rights in Europe".
2. In view of the importance of the "Turin process" for a future common "European Strategy of Social Rights", the Assembly invites the Committee of Ministers to take steps to ensure more rapid progress with regard to the signature, ratification and implementation of the European Social Charter (revised) (ETS No. 163) and its protocols, and make social rights a priority for the 2018-2019 biennium of the Council of Europe.
3. In particular, the Assembly calls on the Committee of Ministers to adopt a unanimous decision to allow the Assembly to fulfil its appointed function in the Charter's monitoring machinery regarding the election of the members of the European Committee of Social Rights, as foreseen in the Protocol amending the European Social Charter (ETS No. 142, "Turin Protocol").
4. With a view to preparing the ground for closer co-operation with the European Union in the future, notably in the framework of the upcoming implementation of the European Pillar of Social Rights, the Committee of Ministers is further invited to:
 - 4.1. mandate the European Committee of Social Rights to undertake an in-depth study on possible synergies between the European Social Charter and the European Pillar of Social Rights and the ways in which the first could serve as a common social rights benchmark for all European States;
 - 4.2. ensure high-level participation by the Council of Europe in the upcoming Social Summit for Fair Jobs and Growth co-organised by the European Commission and the Swedish Government in Gothenburg on 17 November 2017 to debate and endorse the European Pillar of Social Rights.