



Strasbourg, 23 January 2004

T-SG (2003) 28

GOVERNMENTAL COMMITTEE OF THE EUROPEAN SOCIAL CHARTER

REPORT

Conclusions 2003

This document contains the full report of the Governmental Committee established by Article 27 para. 3 of the European Social Charter. A summary of the report is available on www.coe.int/T/E/Human_Rights/Esc

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I. INTRODUCTION

1. This report is submitted by the Governmental Committee of the European Social Charter made up of delegates of each of the thirty-three states bound by the European Social Charter or the European Social Charter (revised)¹. Representatives of international organisations of employers and workers (presently the European Trade Union Confederation (ETUC) and the International Organisation of Employers (IOE)) attend in a consultative capacity meetings of the Committee. The Union of Industrial and Employers' Confederations of Europe (UNICE) is also invited to attend but did not participate in meetings in 2003.

2. The supervision of the application of the European Social Charter is based on an analysis of the national reports submitted at regular intervals by the states. According to the Charter, the States Parties are under the obligation to consult the national organisations of employers and the national trade unions on the content of the report. Reports are published on www.coe.int/T/E/Human_Rights/Esc.

3. The first responsibility for the analysis lies with the European Committee of Social Rights (Article 25 of the Charter), whose decisions are set out in a volume of "Conclusions". On the basis of these conclusions, the Governmental Committee (Article 27 of the Charter) draws up a report to the Committee of Ministers which may "make to each Contracting Party any necessary recommendations" (Article 29 of the Charter).

4. In accordance with Article 27 of the Charter, the Governmental Committee has examined national reports submitted by France, Italy, Romania, Slovenia and Sweden in application of the European Social Charter (Revised) and the first national report submitted by Bulgaria. Reports were due on 31 March 2002 at the latest. The Governmental Committee repeats that it attaches a great importance to the respect of the deadline by the States Parties.

5. Conclusions 2003 of the European Committee of Social Rights were adopted in June 2003.

6. The Governmental Committee held three meetings (8-11 April 2003, 20-23 May 2003 and 23-26 September 2003), which were chaired by Mr Edward GATT (Malta). It examined the said Conclusions during its third meeting in September 2003.

7. The list of participants appears in Appendix I.

¹ List of the states parties : Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey and the United Kingdom.

8. Following a decision in October 1992 by the Ministers' Deputies, observers from member states of central and eastern Europe having signed the European Social Charter or the European Social Charter (revised) (Armenia, Azerbaijan, Georgia, the Russian Federation, "the former Yugoslav Republic of Macedonia" and Ukraine) were also invited to attend the meetings of the Governmental Committee, for the purpose of preparing their ratification of this instrument. Since a decision of the Ministers' Deputies in December 1998, other signatory states were also invited to attend the meetings of the Committee (namely Andorra, Liechtenstein, San Marino, and Switzerland).

9. The Committee did not consider any issue in respect of which it was deemed necessary to consult non-Governmental organisations, as provided for in Article 27 paragraph 2 of the Charter.

10. The Committee was satisfied to note that since the last supervisory cycle, the following signatures and ratifications had taken place:

- on 14 November 2002 :
 - Albania ratified the European Social Charter (revised);
- on 26 February 2003 :
 - Croatia ratified the European Social Charter, the 1988 Additional Protocol, the 1991 Amending Protocol and the Collective Complaints Protocol;
- on 23 June 2003 :
 - Belgium ratified the 1988 Additional Protocol and the Collective Complaints Protocol.

11. The state of signatures and ratifications on 30 September 2003 is therefore as it appears in Appendix II to the present report.

II. EXAMINATION OF NATIONAL SITUATIONS ON THE BASIS OF CONCLUSIONS 2003 OF THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS

12. The Committee examined the situations not in conformity with the European Social Charter (revised) listed in Appendix III to the present report.

13. The Committee took note of the cases where the conclusion is deferred because of new questions put by the European Committee of Social Rights as they appear in Appendix IV to the present report. It asked governments to reply to the questions in their next reports.

14. During its examination, the Committee took note of important positive developments in several States Parties. It urges governments to continue their efforts with a view to ensure compliance with the European Social Charter (revised). In particular, it asked governments to take into consideration Recommendations adopted by the Committee of Ministers. It adopted the warning and the proposals to renew recommendations appearing in Appendix V to this report.

15. The Committee proposes to the Committee of Ministers to adopt the following Resolution:

Resolution on the implementation of the European Social Charter (revised) during the period 1997-2000

*(Adopted by the Committee of Ministers
on
at the meeting of the Ministers' Deputies)*

The Committee of Ministers,²

Referring to the European Social Charter (revised), in particular to the provisions of Part IV thereof;

Having regard to Article 29 of the Charter;

Considering the reports on the European Social Charter (revised) submitted by the Governments of Bulgaria, France, Italy, Romania, Slovenia and Sweden (concerning period of reference 1997-2000);

² At the 492nd meeting of Ministers' Deputies in April 1993, the Deputies "agreed unanimously to the introduction of the rule whereby only representatives of those States which have ratified the Charter vote in the Committee of Ministers when the latter acts as a control organ of the application of the Charter". The states having ratified the European Social Charter or the European Social Charter (revised) are Albania, Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey and the United Kingdom.

Considering Conclusions 2003 of the European Committee of Social Rights appointed under Article 25 of the Charter;

Following the proposal made by the Governmental Committee established under Article 27 of the Charter;

Renews the recommendations relating to Italy which have not yet come into effect with regard to:

- Article 3 paragraph 3 (provision for the enforcement of safety and health regulations by measure of supervision)³; *(the Italian authorities are invited to produce in their reports information on the activities monitoring the application of occupational health and safety regulations)*
- Article 4 paragraph 4 (reasonable notice of termination of employment)⁴ *(in some sectors the periods of notice for termination of employment are too short);*

Recommends in addition that Governments take account, in an appropriate manner, of all the various observations made in the Conclusions 2003 of the European Committee of Social Rights and in the report of the Governmental Committee.

EXAMINATION ARTICLE BY ARTICLE

A. Cases of non-compliance

Article 1§4 – Vocational guidance, training and rehabilitation

ITALY

16. [Due to the link between the two provisions, the Committee referred to Articles 9, 10§3 and 15§1.](#)

³ Recommendation No. R ChS(94)4 of 8 April 1994 as well as Recommendation R ChS(95)7 of 22 June 1995, which were already renewed by Resolution (97)1 of 15 January 1997. It is recalled that Article 3 paragraph 3 of the European Social Charter (revised) sets out (a modified form of) the right which originally appeared under Article 3 paragraph 2 of the 1961 European Social Charter.

⁴ Recommendation No. R ChS(95)7 of 22 June 1995.

