

Case document no. 1

Complaint No. 3/1999

European Federation of Employees in Public Services (EUROFEDOP) against Greece

registered by the Secretariat on 13 August 1999

Secretariat of the European Social Charter

E-mail : social.charter@coe.int <http://www.esc.coe.int>

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Table of contents

EUROPEAN COMMITTEE OF SOCIAL RIGHTS.....	1
Secretariat of the European Social Charter.....	1
Table of contents	3
The European Social Charter – an overview	5
Introduction	9
Complaint filed by EUROFEDOP against Greece	11
VII. THE PRESIDENT	13
Article 20.....	13
VIII. THE SECRETARY GENERAL	13
Article 21.....	13
Decision on the admissibility of Complaint No. 3/1999 by the European Federation of Employees in Public Services (EUROFEDOP).....	15
DECLARES THE COMPLAINT INADMISSIBLE.....	16
Appendix I.....	19
Additional Protocol to the 1995 European Social Charter providing for a system of collective complaints	19
Appendix II.....	25
Rules of Procedure of the European Committee of Social Rights (extract relating to the collective complaints procedure).....	25
Appendix III.....	29
Signatures and ratifications of the Charter, its Protocols (including the Collective Complaints Protocol) and the revised Charter – the situation as at 1 July 2001	29
Appendix IV	31

4 *Table of contents*

International non-governmental organisations entitled to
submit collective complaints.....31

The European Social Charter – an overview

The European Social Charter guarantees human rights and fundamental freedoms in the economic and social sphere. It is the counterpart to the European Convention on Human Rights.

The Social Charter, which was opened for signature on 18 October 1961 and entered into force on 26 February 1965, guarantees a series of rights grouped into 19 articles. The Additional Protocol of 5 May 1988, which entered into force on 4 September 1992, added four rights to the Charter.

After a thorough revision, the 1961 Charter is being gradually replaced by the revised European Social Charter¹, which was opened for signature on 3 May 1996 and entered into force on 1 July 1999, and which amended and extended the list of rights guaranteed².

Compliance with the commitments set out in the Charter and the revised Charter is subject to international supervision by an independent body - the European Committee of Social Rights. There are two procedures for carrying out this supervision.

Supervision procedure based on reports

Under Article 21 of the charter, states submit periodic reports on the “hardcore” provisions³ every two years and on the non-hardcore provisions every four years. The Committee of Ministers has set a precise timetable for the submission of reports.

The supervision procedure functions as follows:

- the *European Committee of Social Rights*, made up of 12 independent experts elected by the Committee of Ministers and assisted by an observer from the International Labour Organisation, examines the reports submitted by states and issues a ruling on whether states have complied with their

¹ As at 1 July 2001, the Contracting Parties to the Charter are: Austria, Belgium, the Czech Republic, Denmark, Finland, Germany, Greece, Hungary, Iceland, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia, Spain, Turkey and the United Kingdom. The parties to the revised Charter are: Bulgaria, Cyprus, Estonia, France, Ireland, Italy, Lithuania, Norway, Romania, Slovenia and Sweden.

² The revised Social Charter brings together in a single instrument the rights set out in the Charter (as amended), the rights set out in the Additional Protocol and a series of new rights grouped into eight articles.

³ The Charter’s core provisions are: freedom of work (Article 1), freedom of association and the right to bargain collectively (Articles 5 and 6), the right to social security (Article 12), the right to assistance (Article 13), the rights of the family (Article 16), the rights of migrants (Article 19). The core provision of the revised charter also include: the rights of children (Article 7) and the right of women and men to equal treatment and opportunities in employment (Article 20).

6 *European Social Charter – an overview*

commitments. Its rulings are called “conclusions”. These are forwarded to states, are public.¹

- if a state fails to act on a ruling of non-compliance by the European Committee of Social Rights, the Council of Europe’s *Committee of Ministers* may issue a recommendation to the state concerned, asking it to amend its legislation or practice in order to bring it into line with the charter. The work of the Committee of Ministers is prepared by a *Governmental Committee* made up of representatives of the governments of the states parties to the charter and assisted by representatives of both sides of industry in Europe.²

The collective complaints procedure

The Additional Protocol Providing for a System of Collective Complaints, which was opened for signature on 9 November 1995 and entered into force on 1 July 1998,³ sets out a collective complaints procedure whereby allegations of breaches of the Charter or the revised Charter may be submitted to the European Committee of Social Rights. This procedure is not conditional upon the exhaustion of domestic remedies.

