

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

**DECISION
ON THE MERITS**

Adoption: 17 March 2026

Notification: 31 March 2026

Publicity: 31 July 2026

***Comisiones Obreras de Castilla y León (CCOO CyL) and Unión General de
Trabajadores de Castilla y León (UGT CyL) v. Spain***

Complaint No. 228/2023

The European Committee of Social Rights, committee of independent experts (“the Committee”) established under Article 25 of the European Social Charter, during its 354th session in the following composition:

Aoife NOLAN, President
Tatiana PUIU, Vice-President
George THEODOSIS, Vice-President
Kristine DUPATE, General Rapporteur
Karin Møhl LARSEN
Yusuf BALCI
Mario VINKOVIĆ
Miriam KULLMANN
Carmen SALCEDO BELTRÁN
Franz MARHOLD
Alla FEDOROVA
Grega STRBAN
Olivier DE SCHUTTER
Kristina KOLDINSKÁ
Carmen-Constantina NENU

Assisted by Henrik KRISTENSEN, Executive Secretary

Having deliberated on 17 March 2026,

On the basis of the report presented by Franz MARHOLD,

Delivers the following decision, adopted on the same date:

PROCEDURE

1. The complaint lodged by *Comisiones Obreras de Castilla y León* (CCOO CyL) and *Unión General de Trabajadores de Castilla y León* (UGT CyL) ("the complainant organisations") was registered on 6 June 2023.
2. The complainant organisations allege that the Government of the Autonomous Community of Castilla y León ("*Junta de Castilla y León*"; "the Regional Government") withheld or reduced funding for services provided by trade union organisations to vulnerable groups of workers, as well as funding supporting the institutional participation of trade union organisations within various regional bodies and councils, in breach of existing social dialogue agreements. They further allege that the actions and omissions of the Regional Government resulted in a weakening of social dialogue in Castilla y León. The complainant organisations allege that these actions and omissions constitute a violation of Articles 3, 5, 6, 9 and 19§1 of the Charter.
3. On 19 March 2024, the Committee declared the complaint admissible.
4. Referring to Article 7§1 of the 1995 Protocol Providing for a System of Collective Complaints ("the Protocol"), the Committee asked the Government to submit written submissions on the merits of the complaint before 31 May 2024.
5. Referring to Article 7§§1, 2 of the Protocol and in application of Article 32§§1, 2 of its Rules of Procedure ("the Rules"), the Committee invited the States Parties to the Protocol, the States having made a declaration in accordance with Article D§2 of the Charter, as well as the international organisations of employers or trade unions referred to in Article 27§2 of the 1961 Charter, if they so wished, to submit observations on the merits of the complaint before 31 May 2024.
6. The Government's submissions on the merits of the complaint were registered on 31 May 2024.
7. In accordance with Rule 31§2 of the Rules, the complainant organisations were invited to submit a response to the Government's submissions by 21 August 2024. The complainant organisations' response was registered on 29 July 2024.
8. In accordance with Rule 31§3 of the Rules, the Government was invited to submit a reply to the complainant organisations' response by 31 October 2024. The Government's reply was registered on 31 October 2024.
9. On 22 December 2025, the Committee invited both parties to respond to additional questions by 26 January 2026. The complainant organisations' reply was

registered on 23 January 2026. The Government's reply was registered on 26 January 2026.

SUBMISSIONS OF THE PARTIES

A – The complainant organisations

10. The complainant organisations allege that the Regional Government withheld or reduced funding for services provided by trade union organisations to vulnerable groups of workers, as well as funding supporting the institutional participation of trade union organisations within various regional bodies and councils, in breach of existing social dialogue agreements. They further allege that the actions and omissions of the Regional Government resulted in a weakening of social dialogue in Castilla y León. The complainant organisations allege that these actions and omissions constitute a violation of Articles 3, 5, 6, 9 and 19§1 of the Charter.

B – The respondent Government

11. The Government acknowledges that the actions and omissions of the Regional Government are in breach of national law, as well as of the Charter, but states that judicial remedies are available under national law to challenge them, and that proceedings have been instituted to restore legality.

RELEVANT DOMESTIC LAW AND PRACTICE

A – National legislation

Spanish Constitution of 1978

12. Article 7 of the Spanish Constitution of 1978 lays down the special institutional role of trade unions as follows:

Article 7

Trade unions and employers' associations contribute to the defence and promotion of their own economic and social interests.

Their creation and the exercise of their activities are free, subject to the Constitution and the law.

Their internal structure and operation must be democratic.

Organic Law No. 11/1985 on Trade Union Freedom

13. Articles 6 and 7 of Law No. 11/1985 set out the legal criteria for determining the recognition and representativeness of trade unions for the purposes of social dialogue and collective bargaining at both national and Autonomous Community ("*comunidad autónoma*") levels, as follows:

Article 6

1. The higher trade union representativeness recognized for certain unions grants them a unique legal status for the purposes of both institutional participation and trade union action.

2. The following shall be considered the most representative trade unions at the national level:

a) Those that demonstrate a special presence, expressed by obtaining, in that scope, 10 percent or more of the total number of staff delegates, members of works councils, and corresponding bodies of the Public Administrations.

b) Trade unions or trade union entities that are affiliated, federated, or confederated with a trade union organization of national scope that is considered to be the most representative according to what is established in item a).

3. Organizations considered the most representative trade unions according to the previous point shall possess representative capacity at all territorial and functional levels to:

a) Hold institutional representation before the Public Administrations or other entities and organizations of a national or Autonomous Community character that provide for such representation.

b) Collective bargaining, under the terms established in the Workers' Statute.

c) Participate as interlocutors in determining working conditions in Public Administrations through appropriate consultation or negotiation procedures.

d) Take part in non-jurisdictional systems for resolving labour disputes.

e) Initiate elections for staff delegates and works councils, and the corresponding bodies of Public Administrations.

f) Obtain temporary cessions for the use of public patrimonial properties under legally established terms.

g) Any other representative function that may be established.