SLOVENIA

17. Due to the link between the two provisions, the Committee referred to Article 10§3.

Article 2§1 – Reasonable daily and weekly working hours

FRANCE

18. The French delegate stated that the legislation on the 35 hour working week had been considered as achieving social progress and it was the clear intention that all employees should benefit from it, including intermediary managers. However, it was not feasible to limit working time for these managers to 1,600 hours annually as for other workers, and legislation therefore provided that their working time should be counted in days with a maximum number of working days per year which amounted to additional days off. The legislation required that such arrangements be settled in collective agreements. The calculation of a 78-hour working week was theoretical and this possibility would not happen in practice. The ECSR had found the situation to be in breach of the Revised Charter within the context of Collective Complaint No. 9/2000. However, during the course of this procedure, ETUC had expressed the view that the situation did not raise any problem. At the end of the procedure, the Committee of Ministers upon considering ECSR's report on the complaint had adopted a Resolution which did not ask France to take any action. The French delegate considered the whole situation to be rather strange: should the Governmental Committee take a decision, it would contest a decision of the Committee of Ministers.

19. The Dutch, Cypriot, Portuguese and Romanian delegates agreed that, in these specific circumstances, it would not be useful to propose anything to the Committee of Ministers.

20. The ETUC representative asked whether in fact the Committee of Ministers had embarked on a legal assessment of the situation. If this was the case, it was a highly unfortunate development. He further asked clarification as regards a new complaint which had been introduced concerning the working hours of intermediary managers.

21. The Executive Secretary explained the substantive content of Complaint No. 9/2000 and the process that had led to the Committee of Ministers' decision. He sincerely hoped that it was an exceptional decision and an isolated case which would not set a precedent for the future. He confirmed that the complainant trade union in Complaint No. 9/2000 had lodged a new complaint relating to the same issue (working hours of intermediary managers), which was now governed by a new legislative framework. The complaint had already been declared admissible.

22. The Portuguese delegate considered it unfortunate that several complaints were lodged on the same facts as this might lead to a conflict between the two supervisory procedures.

23. The German delegate recalled that Germany had neither accepted the Amending Protocol to the Charter nor the Collective Complaints Protocol and his Government continued to have doubts about the relationship between the two supervisory procedures. Moreover, his Government had always insisted on its right to make legal arguments in the Committee of Ministers in line with general principles of international treaty law and with the spirit in which the Charter had been drafted. The ETUC representative expressed disappointment at the statement of the German delegate and hoped that the German Government would soon begin to take a more flexible approach in these matters.

24. The Hungarian delegate considered that it was not for this Committee to discuss legal issues.

25. The Committee took note of the information provided by the French delegate and of the Resolution by the Committee of Ministers in Collective Complaint No. 9/2000 and it decided to await the next assessment of ECSR.

Article 2§2 – Public holidays with pay

SLOVENIA

26. The Slovenian delegate stated her Government's view that public holidays are fixed to precisely defined events and that the purpose of such holidays is to enable workers to celebrate. Consequently, although the Government considered that increased remuneration should be guaranteed for work on a public holiday it saw no sense in ensuring free time on another day in compensation. She recalled that the level of increased pay was determined by collective agreements and the increase usually ranged between 100-200%.

27. The Committee took note of the information provided and urged the Government to bring the situation into conformity with the Revised Charter.

Article 2§3 – Annual holiday with pay

SLOVENIA

28. The Slovenian delegate confirmed that a new Employment Act had entered into force on 1 January 2003 providing for a minimum of four weeks' paid holiday per year thereby bringing the situation into conformity with the Revised Charter.

29. The Committee took note of this positive development and decided to await the next assessment of the ECSR.

Article 2§4 – Elimination of risks for workers in dangerous or unhealthy occupations

ITALY

30. The Italian delegate gave a detailed description of the legal framework pertaining to dangerous and unhealthy occupations and emphasized that her Government's policy in this field is one of prevention and elimination of risk at source. Her Government did not consider reduced working hours or additional paid holidays to be appropriate measures to protect the health and safety of workers. She finally recalled that Italy had implemented all the relevant European Union legislation in this field.

31. The Belgian, Cypriot and Portuguese delegates recalled that the wording of Article 2§4 had changed and considered that ECSR's conclusion, although deciding on a violation, seemed to indicate an opening in the interpretation of this provision. Taking into account that the conclusion is based on the lack of information, it would be appropriate to give the Italian Government enough time to carefully explain the situation.

32. The ETUC representative pointed out that the situation had been in breach of the 1961 Charter since the 5th cycle and it was therefore clearly incumbent on the Government to prove that the situation was in conformity with Article 2§4 in its new wording. He further reminded the Committee that even in this new wording there was still a requirement for reduced working hours or additional paid holidays in cases where risks could not be entirely eliminated.

33. The IOE representative considered that ECSR had taken a very restrictive attitude and that it was clearly impossible to prove that all risks had been eliminated.

34. The German delegate observed that things are changing rapidly in the labour market with old risks disappearing and new risks emerging. It was therefore reasonable to expect a considerable degree of evolution in ECSR's interpretation of Article 2§4.

35. The Committee took note of the information provided and urged the Government to bring the situation into conformity with the Revised Charter. It requested that all the necessary information be included in the next report.

Article 3§2 – Issue of safety and health regulations

FRANCE

i. Protection against ionising radiation

36. The French delegate stated that since the last report, the French regulations concerning protection against ionising radiation had been completed and the legislative framework was now complete. The Council Directive 96/29/Euratom of 1996 was fully transposed in domestic law including the provisions relating to the dose limits. Thus the French regulations took into account the dose limits recommended by the International Commission on Radiological Protection (ICRP) in its publication No. 60, 1990. The delegate stated that detailed information would be provided in the next report.

ii. Personal scope of the regulations

37. The French delegate explained that self-employed workers working in the establishments mentioned in the ECSR's conclusions were protected in the field of health and safety at work. The French Government was of the opinion that employed and non-employed workers were normally exposed to the same risks in the context of the working environment. However, specific regulations taking into account self-employed work had been adopted under policy sectors. These regulations apply to three activity areas: public works, exposure to ionising radiation and chemical agents. The delegate again stated that full information would be provided in the next report.

38. The Committee asked the Government to provide updated information on the situation in its next report and decided to await the next assessment of the ECSR.

ITALY

39. The Italian delegate stated that the legal situation had improved outside the reference period and that "permanent" self-employed workers were now covered by the occupational health and safety regulations. She also stated that all relevant information would be given in the next report.

40. On the proposal of the ETUC representative supported by the Cypriot delegate, the Committee asked Italy to provide precise information in the next report including a clear definition of the notions referred to.