Who may lodge a collective complaint?

- the European employers’ organisations and trade unions which participate in the work of the Governmental Committee: ETUC, UNICE and IOE;
- European non-governmental organisations having consultative status with the Council of Europe⁴ and included on a list drawn up for this purpose by the Governmental Committee;⁵

¹ The country reports and the decisions of the Committee are public and may be consulted on the website <http://www.esc.coe.int>.

² The European Trade Union Confederation (ETUC), the Union of Industrial and Employers’ Confederations of Europe (UNICE) and the International Organisation of Employers (IOE).

³ As at 1 July 2001, 11 states have accepted the collective complaints procedure: Bulgaria, Cyprus, Finland, France, Greece, Ireland, Italy, Norway, Portugal, Slovenia and Sweden.

⁴ For further information on how to obtain consultative status, contact NGO-Unit@coe.int.

⁵ Interested organisations should send a letter to the Secretariat of the European Social Charter, Directorate General of Human Rights - DG II, Council of Europe, F-67705 Strasbourg Cedex (France). The letter should be accompanied by detailed documentation covering in particular the status of the organisation and its field of activity, objectives and working methods. This dossier will be forwarded to the Governmental Committee for a decision. The list may be consulted on the website <http://www.esc.coe.int>.

- national employers' organisations and trade unions from the state concerned;
- national non-governmental organisations, if the state concerned has made a declaration authorising them to do so and if they are particularly competent in their field of activity.

In what form should a complaint be lodged?

A collective complaint must be lodged in writing and must be signed by an authorised representative of the complainant organisation.

Complaints lodged by the ETUC, the UNICE and the IOE or by European non-governmental organisations must be written in one of the official languages of the Council of Europe (English or French). Complaints lodged by national trade unions and employers' organisations and by national non-governmental organisations may be written in a non-official language.

The complaint file should contain the following information:

- the name and contact details of the organisation lodging the complaint;
- in the case of non-governmental organisations, a note stating whether the organisation has consultative status with the Council of Europe and is included on the Governmental Committee list, and details of the fields of activity in which the organisation is competent;
- the state against which the complaint is being lodged, which must have accepted the collective complaints procedure;
- the Charter provisions which are alleged to have been breached, which the state in question must have accepted;
- the object of the complaint - that is, the extent to which the state in question is alleged not to have complied with the charter, and relevant arguments to support the allegation. Copies of relevant documents are required.

How does the procedure function?

The complaint is examined by the European Committee of Social Rights, which first decides on its admissibility according to the criteria listed above and its rules of procedure.

The procedure is adversarial. If the complaint is admissible, a written procedure is followed, with an exchange of documents between the parties. The procedure may become an oral one and a hearing may be organised by the committee.

The Committee then decides on the merits of the complaint. Its decision is contained in a report which it forwards to the Committee of Ministers.

At the end of the procedure, the Committee of Ministers adopts a resolution. If appropriate, it may recommend that the state in question take specific steps to bring the situation into line with the Charter.

Introduction

The aim of this monograph is to reproduce in chronological order the original documents of the procedure that was followed on the examination of the third complaint under the Additional protocol to the European Social Charter providing for a system of collective complaints.

Complaint No. 3/1999 was filed on 13 August 1999 by the European Federation of Employees in Public Services (EUROFEDOP), an International non-governmental organisation. On 13 October 1999, the European Committee of Social Rights declared the complaint inadmissible.

Complaint filed by EUROFEDOP against Greece

(filed with the Secretariat on 13 August 1999)

As mentioned in our letter to the Secretary General of the Council of Europe dated 29 July 1999, Eurofedop has lodged a complaint against Greece with respect to Articles 5 and 6 of the European Social Charter.

I. ADMISSIBILITY OF THE COMPLAINT

1. Greece signed the European Social Charter on 18 October 1961 and ratified on 6 June 1984. It entered into force in respect of Greece on 6 July 1984.
2. Greece signed and ratified the Additional Protocol of 1995 providing for a system of collective complaints on 18 June 1998. It entered into force in respect of Greece on 1st July 1998.
3. Eurofedop is an international non-governmental organisation which has consultative status with the Council of Europe. It is on the list established by the Governmental Committee of international non-governmental organisations which have the right to submit a complaint.
4. The objectives of EUROFEDOP are the defence and the promotion of the economic and social interests of European workers in the Public Services, due account being taken of their specific rights and duties.
5. According to its statute, the President and the Secretary General of Eurofedop have the competence to represent Eurofedop (see Appendix).

