

The « Brussels Document » on the future of the protection of social rights in Europe

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Belgium was holding the Chairmanship of the Council of Europe, which ends today 19 May 2015. Focus on one of the deliverables: the “Brussels Document” on the future of the protection of social rights.

On 12 and 13 February 2015, the Belgian Chairmanship of the Committee of Ministers of the Council of Europe organised a 2-days conference in Brussels on “The future of the protection of social rights in Europe”. 31 independent academic experts prepared a synthesis document summing up the main proposals and possible solutions, which is called the “Brussels Document”.

The Conference held last February brought together political authorities, experts and nearly 300 participants from the academic world and international institutions, social partners and INGOs. Moreover, a high-level political representation was provided through the presence of the Secretary General of the Council Thorbjørn Jagland, the European Commissioner Marianne Thyssen, the Vice-President of the Parliamentary Assembly Michele Nicoletti, and of the Belgian Ministers Maggie De Block and Kris Peeters. The Conference was building on the Turin process that was launched during the Italian Presidency of the European Union and aimed at “renewing the political interest in social rights in Europe within the current context”.

The “Brussels Document” presents defines 4 lines of action aiming at guaranteeing the future of the protection of social rights in Europe.

1. Protecting Social Rights in Times of Crisis

Given that the crisis is an established fact, the European Social Charter remains a most relevant framework for an economic recovery that is social rights-compliant. Economic and social reforms are admitted while respecting the situation of those who enjoy the rights enshrined in the Charter.

2. Ensuring the consistency of the protection of fundamental social rights

The document identifies the lack of harmonisation of social rights at international level and calls for compliance with the “most favourable treatment”. It also calls for the application of the principle of the relativity of Treaties in case of any contradictory international obligations.

3. Enhancing of the effectiveness of the European Social Charter

The European Social Charter remains a highly valuable tool to monitor social rights in Europe and its effectiveness should be strengthened in particular through :

- a uniform application throughout the regional space of the Council of Europe and an appeal to the Member States to ratify the Revised European Social Charter and the Protocol providing for a system of collective complaints ;
- the promotion of the role of national institutions ;
- the availability of material & human resources for the Charter and its bodies ;
- the equality of treatment between the European Convention on Human Rights (ECHR) and the European Social Charter.

4. Maximising the potential synergies between the Council of Europe & the European Union in the area of social rights

The role of the EU and of the Court of Justice of the EU (CJEU) has been strengthened in the area of social rights but some difficulties remain with a risk of conflict between “Brussels” and “Strasbourg”. Very concrete courses of action are developed in this document in order to avoid this pitfall and to establish a dialogue between institutions in the interest of the rights of citizens.

Following the Conference, Belgian authorities declared that conditions were fulfilled to ratify new provisions of the Revised European Social Charter.

The full version of the “Brussels Document” is available in several languages:

- [English/French](#)
- [Dutch](#)
- [German](#)
- [Italian](#)

You can also view a condensed summary of the document in the presentation published on the SlideShare account of the FPS Social Security: <http://bit.ly/1AK4hrC> .

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About the Turin Process: <http://www.coe.int/web/turin-process>

About the European Social Charter: http://www.coe.int/t/dghl/monitoring/socialcharter/default_en.asp

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