41. The Committee decided to await the next examination of the ECSR.

ROMANIA

42. The Romanian delegate stated that since submitting its last report the Romanian legislation in the field of health and safety at work had been modified and completed. As regards domestic staff, the new Labour Code, which entered into effect on 1 March 2003, stipulated that this category enjoyed the same rights as any other employees working at the employers' premises. It repealed all other contrary provisions. As regards self-employed workers, Act No. 507/2002 on the organisation and carrying out of economic activities by natural persons provided for the obligation of self-employed workers to declare that they are responsible for observing and knowing all legislation in the field of health and safety at work.

43. The Committee asked the Government to provide precise updated information on the evolution of the legal situation in its next report, including on the consequences of self-employed workers' ignorance of the rules, and decided to await the next assessment of the ECSR.

Article 3§3 – Provision for the enforcement of safety and health regulations by measures of supervision

ITALY

44. The Italian delegate stated that the requested statistical information was not yet available despite the efforts made by the Government.

45. The ETUC representative was concerned that the situation had not yet been remedied despite many conclusions of non-conformity and two recommendations. He was of the opinion that it threatened the credibility of the supervisory mechanism.

46. The IOE representative reminded the Committee that it was hard to obtain the requested data; in spite of the Italian authorities' goodwill since compiling this information was the responsibility of the USL, autonomous and independent institutions. She added that it would be worth using other sources.

47. As a result of the discussions, the Committee decided to vote for the proposal for a renewal of Recommendation Nos. R ChS (94)4 and R ChS (95)7 addressed by the Committee of Ministers to Italy on this subject and renewed in Resolution ChS (97)1. The renewal was carried with 26 votes in favour, 0 against and 2 abstentions.

48. After the proposal for a renewal of Recommendations being voted, the Italian delegate obtained information on labour inspectorate activities and occupational accidents in response to the ECSR's request. The Italian delegate asked the Committee to reopen discussions on the subject of renewing the Recommendation in the light of the information received.

49. The Committee agreed to let the Italian delegate briefly present the content of the new documents. The Italian delegate considered that this was information that would satisfy the ECSR's requirements. She was supported by the IOE representative who stressed that Italy had made efforts to compile data and that this should be taken into account.

50. The Committee took note of the information but considered that it was not its responsibility to assess the information and that this late transmission did not change the fact that the Italian authorities had failed to submit the information during several control cycles. It therefore considered appropriate to recommend them to submit the relevant information and their next report and in the following ones and decided not to change its decision for a proposal of renewing Recommendations.

SLOVENIA

51. The Slovenian delegate provided various data pointing out that they were different from the data used by the ECSR. She stated that a clarification and detailed information, including definitions of the notions referred to, would be provided in the next report.

52. The Committee asked the Government to provide a clear picture of the situation in its next report and decided to await the next assessment of the ECSR.

Article 4§1 – Adequate remuneration

ROMANIA

53. The Romanian delegate indicated that in 2000, the Government set the target of raising the gross minimum wage by 50% before the end of 2004. In order to reach this target the minimum wage will have to raise by 7.5% in real terms in 2004 and if this is realized the minimum wage will reach a level corresponding to 38.8% of the gross average wage. According to recent analysis by the International Monetary Fund the increase in real terms of the minimum wage will be less than 7.5% and it is expected that the minimum wage will amount to no more than 36.6% of the average wage by the end of 2004. However, she further said that the Government is considering measures to raise the net minimum wage by reducing tax pressure and social contributions for low incomes. Finally, she said that the proportion of employees paid less than the minimum wage represents only about 0.01% of total employment.

54. The Committee took note of the information provided and urged the Government to take all necessary measures to raise the minimum wage in order to bring the situation in conformity with Article 4§1.

Article 4§2 – Increased rate of remuneration for overtime work

FRANCE

55. The Committee refers to its report under Article 2§1.

Article 4§4 – Reasonable notice of termination of employment

BULGARIA

56. The Committee regretted the absence of the Bulgarian delegate. According to its practice in such a case, it decided nonetheless to examine the situation.

57. It urged the Bulgarian Government to bring the situation in law and in practice into conformity with the Revised Charter.

FRANCE

58. The French delegate stated that the situation in France had not changed with respect to periods of notice. He stressed that in practice the duration contained in collective agreements are higher than the minimum one provided in the Labour Code.

59. The Dutch delegate, joined by the Italian delegate and the representative of the IOE, recalled that the Revised Charter does not require that reasonable periods of notice be implemented by legislation as long as they are implemented by collective agreements.

60. The Cypriot and Portuguese delegates recalled that in a similar situation the Governmental Committee issued a warning to Spain.

61. The Committee decided to issue a warning to France by 8 votes in favour, 2 against and 17 abstentions.

ITALY

62. The Italian delegate explained that the length of the period of notice was regulated by sectoral collective agreements. It would vary depending on the occupied post as well as the length of service. According to the most recent collective agreements, the minimum length of period of notice was at the very least 6 days for all categories.

63. The President of the Committee pointed out that the ECSR's decision of non-conformity concerned the fact that in some cases periods of dismissal were only six or even two days.

64. The Executive Secretary confirmed that previous reports indicated such cases.

65. The Committee voted on a proposal to renew the Recommendation to Italy. The proposal was carried with 17 votes for, 1 against and 10 abstentions.

ROMANIA

66. The Romanian delegate explained that 15-day period of notice for termination of employment is not a standard but only a minimum threshold set up by law.

67. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

68. The Slovene delegate declared that periods of notice for termination of employment vary according to the length of service and reasons for termination of employment. Accordingly, periods of notice range from 30 to 150 days.

69. The Committee decided to await the next assessment of the ECSR.

SWEDEN

70. The Swedish delegate informed the Committee that one collective agreement, which restricted periods of notice to one month for employees under the age of 30 irrespective of the length of service, was already renegotiated and the other one would probably be changed before the end of the year. The delegate underlined that introduced changes eliminated the periods deemed too short by the ECSR.

71. The Committee welcomed the development of the situation in Sweden and decided to await the next assessment of the ECSR.

Article 4§5 – Limitation of deduction from wages

ITALY

72. The Italian delegate pointed out that Article 545 of the Code of Civil Procedure allows deductions of up to a fifth of wages. This limit equally applies in case of seizures and compensation. The judge applies the law and competent courts do not make any assessment. The requested information concerning wage seizure would appear in the next report.

73. The Committee decided to await the next assessment of the ECSR.

Article 8§1 – Maternity leave

BULGARIA

74. The Committee regretted the absence of the Bulgarian delegate. According to its practice in such a case, it decided nonetheless to examine the situation.

75. It urged the Bulgarian Government to bring the situation in law and in practice into conformity with the Revised Charter.

FRANCE

76. The French delegate confirmed that periods of unemployment were not included in the calculation of work time needed to qualify for maternity leave.