II MERITS OF THE COMPLAINT

6. In Greece, armed forces do not enjoy the rights provided under Article 5 and article 6 of the Charter.
7. In addition, the situation of civilian members of the Ministry of Defence is in practice not in conformity with Articles 5 and 6 of the Charter
8. With regard to the task assignment of the armed forces, an important change has occurred since the beginning of the nineties, namely the one in which great priority is being given to tasks involving crisis management operations (peace-keeping, peace-enforcing and humanitarian operations), carried out or not in the context of NATO. Many operations have also the feature of aiming at restoring human rights and bringing about or restoring democracy.
9. Given the changes which have occurred, regarding the personnel structure, in the composition of the respective armed forces, given the (military) civil servant status of the defence personnel concerned, we consider it unacceptable that the professional and civilian defence personnel in the

12 *Complaint No. 3/1999*

United Kingdom, France Italy, Greece, Spain and Portugal are further denied fundamental basic rights and cannot unite in free trade union organisations.

10. This personnel question also plays an important role in the future developments of a European defence force, namely in the context of a more integrated European peace and security policy.
11. In view of the advanced co-operation forms at Defence level in Europe, it seems unacceptable to us that the Personnel of Defence of certain countries would not enjoy the same rights, guaranteed by the Social Charter (Articles 5 and 6), as their colleagues whom they have to co-operate with and who have to fulfil exactly the same tasks.

Appendix – Excerpt from the Eurofedop statutes concerning the functions of the President and the Secretary General

VII. THE PRESIDENT

Article 20

1. **The President represents EUROFEDOP on all occasions.** He presides the governing bodies mentioned in Article 8. He can attend by right meetings of the Trade Councils defined in Article 8 and the Commissions and Working Groups set up by the Daily Management Board and the Executive Committee.
2. In agreement with the Daily Management Board he can, within the statutory bodies, be represented by a Vice-Chairman.
3. If the post of President becomes vacant, the presidency is assumed by one of the Vice-Chairmen nominated for the purpose by the Executive Committee. This nomination is valid until the next Congress.

VIII. THE SECRETARY GENERAL

Article 21

1. **The Secretary General represents EUROFEDOP on the same basis as the President.**
2. He directs the Secretariat and the staff of EUROFEDOP serving in the general secretariat as well as in the European Secretariats established by the Executive Committee. He manages the day to day affairs about which he is answerable to the Daily Management Board, the Executive Committee and the Congress.
3. He is responsible for the execution of the decisions and resolutions of Congress, the Executive Committee and the Daily Management Board. He reports on his activities, to these statutory bodies in accordance with the forms and conditions determined by them.

Decision on the admissibility of Complaint No. 3/1999 by the European Federation of Employees in Public Services (EUROFEDOP)

The European Committee of Social Rights, Committee of Independent Experts established under Article 25 of the European Social Charter (hereafter referred to as "the Committee"), during its 164th session attended by:

Messrs	Matti MIKKOLA, President
	Stein EVJU, Vice-President
	Konrad GRILLBERGER
	Alfredo BRUTO DA COSTA
Ms	Micheline JAMOULLE
Messrs	Nikitas ALIPRANTIS
	Tekin AKILLIOĞLU

Assisted by Mr Régis BRILLAT, Secretary to the Committee

Having regard to the complaint registered as number 3/1999, lodged on 13 August 1999 by the European Federation of Employees in Public Services represented by its President, Mr Guy Rausner and its Secretary-General, Mr Bert Van Caelenberg requesting that the Committee find that Greece fails to apply in a satisfactory manner Articles 5 and 6 of the European Social Charter in that the armed forces do not enjoy the rights provided under these provisions and that the situation of civilian members of the Ministry of Defence is in practice not in conformity with them;

Having regard to the documents appended to the complaint;

Having regard to the European Social Charter and its Additional Protocol providing for a system of collective complaints;

Having regard to the rules of procedure adopted by the Committee on 9 September 1999 during its 163rd session;

After having deliberated on 13 October 1999;

Delivers the following decision:

16 *Decision on admissibility*

The Committee notes that the Protocol was ratified by Greece on 18 June 1998 and entered into force on 1 July 1998. Pursuant to Article 4 of the Protocol, a complaint shall relate to a provision of the Charter accepted by the Contracting Party concerned. The Committee notes that Greece has not accepted to be bound by Articles 5 and 6 of the Charter.

