

Interpretative Statement on Article 12§3

The Committee clarifies its interpretation of Article 12§3:

Firstly, it considers that the existence of a social security system of a higher level than that required under Article 12§1 or Article 12§2 is not presupposed under Article 12§3.

Secondly, a situation of progress may consequently be in conformity with Article 12§3 even though the social security system has not attained the levels required under the two first paragraphs of Article 12.

Thirdly, it repeats that a partly restrictive evolution in the social security system is not automatically in breach of Article 12§3; the Committee has already detailed the criteria to assess such situations.