77. The Committee decided to urge the Government to take the necessary steps to bring the situation into conformity with the Revised Charter.

ROMANIA

78. The Romanian delegate declared that the situation should improve by the end of 2003 when a new ordinance enters into force.

79. The Committee decided to await the next assessment of the ECSR.

SWEDEN

80. The Swedish delegate reiterated that more than 99% of mothers in practice make use of six weeks post-natal leave. Therefore, the lack of legal provisions ensuring a post-natal leave of six weeks did not have negative consequences in practice.

81. The Committee decided to await the next assessment of the ECSR.

Article 8§2 – Illegality of dismissal during maternity leave

BULGARIA

82. The Committee regretted the absence of the Bulgarian delegate. According to its practice in such a case, it decided nonetheless to examine the situation.

83. It urged the Bulgarian Government to bring the situation in law and in practice into conformity with the Revised Charter.

ITALY

84. The Italian delegate pointed out that there is a new case law in Italy concerning this issue. Details would be presented in the next report.

85. The Committee decided to await the next assessment of the ECSR.

Article 8§3 – Time off for nursing mothers

FRANCE

86. The French delegate confirmed that breastfeeding is not considered as working time. He emphasised however, that the lack of respective legal regulations did not pose problems in practice, since breastfeeding women were allowed to come later to work or leave earlier, without loss of pay.

87. The Committee decided to await the next assessment of the ECSR.

ITALY

88. The Italian delegate said that according to Article 8 of Act 339/58, domestic workers are entitled to reasonable daily rest. Such breaks are not called breastfeeding breaks, but they can be used as such.

89. The ETUC delegate expressed his concern with the situation because information provided by the Italian authorities was not new and did not indicate will to remedy the situation, although the Committee of Ministers had already adopted a Recommendation in 1994.

90. The IOE representative did not share this concern because she did not see the problem to exist in practice.

91. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

92. The Slovene delegate confirmed that the new Employment Act, which introduces the right to paid time off for the purpose of breastfeeding, took effect on 1 January 2003.

93. The Committee decided to await the next assessment of the ECSR.

SWEDEN

94. The Swedish delegate confirmed that time off for the purpose of breastfeeding is not considered as working time. She underlined however, that in practice this is not a problem as, due to the generous parental leave scheme, a vast majority of women are on leave as long as they nurse their child during the day. For women who want to breastfeed their children during the working day it is possible to reduce working time by one or two hours. The loss of income is compensated by a parental benefit.

95. The Committee decided to await the next assessment of the ECSR.

Article 9 – Right to vocational guidance

ITALY

96. The Italian delegate listed the bodies charged with the provision of vocational guidance in the labour market and the on-going vocational guidance projects. She indicated that, in 2002, 16,000 young people aged between 15 and 18 received vocational guidance. As regards vocational guidance in the school system, it was largely carried out by secondary schools.

97. The Cypriot delegate expressed concern about the fact that Italy had failed to provide information during several cycles. The Italian delegate answered that she now had the information requested.

98. The Committee asked the Government to provide all the relevant old and new information in the next report and decided to await the next assessment of the ECSR.

Article 10§1 – Technical and vocational training and the granting of facilities for access to higher technical and university education

SLOVENIA

99. The Slovenian delegate indicated that the 2002 Aliens Act, Article 41, submits obtaining a permanent residence permit to the condition of eight years of temporary residence. A shorter period of temporary residence is accepted for certain categories of persons, and specific legislation is enacted to this purpose. She also added that no amendment is to be foreseen about the eight year condition. Once Slovenia will become a EU member state, this condition will no longer apply to EU citizens, but it will remain valid for third country citizens.

100. The Committee decided to await the next assessment of the ECSR.

Article 10§2 – Apprenticeship

SLOVENIA

101. The Slovenian delegate indicated that the 2002 Aliens Act, Article 41, submits obtaining a permanent residence permit to the condition of eight years of temporary residence. A shorter period of temporary residence is accepted for certain categories of persons, and specific legislation is enacted to this purpose. She also added that no amendment is to be foreseen about the eight year condition. Once Slovenia will become a EU member state, this condition will no longer apply to EU citizens, but it will remain valid for third country citizens.

102. The Committee decided to await the next assessment of the ECSR.

Article 10§3 – Vocational training and retraining of adult workers

SLOVENIA

103. The Slovenian delegate indicated that the 2002 Aliens Act, Article 41, submits obtaining a permanent residence permit to the condition of eight years of temporary residence. A shorter period of temporary residence is accepted for certain categories of persons, and specific legislation is enacted to this purpose. She also added that no amendment is to be foreseen about the eight year condition. Once Slovenia will become a EU member state, this condition will no longer apply to EU citizens, but it will remain valid for third country citizens.

104. The Committee decided to await the next assessment of the ECSR.

Article 10§4 – Long-term unemployed persons

ITALY

105. The Italian delegate described three new initiatives adopted by the Government to fight long-term unemployment. The first concerns the adoption of measures in the context of a project carried out by a private company, *Italia Lavoro Spa*, with the participation of the Ministry of Economy and Finance. The second consists of measures to enter the labour market targeting 3,000 long-term unemployed. The third consists of structural measures for allowing easier entry into the labour market by means of economic assistance.

106. The Committee asked the Government to provide the relevant information in the next report and decided to await the next assessment of the ECSR.

Article 10§5 – Full use of facilities available

FRANCE

107. The French delegate indicated that scholarships concern only initial training and not professional training and that, in this respect, there is no discrimination between nationals and foreigners. Social scholarships are for students who are already in France and they may be claimed on the basis of the parents' income during the two previous years.

108. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

109. The Slovenian delegate indicated that by decision of the Constitutional Court, the provision of the Rules on scholarship, which specified as a condition of obtaining the right to a Republican Scholarship, among other things that the candidate be a citizen of the Republic of Slovenia or a Slovene without Slovene citizenship, was annulled. In the Republic of Slovenia, a citizen of the Republic of Slovenia and citizens of other states receiving education in the Republic of Slovenia and fulfilling the prescribed conditions may obtain a Republican or "Zois" scholarship. This situation has applied since 14 February 2003. Conditions are prescribed in the Rules on scholarships.

110. The Committee decided to await the next assessment of the ECSR.

Article 11§1 – Removal of the causes of ill-health

ROMANIA

111. The Romanian delegate pointed out that both maternal and infant mortality rates had been gradually decreasing. The government's objective was to further decrease both rates by 20% by the year 2006. To achieve this goal, the Romanian authorities were developing the capacities of primary health care.

112. The Committee decided to await the next assessment of the ECSR.

Article 15§1 – Vocational training for persons with disabilities

ITALY

113. The Italian delegate recalled that Article 3 of the Constitution proclaims the general principle of equal rights for all citizens. As a result of recent legislative amendments, discrimination on grounds of disability in employment and education is prohibited. Further information on this legislation and its effects will be submitted in the next report.