For these reasons, the Committee, on the basis of the report presented by Mr Stein EVJU,

DECLARES THE COMPLAINT INADMISSIBLE.

Requests the Secretary to the Committee to inform the Greek Government and the European Federation of Employees in Public Services that the present complaint is inadmissible.

Stein EVJU : Rapporteur

Matti MIKKOLA : President of the Committee

Régis BRILLAT: Secretary to the Committee

Appendices

Appendix I

Additional Protocol to the 1995 European Social Charter providing for a system of collective complaints

Preamble

The member States of the Council of Europe, signatories to this Protocol to the European Social Charter, opened for signature in Turin on 18 October 1961 (hereinafter referred to as "the Charter");

Resolved to take new measures to improve the effective enforcement of the social rights guaranteed by the Charter;

Considering that this aim could be achieved in particular by the establishment of a collective complaints procedure, which, *inter alia*, would strengthen the participation of management and labour and of non-governmental organisations,

Have agreed as follows:

Article 1

The Contracting Parties to this Protocol recognise the right of the following organisations to submit complaints alleging unsatisfactory application of the Charter:

- a. international organisations of employers and trade unions referred to in para. 2 of Article 27 of the Charter;
- b. other international non-governmental organisations which have consultative status with the Council of Europe and have been put on a list established for this purpose by the Governmental Committee;
- c. representative national organisations of employers and trade unions within the jurisdiction of the Contracting Party against which they have lodged a complaint.

Article 2

1. Any Contracting State may also, when it expresses its consent to be bound by this Protocol, in accordance with the provisions of Article 13, or at any moment thereafter, declare that it recognises the right of any other representative national non-governmental organisation within its jurisdiction which has particular competence in the matters governed by the Charter, to lodge complaints against it.
2. Such declarations may be made for a specific period.
3. The declarations shall be deposited with the Secretary General of the Council of Europe who shall transmit copies thereof to the Contracting Parties and publish them.

Article 3

The international non-governmental organisations and the national non-governmental organisations referred to in Article 1.b and Article 2 respectively may submit complaints in accordance with the procedure prescribed by the aforesaid provisions only in respect of those matters regarding which they have been recognised as having particular competence.

Article 4

The complaint shall be lodged in writing, relate to a provision of the Charter accepted by the Contracting Party concerned and indicate in what respect the latter has not ensured the satisfactory application of this provision.

Article 5

Any complaint shall be addressed to the Secretary General who shall acknowledge receipt of it, notify it to the Contracting Party concerned and immediately transmit it to the Committee of Independent Experts.

Article 6

The Committee of Independent Experts may request the Contracting Party concerned and the organisation which lodged the complaint to submit written information and observations on the admissibility of the complaint within such time-limit as it shall prescribe.

Article 7

1. If it decides that a complaint is admissible, the Committee of Independent Experts shall notify the Contracting Parties to the Charter through the Secretary General. It shall request the Contracting Party concerned and the organisation which lodged the complaint to submit, within such time-limit as it shall prescribe, all relevant written explanations or information, and the other Contracting Parties to this Protocol, the comments they wish to submit, within the same time-limit.
2. If the complaint has been lodged by a national organisation of employers or a national trade union or by another national or international non-governmental organisation, the Committee of Independent Experts shall notify the international organisations of employers or trade unions referred to in para. 2 of Article 27 of the Charter, through the Secretary General, and invite them to submit observations within such time-limit as it shall prescribe.
3. On the basis of the explanations, information or observations submitted under para.s 1 and 2 above, the Contracting Party concerned and the organisation which lodged the complaint may submit any additional written information or observations within such time- limit as the Committee of Independent Experts shall prescribe.

4. In the course of the examination of the complaint, the Committee of Independent Experts may organise a hearing with the representatives of the parties.

Article 8

1. The Committee of Independent Experts shall draw up a report in which it shall describe the steps taken by it to examine the complaint and present its conclusions as to whether or not the Contracting Party concerned has ensured the satisfactory application of the provision of the Charter referred to in the complaint.
2. The report shall be transmitted to the Committee of Ministers. It shall also be transmitted to the organisation that lodged the complaint and to the Contracting Parties to the Charter, which shall not be at liberty to publish it.

