



Briefing

The European Pillar of Social Rights

The European Anti-Poverty Network (EAPN) Ireland

May 2016

1. Background and Introduction

On 8th March 2016, the European Commission launched a public [consultation](#) on the development of a European Pillar of Social Rights which will run until the end of 2016. The focus is on the Economic and Monetary Union (EMU) so the consultation is primarily targeting the 19 countries in the Eurozone, including Ireland, but other EU Member States can join if they want to. The results of this consultation will help the Commission present a consolidated version of the European pillar of social rights in a White Paper in spring 2017. This initiative is part of the work undertaken by the Commission which it states is aimed at overcoming the crisis and moving towards achieving upward convergence and a deeper and fairer EMU.

The stated purpose of the Pillar of Social Rights is to agree a number of essential principles to support well-functioning and fair labour markets and welfare systems. Once established, the Pillar should become a reference framework to screen the employment and social performance of participating Member States, to drive reforms at national level and, more specifically, to serve as a compass for renewed convergence within the euro area.

The aim of the consultation is therefore not to establish any new rights, or change existing ones, but to assess to what extent the EU's existing social rights, as outlines in all the relevant legislation and other binding and non-binding measures or agreed ways of working (called the [Social 'acquis'](#)), are being implemented or relevant or if there are better ways to deliver on these rights. A separate document on the [social acquis](#) details all of the legal and policy areas. The Communication from the Commission states that the overall goal of the EU's existing social 'acquis' is to ensure a level-playing field, limit the risk of social dumping or "race to the bottom", and facilitate economic and social integration. It recognises though that under the EU's subsidiarity rules the responsibility for most employment and social policy at member state level rests with the state itself.

The consultation evolved from the reference to developing a "Social Triple A" for Europe in the 5 Presidents Report [Completing Europe's Economic and Monetary Union](#) in June 2015 with the first mention of this consultation process announced by European Commission President Jean-Claude Juncker in September 2015. It is part of a larger effort to further strengthen the internal single market and to better integrate social considerations into it. This is outlined as part of a process to see economic, social and environmental elements working better together. In the launch of the consultation on the 8th March 2016

Commissioner Thyssen (Commissioner for Employment, Social Affairs and Inclusion) talked of "*making our European social model future-proof*".

The consultation is very much set in the context of social and economic goals and performance being inter-dependent and as ‘two sides of the same coin’, with one needing to support the other. The Communication highlights the negative consequences of the crisis, including growing poverty and inequality, and that the objectives of social policy and its capacity to deliver are being significantly tested. In addressing these concerns it states that ‘it is clear that the future success of the euro area depends, in no small measure, on the effectiveness of national labour markets and welfare systems and on the capacity of the economy to absorb and adjust to shocks’.

Overall in the consultation however there is a much stronger emphasis on the need to address poverty, inequality and unemployment because of their negative economic consequences and as 'bottlenecks to growth' rather than being important issues in themselves.

The Communication also states that employment and social considerations have been an essential feature of the process of economic policy coordination at EU level, now known as the European Semester. However, EAPN has been critical of the lack of balanced economic and social approach in the European Semester to date and that this has resulted in increased poverty and inequality. It is not clear from the consultation how the development of the Pillar of Social Rights will impact on the European Semester or the Europe 2020 strategy which includes the target for poverty reduction in the EU.

A [Staff Working Document](#) accompanying the Commission Communication presents an analysis of the current state and effectiveness of EUs social and employment policy to date, including during the crisis. It outlines the developing trends and the role of social policy in the EU in addressing existing weaknesses and future challenges.

The consultation concentrates on analysing social and employment policies and their effectiveness but does not look at wider economic policy, such as the rules of the Stability and Growth Pact, how these are implemented and their impact on social outcomes.

While it is not clear what impact the Pillar of Social Rights will have it is an important that anti-poverty organisations engage with the consultation and strive to ensure that social rights in the EMU and the EU more widely are as strong and effective as possible

2. Details of the public consultation

The consultation will run till the end of 2016, and a consolidated document (White Paper) based on it will be released in early 2017. In parallel, the Commission will actively engage with all stakeholders (civil society and NGOs are explicitly mentioned) - a list of past and upcoming engagement events can be found [here](#). This will include a European level conference at the end of 2016.

The **objectives** of the consultation are threefold:

- to assess the EU social acquis – to what extent are existing rights implemented.
- to reflect on new trends in work patterns and societies – in light of demographic trends, new technologies, and taking on board social innovation.
- to gather views and feedback on the outline of the Social Pillar itself – its scope, content, role as part of the social dimension of the Economic and Monetary Union.