114. The Committee decided to await the next assessment of the ECSR.

ROMANIA

115. The Romanian delegate stated that the new Act No. 529/2002 provides for free and equal access to mainstream education for all children and lays down the principle of non-discrimination in access to education.

116. As regards the number of children with disabilities in special schools, the delegate stated that measures have been taken by the Government to promote the integration of children with disabilities into mainstream schools. The principles of integration and equal access are the foundations of all Government policies in this area. The delegate further explained that in recent years there has been a decline in both the number of special schools and in the number of children attending them.

117. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

118. The Slovenian delegate provided information on the education of persons with disabilities. Concerning anti-discrimination legislation in the field of education, she indicated that anti-discrimination provisions could be found in the Act on Education and in the Act on Guidance for Persons with Special Needs.

119. The Committee asked the Government to provide updated information on this issue in the next report and decided to await the next assessment of the ECSR.

Article 15§2 – Employment of persons with disabilities

ITALY

120. The Italian delegate stated that her Government considered that there is specific legislation in Italy which prohibits discrimination against persons with disabilities in the field of employment, namely Act Nos. 104/92, 17/99, 68/99, 53/2000, 328/2000. The disabled person is thus covered by these Acts with regard to discrimination in the education and employment sectors.

121. The Committee urged the Government to provide all the necessary information to the ESCR and decided to await the next assessment of the ECSR.

ROMANIA

122. The Romanian delegate informed the Committee that as a result of Government Ordinance 77/2003 there is now a specific prohibition on discrimination on the grounds of disability in the field of employment. The new Labour Code also prohibits discrimination, *inter alia*, on grounds of disability.

123. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

124. In reply to the President's question, the Slovenian delegate explained that anti-discrimination legislation in the field of employment had been adopted in 2002, ie. outside the reference period. Article 6 of the Employment Relations Act prohibits and sanctions discrimination in employment on the grounds, *inter alia*, of disability. She also mentioned that new legislation, the Act on Rehabilitation and Employment for Disabled Persons, foreseen as entering into force at the latest in 2004, will cover the issue.

125. The Committee asked the Government to provide updated information on this issue in the next report and decided to await the next assessment of the ECSR.

Article 15§3 – Integration and participation of persons with disabilities in the life of the community

ITALY

126. The Italian delegate informed the Committee that all legislation adopted in the field of disability is characterized by the principle of non-discrimination. In particular new legislation, Act No. 238/2000 and Act No. 165/2001, require measures to be taken in order to remove obstacles in the field of tourism, sport, transport, telecommunications and architecture in order to ensure equal access for persons with disabilities.

127. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

128. The Slovenian delegate indicated that the Office of the Government for the Disabled and Chronically Ill is in charge of monitoring the development of the strategy of integration for the disabled. She also added that a new act, the Act on Equal Opportunities for Disabled Persons, should improve living conditions for all disabled persons in order for them to live in conditions equal to the rest of the population. The Act deals with services, housing, transport, etc.

129. The Committee asked the Government to provide updated information on this issue in the next report and decided to await the next assessment of the ECSR.

Article 17§1 – Assistance, education and training

FRANCE

130. The French delegate explained that there is no specific prohibition of corporal punishment per se but that under the Criminal Code any act of violence is prohibited. Moreover, the situation is regarded as aggravated where the act is perpetrated by a person in authority and where the victim is aged under 15 years. This legislation is indeed applicable and applied in cases of corporal punishment of children. The French authorities consider that there is no need for further legislation.

131. The Committee requested the Government to take measures to comply with the Revised Charter and in the meantime decided to await the next assessment of the ECSR.

ROMANIA

132. The Romanian delegate provided information on the new Act No. 217/2003 on the prevention and fight against domestic violence. The new draft Criminal Code would also contain specific provisions on domestic violence. Further information would be provided in the next report.

133. On the issue of the level of non-attendance of compulsory schooling the delegate explained that within certain groups the level was high. The Government was taking measures to tackle the problem and further information would be provided in the next report.

134. The Committee decided to await the next assessment of the ECSR.

SLOVENIA

135. The Slovenian delegate stated that special units in schools for Roma children had originally been established in order to encourage Roma children's attendance at school. However now the policy was to integrate Roma children into regular schools and classes. The Ministry for Education no longer permitted the establishment of special units. A special Working Group on the Strategy for Including Roma in Education had been set up. Further and more detailed information on this would be provided in the next report.

136. As regards the issue of corporal punishment Slovenia had no specific regulations on corporal punishment within the family, although the corporal punishment of children in the educational system is prohibited. The Ministry for the Family and Social Affairs is currently preparing new legislation on the family and the ECSR's Conclusions on this issue will be taken into account. A proposal on the express prohibition of corporal punishment within the family will be considered.

137. The Committee decided to await the next assessment of the ECSR.

Article 17§2 – Free primary and secondary education – Regular attendance at school

BULGARIA

138. The Committee regretted the absence of the Bulgarian delegate. According to its practice in such a case, it decided nonetheless to examine the situation.

139. It urged the Government to bring the situation in law and in practice into conformity with the Revised Charter.

Article 18§2 – Simplifying existing formalities and reducing dues and taxes

ITALY

140. The Italian delegate said that formalities concerning migrant workers were simplified by the Act 189 from 30 July 2002. Introduced changes would be presented in detail in the next report.

141. The Committee decided to await the next assessment of the ECSR.

Article 18§3 – Liberalising regulations

SWEDEN

142. The Swedish delegate declared that the perspective of labour force shortages encouraged the government to liberalise the access to the national labour market and that a special inquiry would be given the task to prepare a proposal.

143. The Cypriot delegate asked whether the rule that temporary work permits were granted only for a specific job was changed.

144. In response the Swedish delegate said that there had been no changes so far, but the whole system would soon be revised.

145. The Committee decided to await the next assessment of the ECSR.

Article 24 – Right to protection in cases of termination of employment

BULGARIA

146. The Committee regretted the absence of the Bulgarian delegate. According to its practice in such a case, it decided nonetheless to examine the situation.

147. It urged the Government to bring the situation in law and in practice into conformity with the Revised Charter.

ITALY

148. The Italian delegate provided the same information on which the ECSR conclusion was based and additionally explained why these categories of workers were excluded from the protection against termination of employment.

149. The Committee decided to await the next assessment of the ECSR.

Article 25 – Right of workers to the protection of their claims in the event of the insolvency of their employer

BULGARIA

150. The Committee regretted the absence of the Bulgarian delegate. According to its practice in such a case, it decided nonetheless to examine the situation.

