

Address by Mr Jean-Michel Belorgey
President of the European Committee of Social Rights
10th anniversary of the Social Charter
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Even in developed societies, recognition of social rights continues to lag behind that of civil and political rights. It has not been any different in the Council of Europe.

However, with the Social Charter, and even more the Revised Charter, the Council of Europe now has the most detailed and exacting set of requirements in this field, not only in international law but also when set alongside national constitutions. It is no coincidence that in drawing up its own Charter of Fundamental Rights, the European Union has been influenced by the Social Charter and the Convention for the Protection of Human Rights and Fundamental Freedoms, though unfortunately less so by the Charter than by the Convention.

Nevertheless, if we are to give real meaning to the notion of a continuum from civil and political to social rights, which ought to be self-evident since the latter are so often a precondition for the former, the legal enforceability of social rights must not lag too far behind that of their civil and political counterparts, either nationally or internationally.

A decisive step was taken in the right direction when it was decided that the European Committee of Social Rights, which I currently chair, should be responsible for considering not only reports from member states on how they are fulfilling their obligations but also collective complaints, under a system that is still in its early stages but has already proved to be very productive.

On this anniversary date, I would express the hope that as many countries as possible will come to see the Charter and its regulatory machinery not as burdensome impositions but as disciplines that can help social cohesion, which is the real underlying strength of democratic societies, to flourish, where necessary after those countries have been subjected to examination.

The social domain is not just a matter of good practices. It also involves rights, which those concerned must be able to invoke and enforce and which need to be given substance.

I therefore believe that the Council of Europe as a whole and its member states must regard the Charter as a key part of their heritage, and give it the respect and attention it deserves, tomorrow even more than today. This should be possible.