It shall be transmitted to the Parliamentary Assembly and made public at the same time as the resolution referred to in Article 9 or no later than four months after it has been transmitted to the Committee of Ministers.

Article 9

1. On the basis of the report of the Committee of Independent Experts, the Committee of Ministers shall adopt a resolution by a majority of those voting. If the Committee of Independent Experts finds that the Charter has not been applied in a satisfactory manner, the Committee of Ministers shall adopt, by a majority of two-thirds of those voting, a recommendation addressed to the Contracting Party concerned. In both cases, entitlement to voting shall be limited to the Contracting Parties to the Charter.
2. At the request of the Contracting Party concerned, the Committee of Ministers may decide, where the report of the Committee of Independent Experts raises new issues, by a two-thirds majority of the Contracting Parties to the Charter, to consult the Governmental Committee.

Article 10

The Contracting Party concerned shall provide information on the measures it has taken to give effect to the Committee of Ministers' recommendation, in the next report which it submits to the Secretary General under Article 21 of the Charter.

Article 11

Articles 1 to 10 of this Protocol shall apply also to the articles of Part II of the first Additional Protocol to the Charter in respect of the States Parties to that Protocol, to the extent that these articles have been accepted.

Article 12

The States Parties to this Protocol consider that the first paragraph of the appendix to the Charter, relating to Part III, reads as follows:

"It is understood that the Charter contains legal obligations of an international character, the application of which is submitted solely to the supervision provided for in Part IV thereof and in the provisions of this Protocol."

Article 13

1. This Protocol shall be open for signature by member States of the Council of Europe signatories to the Charter, which may express their consent to be bound by:
 - a. signature without reservation as to ratification, acceptance or approval;
or
 - b. signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.
2. A member State of the Council of Europe may not express its consent to be bound by this Protocol without previously or simultaneously ratifying the Charter.
3. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 14

1. This Protocol shall enter into force on the first day of the month following the expiration of a period of one month after the date on which five member States of the Council of Europe have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 13.
2. In respect of any member State which subsequently expresses its consent to be bound by it, the Protocol shall enter into force on the first day of the month following the expiration of a period of one month after the date of the deposit of the instrument of ratification, acceptance or approval.

Article 15

1. Any Party may at any time denounce this Protocol by means of a notification addressed to the Secretary General of the Council of Europe.
2. Such denunciation shall become effective on the first day of the month following the expiration of a period of twelve months after the date of receipt of such notification by the Secretary General.

Article 16

The Secretary General of the Council of Europe shall notify all the member States of the Council of:

- a. any signature;
- b. the deposit of any instrument of ratification, acceptance or approval;
- c. the date of entry into force of this Protocol in accordance with Article 14;
- d. any other act, notification or declaration relating to this Protocol.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 9th day of November 1995, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.

Appendix II

Rules of Procedure of the European Committee of Social Rights (extract relating to the collective complaints procedure)

Part VII: Collective complaints procedure

Rule 19: Lodging of complaints

Collective complaints submitted under the 1995 Additional Protocol providing for a system of collective complaints shall be addressed to the Secretary to the Committee acting on behalf of the Secretary General of the Council of Europe.

Rule 20: Signature

Complaints shall be signed by the person(s) with the competence to represent the complainant organisation. The Committee decides on any questions concerning this matter.

Rule 21: Languages

1. Complaints made by the organisations listed in Article 1 paras. a and b of the Protocol shall be submitted in one of the official languages of the Council of Europe.
2. Complaints made by organisations listed in Article 1 para. c and Article 2 para. 1 of the Protocol may be submitted in a language other than one of the official languages of the Council of Europe. For these complaints, the Secretary to the Committee is authorised in his correspondence with the complainants to use a language other than one of the official languages of the Council of Europe.

Rule 22: Representatives of the States and of the complainant organisations

1. The states shall be represented before the Committee by the agents they appoint. These may have the assistance of advisers.
2. The organisations referred to in paras. 2 and 3 of the Protocol shall be represented by a person appointed by the organisation to this end. They may have the assistance of advisers.
3. The names and titles of the representatives and of any advisers shall be notified to the Committee.

Rule 23: Order in which to handle a complaint

Complaints shall be registered with the Secretariat of the Committee in chronological order. The Committee shall deal with complaints in the order in which they become

26 *Appendix II*

ready for examination. It may, however, decide to give precedence to a particular complaint.