151. It urged the Government to bring the situation in law and in practice into conformity with the Revised Charter.

Article 29 – Right to information and consultation in collective redundancy procedures

ROMANIA

152. The Romanian delegate stated that Romanian legislation (new Labour Code) had recently been modified and completed in order to transpose the Directive 98/59/EC of 20 July 1998 on the harmonization of the Member States' legislation regarding collective redundancies. Hence, information that employers must supply prior to collective redundancies were more extensive.

153. The ETUC representative considered that the next Romanian report should also provide information concerning the content of the consultation as well as the penalties for failing to observe the information and consultation procedure.

154. The Committee asked the Government to provide complete information on the situation in law and practice in its next report and decided to await the next assessment of the ECSR.

Article 31§2 – Reduction of homelessness

SLOVENIA

155. The Slovenian delegate indicated that a new Housing Act had been adopted in 2003. The Act determines that municipalities shall provide housing for the socially threatened persons. She added that, due to the large gap between supply and demand for all kinds of rented accommodation, the right to rent so-called social housing and non-profit housing (under the new act there is only one type – non-profit housing) still restricted to Slovenian citizens. Article 160 of the new act had lifted this condition for EU citizens, once Slovenia will enter the EU.

156. The ETUC representative asked for confirmation that equal treatment will apply only to EU citizens. The Slovenian delegate confirmed.

| [157.](#) The Committee urged the Government to bring the situation into conformity with the Revised Charter and decided to await the next assessment of the ECSR.

| **B. Deferred cases for repeated lack of information**

None.

APPENDIX I

LIST OF PARTICIPANTS

ALBANIA / ALBANIE

Dr Kosta BARJABA, Chief of Minister Cabinet, Ministry of Labour and Social Affairs (1, 3)

AUSTRIA / AUTRICHE

Mrs Elisabeth FLORUS, Federal Ministry of Economic Affairs and Labour (1, 2, 3)

BELGIUM / BELGIQUE

Mme Marie-Paule URBAIN, Conseiller – Services du Président, Division Etudes, SPF Emploi, Travail, Concertation sociale (1, 2, 3)

BULGARIA / BULGARIE

Apologised / Excusé

CROATIA / CROATIE

Ms Gordana DRAGICEVIC, Adviser, Department for Cooperation with International Organisations, Ministry of Labour and Social Welfare (1)

CYPRUS / CHYPRE

Ms Lenia SAMUEL, Permanent Secretary, Ministry of Labour and Social Insurance (1, 3)

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Zuzana SMOLÍKOVÁ, Officer of Department for European Integration and International Relations, Ministry of Labour and Social Affairs (1, 2, 3)

DENMARK / DANEMARK

Ms Dorte Rievers BINDSLEV, Senior Adviser, Ministry of Social Affairs (1, 2)

Mr Kim TAASBY, Special Adviser, Ministry of Employment (1, 2)

Mr Finn HANSEN, Head of Section, Ministry of Social Affairs (2)

Ms Charlotte ROHLIN OLSEN, Head of Section, The State Educational Grant and Loan Scheme Agency (2)

Mr Jens K. A. DINESEN, Chief adviser, Department for General Policy and Law, Ministry of Education (2)

ESTONIA / ESTONIE

Mrs Merle MALVET, Head of Social Security Department, Ministry of Social Affairs (1, 2, 3)

FINLAND / FINLANDE

Mrs Riitta-Maija JOUTTIMÄKI, Ministerial Adviser (Legal Affairs), Ministry of Social Affairs and Health (1, 2, 3)

Mrs Liisa SAASTAMOINEN, Senior Officer, Legal Affairs, Ministry of Labour (1, 3)

Mrs Leena KOSKINEN, Special Government Advisor, Department for Education and Science Policy, Ministry of Education (2)

Ms Seija RANTA, Ministry of Labour (1)

FRANCE

M. Jean-Paul GIACOBBI, Chef du Bureau des Relations européennes, Délégation aux Affaires européennes et internationales, Ministère des Affaires sociales, du Travail et de la Solidarité (1, 2, 3)

Mme Jacqueline MARECHAL, Chargée de mission au Bureau des Relations européennes, Ministère des Affaires sociales, du Travail et de la Solidarité (3)

GERMANY / ALLEMAGNE

Mr Holger MAUER, Verwaltungsangestellter, Federal Ministry of Economics and Labour (1, 2, 3)

GREECE / GRECE

Mrs Athina DIAKOUMAKOU, Official, Department of International Relations, Ministry of Labour and Social Security (2)

Mr Grigoris GEORGANES-KLAMPATSEAS, Official, Department of International Relations, Ministry of Labour and Social Security (2, 3)

Fotios MOSHOPOULOS (2)

Ms Paraskevi KAKARA, Official, Department of International Relations, Ministry of Labour and Social Security (3)

HUNGARY / HONGRIE

Mr György KÖNCZEI, Expert, Adviser, Ministry of Employment and Labour (1, 2, 3)

ICELAND / ISLANDE

Mrs Hanna Sigrídur GUNNSTEINSDÓTTIR, Legal Adviser, Ministry of Social Affairs (1, 2, 3)

IRELAND / IRLANDE

Mr John B. McDONNELL, International Officer, Employment Rights' Section, Division of the Department of Enterprise, Trade and Employment, ERIR Division (1, 2, 3)

Mr John WALSH, Assistant Secretary in charge of the Employment Rights and Industrial Relations (ERIR), Division of the Department of Enterprise, Trade and Employment (2)

Mr William JESTIN, Principal Officer, ERIR Division (2)

ITALY / ITALIE

Mme Giorgia DESSI, Dipartimento per le Politiche del Lavoro e dell'Occupazione e Tutela dei Lavoratori, Direzione Generale per la Tutela delle Condizioni di Lavoro, Divisione II - Affari internazionali, Ministero del Lavoro e delle Politiche Sociali (1, 2, 3)

Mr Marco MARAZZA, Council of Ministry, Labour Law Professor in University of Teramo (3)

LATVIA / LETTONIE

Mr Ingus ALLIKS, Deputy State Secretary, Ministry of Welfare (1, 3)

Mr Maris BADOVSKIS, Director of European and Legal Affairs Department, Ministry of Welfare (2)

LITHUANIA / LITUANIE

Mr Povilas-Vytautas ZIUKAS, Deputy Director, Department of the Social Policy Analysis and Forecasting, Ministry of Social Security and Labour (1, 2, 3)

LUXEMBOURG

M. Joseph FABER, Conseiller de Direction première classe, Ministère du Travail et de l'Emploi (1, 2, 3)

MALTA / MALTE

Mr Edward GATT, Director – Social Security, Ministry for Social Policy (1, 2, 3)

