



**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX**

17 October 2014

**Some proposals concerning the role and status of the
European Committee of Social Rights
on the occasion of the High-Level Conference in Turin, Italy
17-18 October 2014**

Some proposals concerning the role and status of the European Committee of Social Rights, on the occasion of the Turin Conference

The Committee welcomes the organization by the Italian Minister of Labour and Social Policies, the Mayor of Turin and the Secretary General of the Council of Europe of the High-Level Conference on the European Social Charter on 17 and 18 October 2014.

The Committee shares the objectives of the Conference, in particular the intention to re- launch the normative system based on the Charter as an effective source of European and international law, and to affirm the protection and promotion of social rights as a founding value for all European States and the European Union.

With a view to pursue such a crucial goal, the Committee considers that the European Social Charter should now be at the forefront and that its own role as the independent and authoritative monitoring body of the Charter should be strengthened. In this respect, it highlights the unique character and the usefulness of the monitoring procedures under the Charter, in particular the collective complaints mechanism.

On the occasion of the Conference, the Committee therefore wishes to put forward a number of proposals and invites all stakeholders and interested parties to reflect on these proposals, as well as on others that may emerge, in the follow-up to the High-Level Conference as an important dimension of the “Turin Process”. The Committee is available to take part in the discussions.

- - The 1991 Amending Protocol (“the Turin Protocol”) provides that Committee members be elected by the Parliamentary Assembly. Pending the entry into force of this Protocol, the Committee of Ministers could consider applying this provision immediately, in the same way as it has already decided to apply all the other provisions of the Protocol. This would also be in keeping with what the Parliamentary Assembly has recommended. Election by the Parliamentary Assembly would strengthen and make more visible the Committee’s democratic basis and its independent status, which is crucial for a body operating with monitoring and quasi- judicial procedures.
- The number of members of the Committee should be increased from the current 15, in particular to ensure a better overall balance in the Committee of the different legal traditions and social models in Europe. This would furthermore contribute to cope with the increasing workload by allowing further improvement of the Committee’s working methods. This would also provide a much-needed opportunity for a revision of the distribution of States in the groups for the election process.
- The Committee also considers that in order to strengthen its role and the performance of its institutional functions, its secretariat should be reinforced and its status should be upgraded. It has already made proposals to this effect concerning the qualifications and experience of staff, the level of their grades and their number.
- The four-month embargo on the Committee’s decisions on the merits of

collective complaints is a procedural anomaly which hinders communication on and visibility of the procedure. The Committee wishes to initiate a reflection on how to overcome this problem, one possibility being that States concerned accept immediate publication.