Rule 24: Rapporteurs

1. For each complaint a member of the Committee shall be appointed by the President to act as Rapporteur.
2. The Rapporteur shall follow the proceedings. He or she shall inform the Committee at each of its sessions of the progress of the proceedings and of the procedural decisions taken by the President since the previous session.
3. The Rapporteur shall elaborate a draft decision on admissibility of the complaint for adoption by the Committee, followed by, as the case may be, a draft report for the Committee of Ministers as provided for in Article 8 of the Protocol.

Rule 25: Role of the President

1. The President shall take the decisions provided for in Rules 26 to 29.
2. The President shall set the time limits mentioned under Article 6 and under Article 7 paras. 1, 2 and 3 of the Protocol. He or she may grant, in exceptional cases and following a well-founded request, an extension of these time limits.
3. The President may, in the name of the Committee, take any necessary measures in order that the procedure may be correctly carried out.
4. The President may especially, in order to respect a reasonable time limit for dealing with complaints, decide to convene additional sessions of the Committee.

Rule 26: Observations on the admissibility

1. Before the Committee decides on admissibility, the President of the Committee may ask the State concerned for written information and observations, within a time limit that he or she decides, on the admissibility of the complaint.
2. The President may also ask the organisation that lodged the complaint to respond, on the same conditions, to the observations made by the State concerned.

Rule 27: Admissibility assessment

1. The Rapporteur shall within the shortest possible time limit elaborate a draft decision on admissibility. It shall contain:
 - a. a statement of the relevant facts;
 - b. an indication of the issues arising under the Charter in the complaint;
 - c. a proposal on the admissibility of the complaint.

2. The Committee's decision on admissibility of the complaint shall be accompanied by reasons and be signed by the President, the Rapporteur and the Secretary to the Committee.
3. The Committee's decision on admissibility of the complaint shall be made public.
4. The States party to the Charter or the revised Charter shall be notified about the decision.
5. If the complaint is declared admissible, copies of the complaint and the observations of the parties shall be transmitted, upon request, to States party to the Protocol and to the international organisations of employers and trade unions referred to in para. 2 of Article 27 of the Charter. They shall also have the possibility to consult the appendices to the complaint at the Secretariat.

Rule 28: Assessment of the merits of the complaint - written procedure

1. If a complaint has been declared admissible, the Committee asks the State concerned to make its observations on the merits of the complaint within a time limit that it decides.
2. The President then invites the organisation that lodged the complaint to respond, on the same conditions, to these observations and to submit all relevant written explanations or information to the Committee.
3. The States party to the Protocol as well as the States having ratified the revised Social Charter and having made a declaration under Article D para. 2 shall be invited to make comments within the same time limit as that decided above under para. 1.
4. The international organisations of employers and trade unions referred to in Article 27 para. 2 of the Charter shall be invited to make observations on complaints lodged by national organisations of employers and trade unions and by non-governmental organisations.
5. The observations submitted in application of paras. 3 and 4 shall be transmitted to the organisation that lodged the complaint and to the State concerned.
6. Any information received by the Committee in application of Article 7 paras. 1, 2 and 3 of the Protocol shall be transmitted to the State concerned and to the complainant organisation.

Rule 29: Hearing

1. The hearing provided for under Article 7 para. 4 of the Protocol may be held at the request of one of the parties or on the Committee's initiative. The Committee shall decide whether or not to act upon a request made by one of the parties.
2. The State concerned and the complainant organisation as well as the States and organisations referred to under Article 7 of the Protocol that have

submitted written observations during the proceedings shall be invited to the hearing.

3. The hearing shall be public unless the President decides otherwise.

Rule 30: The Committee's decision on the merits

1. The Committee's decision on the merits of the complaint contained in the report provided for in Article 8 of the Protocol shall be accompanied by reasons and be signed by the President, the Rapporteur and the Secretary to the Committee. Any dissenting opinions shall be appended to the Committee's decision at the request of their authors.
2. The report containing the decision in question shall be transmitted to the Committee of Ministers and to the Parliamentary Assembly.
3. The Committee's decision on the merits of the complaint shall be made public at the moment of the adoption of a resolution by the Committee of Ministers in conformity with Article 9 of the Protocol or at the latest four months after the report was transmitted to the Committee of Ministers.
4. When the Committee's decision has become public, all documents registered with the Secretariat shall be accessible to the public unless the Committee decides otherwise following a proposal by the Rapporteur.