MOLDOVA

Mrs Ala LIPCIU, Head of Foreign Relations Department, Ministry of Labour and Social Protection (1, 2, 3)

THE NETHERLANDS / PAYS-BAS

Mrs Claudia J. STAAL, Senior Policy Adviser, Directorate for International Affairs, Ministry of Social Affairs and Employment (1, 2, 3)

Mr W. B. ROORDA, Min. van SZW, Ministry of Social Affairs and Employment (1)

NORWAY / NORVEGE

Mr Arne RAADE, Senioradviser, Ministry of Labour and Government Administration (1, 2, 3)

Ms Else Pernille TORSVIK, Adviser, Ministry of Labour and Government Administration (3)

POLAND / POLOGNE

Mme Joanna MACIEJEWSKA, Directeur adjoint du Département de la Coordination des Systèmes de Sécurité sociale, Ministère de l'Economie, du Travail et de la Politique sociale (1, 2, 3)

PORTUGAL

Mme Maria Josefina LEITAO, Présidente de la Commission pour l'égalité dans le travail et l'emploi (1, 2, 3)

Ms Maria Alexandra PIMENTA, Official, Department of European Affairs and International Relations, Governmental Office, Ministry of Labour and Solidarity (1, 3)

ROMANIA / ROUMANIE

Ms Cristina ZORLIN, Deputy Director, Directorate for External Relations and International Organisations, Ministry of Labour, Social Solidarity and Family (1, 2, 3)

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr Juraj DŽUPA, State Counsellor, European Integration and Foreign Relations Department, Ministry of Labour, Social Affairs and Family (1, 2, 3)

SLOVENIA / SLOVENIE

Ms Natasa LUZAR, Ministry of Labour, Family and Social Affairs (1, 2, 3)

Ms Jadranka VOUK-ŽELEZNIK, Adviser to the Minister, Ministry of Labour, Family and Social Affairs (1, 3)

Ms Dana BATIC, Adviser to the Government, Ministry of Labour, Family and Social Affairs (3)

SPAIN / ESPAGNE

Mrs Amaia SAEZ DE VITERI, Counselor, Sub-Directorate General of the International Social Relations (1, 2)

Mrs Blanca GIMÉNEZ HERRERO, Chief of Section, Sub-Directorate General of the International Social Relations (2)

SWEDEN / SUEDE

Ms Anna-Lena SANCINI, Ministry of Industry (1)

Ms Emma BOMAN LINDBERG, Desk Officer, Ministry of Industry, Employment and Communications (2, 3)

TURKEY / TURQUIE

Mr Halûk ŞAHİN, Director – International Organizations, General Directorate of External Relations and Services for Workers Abroad, Ministry of Labour and Social Security (1)

Mr Halidun ERCAN, Expert, International Affairs Department, General Directorate of External Affairs and Services for Workers Abroad, Ministry of Labour and Social Security (Çalışma Ve Sosyal Güvenlik Bakanlığı – Yih Genel Müdürlüğü) (2, 3)

UNITED KINGDOM / ROYAUME-UNI

Ms Rita GILFELLON, Senior Policy Adviser, Joint International Unit, Department for Work and Pensions (DWP) (1, 2)

Mr Tudor ROBERTS, Department for Work and Pensions (DWP) (1)

EUROPEAN TRADE UNION CONFEDERATION / CONFEDERATION EUROPEENNE DES SYNDICATS

M. Gérard FONTENEAU, Conseiller, Département social, Confédération européenne des Syndicats (1, 3)

Mr Klaus LÖRCHER, Legal Adviser, Head of Department for European and International Legal Affairs, Vereinte Dienstleistungsgewerkschaft – Verdi, Bundesvorstand – Ressort 5 – Recht (2, 3)

M. Stefan CLAUWAERT, NETLEX Coordinator, Institut syndical européen, Confédération européenne des Syndicats (1, 2, 3)

UNION OF INDUSTRIAL AND EMPLOYERS' CONFEDERATIONS OF EUROPE / UNION DES CONFEDERATIONS DE L'INDUSTRIE ET DES EMPLOYEURS D'EUROPE

Apologised / Excusé

INTERNATIONAL ORGANISATION OF EMPLOYERS / ORGANISATION INTERNATIONALE DES EMPLOYEURS

Dr Lucia SASSO-MAZZUFFERI, Avocat, Conseillère pour les Affaires internationales (1, 2, 3)

OBSERVERS / OBSERVATEURS

ANDORRA / ANDORRE

Apologised / Excusé

ARMENIA / ARMENIE

Mr Aleksandr KOSTANYAN, Adviser to the Minister of Social Security, Ministry of Social Security (3)

Mr Hovhannes POGHOSYAN, Head of Foreign Relations Department, Ministry of Social Security (2)

AZERBAIJAN / AZERBAÏDJAN

Mr Azad TAGHIZADA, Head of the International Cooperation Department, Ministry of Labour and Social Protection of Population, House of Government (1, 3)

GEORGIA / GEORGIE

Mr Lasha TCHIGLADZE, Head of the Division of Multilateral Relations, International Law Department, Ministry of Foreign Affairs (1, 2, 3)

LIECHTENSTEIN

Apologised / Excusé

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mme Maria TKACH, Directrice Adjointe du Département de la Coopération internationale, Ministère du Travail et du Développement social (1, 2, 3)

SAN MARINO / SAINT-MARIN

Apologised / Excusé

SWITZERLAND / SUISSE

Apologised / Excusé

**"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA" /
"L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE"**

Ms Adrijana BAKEVA, Head of the European Integration Department, Ministry of Labour and Social Policy (2)

UKRAINE

Mrs Natalija SAPON, Head of International Relations Department, Ministry of Labour and Social Policy (1, 2, 3)

