



The European Social Charter - A Council of Europe Treaty guaranteeing Social and Professional Rights

Genesis of the Charter

The European Social Charter was originally approved by the Council of Europe Member States in 1961 and sets out rights and freedoms and establishes a supervisory mechanism guaranteeing their respect by the States that have signed the Charter. A revised version of the Charter entered into force in 1999.

Substantial Guarantees

The Charter covers a broad range of individual rights, among them a number of provisions that touch upon the workplace, such as:

- Elimination of occupational hazards so as to ensure that health and safety at work are provided for by law and guaranteed in practice
- Fair working conditions as regards pay and working hours
- Freedom to form professional associations and to defend economic and social interests
- Promotion of Joint consultation, collective bargaining, conciliation and voluntary arbitration
- The right of women and men to equal treatment and equal opportunities in employment

Monitoring through National Reports

Implementation of the European Social Charter is monitored on an annual basis through national reports that are submitted to the European Committee of Social Rights. The Committee issues conclusions on the situation in law and/or in practice in the respective State.

If a State does not take action, although the Committee has concluded that it does not comply with the Charter, the Committee of Ministers issues a recommendation to the State asking it to change the situation. In preparing the recommendation, the ETUC is consulted among others.

Collective Complaints Procedure

Under a protocol opened for signature in 1995 complaints of violations of the Charter may be lodged with the European Committee of Social Rights. For the States that have accepted the protocol, a formal complaint procedure, called Collective Complaint, may be initiated by:

1. The ETUC
2. Non Governmental Organisations with Participatory Status at the Council of Europe, among them EuroCOP
3. Trade Unions in the Country concerned

Consequences of violations

The Collective Complaints Procedure can ultimately lead to a resolution in the Committee of Ministers of the Council of Europe, recommending the State concerned to comply with the Charter

A useful tool for EuroCOP Members

The Collective Complaints Procedure constitutes an efficient means to raise issues at the European level in cases where negotiations on the national level run into difficulties. EuroCOP is readily available to support its Members in

1. Contributing to the Annual Reports on their Country
2. Filing a Collective Complaint in cases where there is a chance of success

Further Information

For further information please contact the EuroCOP secretariat or visit www.coe.int/T/E/Human_Rights/Esc/