Part VIII: Amendment to the Rules of Procedure

Rule 31: Amendments

Any rule may be amended upon motion made after notice by one of its members when such motion is carried, at a session of the Committee, by a majority of all its members. Notice of such a motion shall be delivered in writing at least two months before the session at which it is to be discussed. Such notice of motion shall be communicated to all members of the Committee at the earliest possible moment.

Appendix III

Signatures and ratifications of the Charter, its Protocols (including the Collective Complaints Protocol) and the revised Charter – the situation as at 1 July 2001

Member states	European Social Charter 1961		Additional Protocol 1988		Amending Protocol 1991		Collective Complaints Protocol 1995		Revised European Social Charter 1996	
	Signature	Ratification	Signature	Ratification	Signature	Ratification	Signature	Ratification	Signature	Ratification
	Albania	(1)	—	(1)	—	(1)	—	(1)	—	21/09/98
Andorra	(1)	—	(1)	—	(1)	—	(1)	—	4/11/00	—
Armenia	—	—	—	—	—	—	—	—	—	—
Austria	22/07/63	29/10/69	04/12/90	—	07/05/92	13/07/95	07/05/99	—	07/05/99	—
Azerbaijan	—	—	—	—	—	—	—	—	—	—
Belgium	18/10/61	16/10/90	20/05/92	—	22/10/91	21/09/00	14/05/96	—	03/05/96	—
Bulgaria	(2)	(2)	(3)	(3)	(2)	(2)	(4)	(4)	21/09/98	07/06/00
Croatia	08/03/99	—	08/03/99	—	08/03/99	—	08/03/99	—	—	—
Cyprus	22/05/67	07/03/68	05/05/88	(3)	21/10/91	01/06/93	09/11/95	06/08/96	03/05/96	27/09/00
Czech Republic	27/05/92*	3/11/99	27/05/92*	17/11/99	27/05/92*	17/11/99	—	—	4/11/00	—
Denmark	18/10/61	03/03/65	27/08/96	27/08/96	—	**	09/11/95	—	03/05/96	—
Estonia	(2)	(2)	(3)	(3)	(2)	(2)	(2)	—	04/05/98	11/09/00
Finland	09/02/90	29/04/91	09/02/90	29/04/91	16/03/92	18/08/94	09/11/95	17/07/98	03/05/96	—
France	18/10/61	09/03/73	22/06/89	(2)	21/10/91	24/05/95	09/11/95	07/05/99	03/05/96	07/05/99
Georgia	(1)	—	(1)	—	(1)	—	(1)	—	30/06/00	—
Germany	18/10/61	27/01/65	05/05/88	—	—	**	—	—	—	—
Greece	18/10/61	06/06/84	05/05/88	18/06/98	29/11/91	12/09/96	18/06/98	18/06/98	03/05/96	—
Hungary	13/12/91	08/07/99	—	—	13/12/91	**	—	—	—	—
Iceland	15/01/76	15/01/76	05/05/88	—	—	**	—	—	04/11/98	—
Ireland	18/10/61	07/10/64	(3)	(3)	14/05/97	14/05/97	4/11/00	4/11/00	4/11/00	4/11/00
Italy	18/10/61	22/10/65	05/05/88	26/05/94	21/10/91	27/01/95	09/11/95	03/11/97	03/05/96	05/07/99
Latvia	29/05/97	—	29/05/97	—	29/05/97	—	—	—	—	—
Liechtenstein	09/10/91	—	—	—	—	—	—	—	—	—
Lithuania	(2)	(2)	(3)	(3)	(2)	(2)	(2)	—	08/09/97	29/06/01
Luxembourg	18/10/61	10/10/91	05/05/88	—	21/10/91	**	—	—	11/02/98	—
Malta	26/05/88	04/10/88	—	—	21/10/91	16/02/94	—	—	—	—
Moldova	(1)	—	(1)	—	(1)	—	(1)	—	03/11/98	—
Netherlands	18/10/61	22/04/80	14/06/90	05/08/92	21/10/91	01/06/93	—	—	—	—
Norway	18/10/61	26/10/62	10/12/93	10/12/93	21/10/91	21/10/91	20/03/97	20/03/97	07/05/01	07/05/01
Poland	26/11/91	25/06/97	—	—	18/04/97	25/06/97	—	—	—	—
Portugal	01/06/82	30/09/91	(1)	—	24/02/92	08/03/93	09/11/95	20/03/98	03/05/96	—
Romania	04/10/94	(2)	(3)	(3)	(2)	(2)	(2)	—	14/05/97	07/05/99
Russia	(1)	—	(1)	—	(1)	—	(1)	—	14/09/00	—
San Marino	—	—	—	—	—	—	—	—	—	—
Slovakia	27/05/92*	22/06/98	27/05/92*	22/06/98	27/05/92*	22/06/98	18/11/99	—	18/11/99	—
Slovenia	11/10/97	(2)	11/10/97	(3)	11/10/97	(2)	11/10/97	(4)	11/10/97	07/05/99
Spain	27/04/78	06/05/80	05/05/88	24/01/00	21/10/91	24/01/00	—	—	23/10/00	—
Sweden	18/10/61	17/12/62	05/05/88	05/05/89	21/10/91	18/03/92	09/11/95	29/05/98	03/05/96	29/05/98
Switzerland	06/05/76	—	—	—	—	—	—	—	—	—
“The former Yugoslav Republic of Macedonia”	05/05/98	—	05/05/98	—	05/05/98	—	—	—	—	—
Turkey	18/10/61	24/11/89	05/05/98	—	—	**	—	—	—	—
Ukraine	02/05/96	—	(1)	—	(1)	—	(1)	—	07/05/99	—
United Kingdom	18/10/61	11/07/62	—	—	21/10/91	**	—	—	07/11/97	—