How can people contribute to the Consultation?

People can answer the ten questions which are set out in the Communication (See Appendix 1 below).

Responses can be sent by email to: EMPL-EUROPEAN-PILLAR-OF-SOCIAL-RIGHTS@ec.europa.eu

Or by post to:

European Commission
Directorate-General Employment, Social Affairs and Inclusion
Rue Joseph II, 27 – 00/120
B-1049 Brussels

Alternatively, or additionally, anyone can also respond to these questions in an on-line [Questionnaire](#).

3. First draft outline of the European Pillar for Social Rights

An [Annex](#) to the Communication presents what is effectively a first draft outline of a European Pillar of Social Rights. Under three main headings it presents 20 different policy areas each of which is seen as essential for well-functioning and fair labour markets and welfare systems.

The Annex states that Pillar does not re-state or modify existing rights but aims to complements them by detailing a number of essential principles. Therefore, under each of these 20 policy areas the Annex outlines what are seen as the key policy issues and concerns and then from one to three principles.

Under each of the 20 policy areas the Annex also highlights the relevant articles Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU), the Charter of Fundamental Rights and the case-law of the Court of Justice of the European Union which supports these principles. While starting off with areas covered by EU treaties and law it also touches both on areas which are where the EU has a role or is competent to legislate and on others where Member States are primarily responsible, and where the EU has a more supportive and complementary role. In broad terms these are called the EU [social acquis](#). The development of the Pillar is also to draw inspiration from practices at national level and international sources of law.

The 20 policy areas outlined under the three headings are as follows:

Chapter I: Equal opportunities and access to the labour market

1. Skills, education and life-long learning
2. Flexible and secure labour contracts
3. Secure professional transitions
4. Active support for employment
5. Gender equality and work-life balance
6. Equal opportunities

Chapter II: Fair Working Conditions

7. Conditions of employment
8. Wages
9. Health and safety at work
10. Social dialogue and involvement of workers

Chapter III: Adequate and Sustainable Social Protection

11. Integrated social benefits and services
12. Health care and sickness benefits
13. Pensions
14. Unemployment benefits
15. Minimum income
16. Disability benefits
17. Long-term care
18. Childcare
19. Housing
20. Access to essential services

4. Links to key webpages and Documents

- Commission webpage on Consultation on the European Pillar of Social Rights: http://ec.europa.eu/priorities/deeper-and-fairer-economic-and-monetary-union/towards-european-pillar-social-rights_en
- Commission Communication, March 2016. Launching a consultation on a European Pillar of Social Rights http://eur-lex.europa.eu/resource.html?uri=cellar:bc4bab37-e5f2-11e5-8a50-01aa75ed71a1.0004.02/DOC_1&format=PDF
- Annex 1: First preliminary outline of a European Pillar of Social Rights: http://eur-lex.europa.eu/resource.html?uri=cellar:bc4bab37-e5f2-11e5-8a50-01aa75ed71a1.0004.02/DOC_2&format=PDF
- Key economic, employment and social trends behind a European Pillar of Social Rights <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0051&from=EN>
- Commission Staff Working Document- The EU social acquis <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0050&from=EN>
- Factsheet: European Pillar of Social Rights: Key economic, employment and social trends [file:///C:/Users/Paul/Downloads/Factsheets_SocialRights_v11%20\(2\).pdf](file:///C:/Users/Paul/Downloads/Factsheets_SocialRights_v11%20(2).pdf)

Appendix 1: Questions for which the European Commission seeks views

On the social situation and EU social "acquis"

1. What do you see as most pressing employment and social priorities?
2. How can we account for different employment and social situations across Europe?
3. Is the EU "acquis" up to date and do you see scope for further EU action?

On the future of work and welfare systems

4. What trends would you see as most transformative?
5. What would be the main risks and opportunities linked to such trends?
6. Are there policies, institutions or firm practices – existing or emerging – which you would recommend as references?

On the European Pillar of Social Rights

7. Do you agree with the approach outlined here for the establishment of a European Pillar of Social Rights?
8. Do you agree with the scope of the Pillar, domains and principles proposed here? Are there aspects that are not adequately expressed or covered so far?
9. What domains and principles would be most important as part of a renewed convergence for the euro area?
10. How should these be expressed and made operational? In particular, do you see the scope and added value of minimum standards or reference benchmarks in certain areas and if so, which ones?

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