

Working group 7:

What can progressive realisation of economic, social and cultural rights mean in the EU, in the context of a future European Pillar of Social Rights?

Background

Both the International Covenant on Economic, Social and Cultural Rights (CESCR) and the European Social Charter (ESC) were adopted during the 1960s. This was a time when there was a post-World War II consensus about the need to establish and consolidate the model of a social welfare state. According to the CESCR, over 160 States parties, including all EU Member States, are required to take steps to fully realise the rights in the Covenant. The UN Committee on Economic, Social and Cultural Rights interprets this as forbidding deliberate retrogressive measures; in fact, States are under an internationally-binding legal obligation to gradually improve and enlarge the conditions for the enjoyment of the rights to health, education, food, water, housing, social security and other human rights, as recognised in the Covenant.

According to the EU Charter of Fundamental Rights and the Treaty on the Functioning of the EU, the European Commission is also legal obliged to promote a high level of employment, education, training and healthcare, to guarantee adequate social protection and to fight against social exclusion in all EU actions.

Objectives

This workshop sought to examine what the realisation of economic, social and cultural rights means in the EU context. Discussions focused on how a future European Pillar of Social Rights could be designed to further put into practice the social rights enshrined in the EU's Fundamental Rights Charter. It will also look at specific EU economic policies, in light of the obligations of Member States to achieve the progressive realisation of economic, social and cultural rights. The discussions were framed by the public consultation on a future European Pillar of Social Rights, which aims to take stock and identify gaps in the EU social acquis to take account of today's work environment and set out a common reference framework to guide national policies. The workshop outcomes will be communicated to the EU Presidencies and to the High Level Expert Group in summer 2016 and should feed into the wider consultation for the European Commission's White Paper, scheduled for spring 2017.

Speakers

- Manfred Nowak, Professor, University of Vienna, Vice-Chairperson of the FRA Management Board
- Kate Pickett and Richard Wilkinson, University of York, authors of 'The Spirit Level: Why More Equal Societies Almost Always Do Better?'
- Wilfried Altzinger, Professor, University of Economics and Business
- Allan Päll, President, Social Platform and Secretary General of the European Youth Forum;
- Luisa Cabral, Head of Unit, Social security coordination, European Commission
- Regis Brillat, Head of the European Social Charter Department and Executive secretary of the ECSR
- Ioannis Dimitrakopoulos, Head of Equality & Citizens' Rights Department, FRA

Main messages

1. Different stakeholders have high expectations for the new EU Pillar on Social Rights, which is currently in consultation. The Pillar can improve coordination between Member States, as regards acceptance of obligations under the European Social Charter (ESC). It is also an opportunity to revise EU social *acquis*, its relevance and implementation. The Pillar needs to take into account equal rights for migrants in the EU and EU citizens residing in another Member State, as well as ensure gender equality, as an overarching issue.
2. Economic inequality has been on the rise and was reinforced by the economic crisis. It particularly affects the most vulnerable but also has with negative consequences for the whole of society. More unequal societies have worse healthcare systems, higher crime rates, gender inequalities, even higher rates of school bullying. Inequality undermines social cohesion and damages social relations.
3. Growing material wealth does not necessarily translate into greater well-being. We should rather invest in growth of "well-being" than simply in economic growth. Many studies have shown that quality of life is driven by the social environment and embedded in human relationships and the sense of community.
4. To reverse the trend of rising economic inequality it is of upmost importance for social rights to not be reduced to the function of hindering the consequences of the crisis. Globally, the EU could take the responsibility and a leading role in showing that economic growth can go along with a strong social model.
5. Reflecting on the current measures/ways to monitor the implementation of social *acquis*, with a view of more efficient supervision of future implementation of the Pillar.

Promising practices

- "Call for Change", documents including policy recommendations such as financial transactions tax, Progressive Economy (EU).

- “Fairness Commissions”, tackling inequality through reflections and discussions on a local level, UK local level.

Next steps

- EU and Member States need to develop forms of economic democracy. A democratisation of the workplace would also lead to enhanced productivity.
- The international community needs to develop global agreements to achieve more equality, covering such aspects as tax management. Policy needs to develop responses on a macroeconomic level based on existing recommendations.
- The European Commission through public consultations and other international organisations could consider new frameworks to drive reforms which need to be future-oriented. The European Pillar of Social Rights is one example and it must not be a minimum standards charter. It should not just address the consequences of the crisis but also address the causes.
- The EU and its Member States could reflect on existing social *acquis* and its more effective implementation. It may not necessary to create new legal social frameworks but rather use existing ones better.
- The EU, FRA and Member States could develop new indicators regarding quality of life, and monitor the progressive realisation of economic, social and cultural rights.
- The EU, its member states and the Council of Europe could strengthen the role of the ESC in EU social policy in order to coordinate EU Member States’ obligations under the ESC.
- Member States could take the UN’s Sustainable Development Goals as a framework to reduce inequality as a core element within and between countries’ economies and other areas to address the consequences of such inequalities.