* Date of signature by the Czech and Slovak Federal Republic.

** State whose ratification is necessary for the entry into force of the protocol.

- (1) State having signed the Revised Social Charter.
- (2) State having ratified the revised Social Charter.
- (3) State having accepted the rights (or certain of the rights) guaranteed by the Protocol by ratifying the revised Charter.
- (4) State having accepted the collective complaints procedure by a declaration made in application of Article D para. 2 of Part IV of the revised Social Charter.

Appendix IV

International non-governmental organisations entitled to submit collective complaints¹

Conference of European Churches (KEK)

Eurolink Age

European Action of the Disabled (AEH) (1 January 2000)

European Anti-Poverty Network

European Association for Palliative Care (EAPC)

European Association of Railwaymen

European Centre of the International Council of Women

European Council of Police Trade Unions

European Council of WIZO Federations

European Federation of the Elderly (1 January 1999)

European Federation of Employees in Public Services (EUROFEDOP)

European Federation of National Organisations Working with the Homeless (FEANTSA)

European Forum for Child Welfare

Education International (1 January 1999)

European Movement

European Non-Governmental Sports Organisation (ENGSO) (1 January 1999)

European Ombudsman Institute

European Organisation of Military Associations (EUROMIL)

European Regional Council of the World Federation for Mental Health

Eurotalent

¹ List established by the Governmental Committee following the decision of the Committee of Ministers on 22 June 1995 (see para. 20 of the explanatory report to the Protocol). The organisations are registered on this list - in English alphabetical order - for a duration of four years as from the date of entry into force of the Protocol (1 July 1998), with the exception of five NGOs for which it is indicated that the duration of four years begins on 1 January 1999 or 1 January 2000.

European Union of Rechtspfleger (1 January 1999)
European Women's Lobby
International Association Autism-Europe
International Association of the Third-Age Universities
International Catholic Society for Girls
International Centre for the Legal Protection of Human Rights (INTERIGHTS)
International Commission of Jurists
International Confederation of Catholic Charities (CARITAS INTERNATIONALIS) (1 January 2000)
International Council of Environmental Law (ICEL) (1 January 2000)
International Council of Nurses
International Council on Social Welfare
International Federation of Educative Communities (FICE)
International Federation of Human Rights Leagues
International Federation for Hydrocephalus and Spina Bifida
International Federation of Musicians
International Federation for Parent Education (1 January 1999)
International Federation of Settlements and Neighbourhood Centres
International Humanist and Ethical Union
International Movement ATD - Fourth World
International Planned Parenthood Federation – Europe Region (IPPF)
International Road Safety
International Scientific Conference of Minorities for Europe of Tomorrow (ISCOMET)
Marangopoulos Foundation for Human Rights (MFHR) (1 January 2000)
Public Services International
Quaker Council for European Affairs (QCEA)
Standing Committee of the Hospitals of the European Union
World Confederation of Teachers