APPENDIX II - CHART OF SIGNATURES AND RATIFICATIONS

Situation at 30 September 2003

MEMBER STATES	SIGNATURES	RATIFICATIONS	Acceptance of the collective complaints procedure
Albania	21/09/98	14/11/02	
Andorra	04/11/00		
Armenia	18/10/01		
Austria	07/05/99	29/10/69	
Azerbaijan	18/10/01		
Belgium	03/05/96	16/10/90	23/06/03
Bosnia and Herzegovina			
Bulgaria	21/09/98	07/06/00	07/06/00
Croatia	08/03/99	26/02/03	26/02/03
Cyprus	03/05/96	27/09/00	06/08/96
Czech Republic	04/11/00	03/11/99	
Denmark	*	03/05/96	03/03/65
Estonia	04/05/98	11/09/00	
Finland	03/05/96	21/06/02	17/07/98 X
France	03/05/96	07/05/99	07/05/99
Georgia	30/06/00		
Germany	*	18/10/61	27/01/65
Greece	03/05/96	06/06/84	18/06/98
Hungary	*	13/12/91	08/07/99
Iceland	04/11/98	15/01/76	
Ireland	04/11/00	04/11/00	04/11/00
Italy	03/05/96	05/07/99	03/11/97
Latvia	*	29/05/97	31/01/02
Liechtenstein		09/10/91	
Lithuania	08/09/97	29/06/01	
Luxembourg	*	11/02/98	10/10/91
Malta		26/05/88	04/10/88
Moldova	03/11/98	08/11/01	
Netherlands	18/10/61	22/04/80	
Norway	07/05/01	07/05/01	20/03/97
Poland	26/11/91	25/06/97	
Portugal	03/05/96	30/05/02	20/03/98
Romania	14/05/97	07/05/99	
Russian Federation	14/09/00		
San Marino	18/10/01		
Serbia and Montenegro			
Slovak Republic	18/11/99	22/06/98	
Slovenia	11/10/97	07/05/99	07/05/99
Spain	23/10/00	06/05/80	
Sweden	03/05/96	29/05/98	29/05/98
Switzerland		06/05/76	
«the former Yugoslav Republic of Macedonia»		05/05/98	
Turkey	*	18/10/61	24/11/89
Ukraine	07/05/99		
United Kingdom	*	07/11/97	11/07/62
Number of States	45	11 + 32 = 43	18 + 15 = 33

The **dates in bold** correspond to the dates of signature or ratification of the 1961 Charter; the other dates correspond to the signature or ratification of the 1996 revised Charter.

* States whose ratification is necessary for the entry into force of the 1991 Amending Protocol. In practice, in accordance with a decision taken by the Committee of Ministers, this Protocol is already applied.

X State having recognised the right of national NGOs to lodge collective complaints against it.

APPENDIX III**LIST OF CASES OF NON-COMPLIANCE**

- Bulgaria**
- Article 4§4
 - Article 8§1
 - Article 8§2
 - Article 17§2
 - Article 24
 - Article 25
- France**
- Article 2§1
 - Article 3§2
 - Article 4§2
 - Article 4§4
 - Article 8§1
 - Article 8§3
 - Article 10§5
 - Article 17§1
- Italy**
- Article 1§4
 - Article 2§4
 - Article 3§2
 - Article 3§3
 - Article 4§4
 - Article 4§5
 - Article 8§2
 - Article 8§3
 - Article 9
 - Article 10§4
 - Article 15§1
 - Article 15§2
 - Article 15§3
 - Article 18§2
 - Article 24
- Romania**
- Article 3§2
 - Article 4§1
 - Article 4§4
 - Article 8§1
 - Article 11§1
 - Article 15§1
 - Article 15§2
 - Article 17§1
 - Article 29

Slovenia

- Article 1§4
- Article 2§2
- Article 2§3
- Article 3§3
- Article 4§4
- Article 8§2
- Article 8§3
- Article 10§1
- Article 10§2
- Article 10§3
- Article 10§5
- Article 15§1
- Article 15§2
- Article 15§3
- Article 17§1
- Article 31§2

Sweden

- Article 4§4
- Article 8§1
- Article 8§3
- Article 18§3

APPENDIX IV**LIST OF DEFERRED CONCLUSIONS BECAUSE OF A QUESTION ASKED FOR THE FIRST TIME OR ADDITIONAL QUESTIONS**

- Bulgaria**
- Article 1§4
 - Article 2§2
 - Article 2§4
 - Article 2§5
 - Article 2§6
 - Article 2§7
 - Article 3§1
 - Article 3§2
 - Article 3§3
 - Article 4§2
 - Article 4§3
 - Article 4§5
 - Article 8§3
 - Article 8§5
 - Article 11§1
 - Article 11§2
 - Article 11§3
 - Article 14§1
 - Article 14§2
 - Article 18§4
 - Article 21
 - Article 22
 - Article 26§1
 - Article 26§2
 - Article 27§3
 - Article 28
 - Article 29

- France**
- Article 1§4
 - Article 2§3
 - Article 4§1
 - Article 11§1
 - Article 11§2
 - Article 11§3
 - Article 15§1
 - Article 15§2
 - Article 15§3
 - Article 17§2
 - Article 18§1
 - Article 23
 - Article 27§1
 - Article 27§3
 - Article 30

- Article 31§1
- Article 31§2
- Article 31§3

Italy

- Article 2§1
- Article 2§2
- Article 2§3
- Article 2§7
- Article 3§1
- Article 3§4
- Article 4§1
- Article 4§2
- Article 10§3
- Article 10§5
- Article 11§1
- Article 11§2
- Article 11§3
- Article 14§1
- Article 14§2
- Article 17§1
- Article 17§2
- Article 18§1
- Article 18§3
- Article 21
- Article 22
- Article 23
- Article 26§1
- Article 26§2
- Article 27§1
- Article 27§3
- Article 28
- Article 29
- Article 30
- Article 31§1
- Article 31§2
- Article 31§3

Romania

- Article 1§4
- Article 2§1
- Article 2§2
- Article 2§4
- Article 2§5
- Article 2§6
- Article 2§7
- Article 3§1
- Article 3§3
- Article 4§2
- Article 4§3
- Article 4§5
- Article 8§2

- Article 8§3
- Article 8§5
- Article 11§2
- Article 11§3
- Article 17§2
- Article 18§3
- Article 21
- Article 24
- Article 28

Slovenia

- Article 2§1
- Article 3§2
- Article 4§3
- Article 4§5
- Article 8§1
- Article 8§4
- Article 8§5
- Article 11§1
- Article 11§2
- Article 11§3
- Article 14§1
- Article 14§2
- Article 17§2
- Article 18§1
- Article 18§3
- Article 18§4
- Article 23
- Article 24
- Article 26§1
- Article 26§2
- Article 27§1
- Article 27§3
- Article 29
- Article 30
- Article 31§1
- Article 31§3

Sweden

- Article 3§2
- Article 4§1
- Article 4§3
- Article 10§5
- Article 15§1
- Article 15§3
- Article 17§2
- Article 18§4
- Article 21
- Article 27§1
- Article 27§3
- Article 29
- Article 30

- Article 31§1
- Article 31§2
- Article 31§3

APPENDIX V**WARNING(S) AND RECOMMENDATION(S)****Warning****Article 4, paragraph 4****– France**

(maximum statutory notice period of two months inadequate in the case of employees with long service periods with the same employer).

Renewed recommendation(s)**Article 3, paragraph 3****- Italy**

(no statistical information provided on the activities of the local health authorities since the 6th supervision cycle).

Article 4, paragraph 4**- Italy**

(period of notice for termination of employment too short in certain sectors of the economy – workers with more than two years' service in the metal, industry are granted 6 to 12 days notice, in the textile industry and in the food industry 6 days notice).