Article 7

1. The following shall be considered the most representative trade unions at the level of the Autonomous Community:

a) Trade unions within that scope that demonstrate a special presence, evidenced by obtaining at least 15 percent of staff delegates and worker representatives on works councils, and in the corresponding bodies of the public administrations, provided that they have a minimum of 1,500 representatives and are not federated or confederated with trade union organizations of national scope;

b) Trade unions or trade union entities affiliated, federated, or confederated with a trade union organization of Autonomous Community scope that is considered the most representative in accordance with the provisions of letter a).

These organizations shall have the representative capacity to exercise, within the specific scope of the Autonomous Community, the functions and powers enumerated in point 3 of the previous article, as well as the capacity to hold institutional representation before public administrations or other entities or bodies of a national character.

2. Trade union organizations which, even without being considered the most representative, have obtained 10 percent or more of staff delegates and members of works councils and the corresponding bodies of the public administrations, within a specific territorial and functional

scope, shall be legitimized to exercise, within said functional and territorial scope, the functions and powers referred to in sections b), c), d), e), and g) of point 3 of Article 6, according to the applicable regulations in each case.

Workers' Statute (“*Estatuto de los Trabajadores*”)

14. The relevant provisions of the Workers' Statute recognise the centrality of social partners; give legal force to collective agreements; allow the creation of autonomous dispute-resolution systems; embed social dialogue structurally in the labour system.

B – Regional legislation

Statute of Autonomy of Castilla y León (Organic Law No. 14/2007 of 30 November 2007)

15. Article 16 of the Statute of Autonomy of Castilla y León elevates the promotion of social dialogue to the level of a guiding public policy principle, as follows:

Article 16. Guiding Principles of Public Policies.

The public authorities of Castilla y León must guide their actions in accordance with the guiding principles established by the Constitution and by this Statute. In exercising their powers, they must promote and adopt the necessary measures to guarantee the full effectiveness of the following objectives: [...]

4. The promotion of social dialogue as a factor of social cohesion and economic progress, recognizing the role of labour unions and business organizations as representatives of the economic and social interests inherent to them, through ongoing institutional frameworks for meetings between the Junta of Castilla y León and these social agents. To this end, a Social Dialogue Council in Castilla y León may be regulated.

Law No. 8/2008 of 16 October 2008 on the creation of the Social Dialogue Council and the regulation of institutional participation

16. The following provisions set out the mandate, composition and powers of the Social Dialogue Council (“*Consejo del Diálogo Social*”):

Article 1. Creation and Designation.

1. The Social Dialogue Council of Castilla y León is hereby established as the highest body for meetings and institutional participation between Economic and Social Agents and the Junta of Castilla y León, with a tripartite nature and attached to the department responsible for the implementation of labour legislation.

2. For the purposes of this law, “Social Dialogue” is understood as the process of negotiation and agreement on economic and social matters, as well as other matters of general interest, carried out between the Junta of Castilla y León and the most representative trade unions and business organizations of the Autonomous Community [...].

Article 2. Nature.

1. The Social Dialogue Council of Castilla y León is the permanent institutional body for meetings between the Junta of Castilla y León and the most representative trade unions and business organizations of the Autonomous Community, as an expression and for the promotion of social dialogue as a factor of social cohesion and economic progress in Castilla y León. In this regard, it will convey the value and significance of social dialogue to society as a whole.

2. In the exercise of its functions, the Social Dialogue Council shall act with full independence and in adherence to the legal framework.

Article 3. Powers.

In carrying out its functions, the Social Dialogue Council shall have the following powers:

- a) The definition of matters subject to social dialogue.*
- b) The approval of Social Dialogue Agreements.*
- c) The monitoring and evaluation of compliance with and effectiveness of Social Dialogue Agreements, as well as enacting measures for their implementation.*
- d) The publication and dissemination of Social Dialogue Agreements and related matters, without prejudice to the powers of other Community Administration bodies.*
- e) Prior knowledge of regulatory actions and other actions of special relevance by the Community Administration that affect matters defined by the Council as matters of Social Dialogue.*
- f) Receiving all information requested from the Junta of Castilla y León regarding matters affecting social dialogue related to European Regional Policy, participation in the development and application of European Union law, cross-border relations between Castilla y León and Portugal, and relations between the Autonomous Community and the State.*
- g) Conducting studies and reports on matters of general interest for the Community, without prejudice to the powers of other bodies.*
- h) Approval of the annual report of the Social Dialogue Council.*
- i) Approval of the creation of Specialized Commissions and Negotiating Commissions.*
- j) Proposal for the approval of the human and material resources allocated to the Technical Office.*
- k) Any other actions that contribute to the development of Social Dialogue. [...]*

17. Article 16 provides that a direct subsidy (“*subvención nominativa*”) must be earmarked annually to support the institutional participation of the social partners within various social dialogue arrangements at the regional level:

Article 16. Promotion and Financing.

1. With the aim of promoting the institutional participation regulated by this law, the General Budget Law of the Community of Castilla y León shall allocate an annual budget item which, as a nominative grant, will be destined to the most representative trade union and business organizations, independently of the grants that they receive for the promotion of their activities as organizations of general interest in the economic and social sphere. [...]

RELEVANT INTERNATIONAL MATERIALS

A – International Labour Organisation (ILO)

Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)

18. Recommendation No. 113, which seeks to foster a broad scope of consultation between governments and the social partners, provides that consultation and cooperation should aim, in particular:

a) at joint consideration by employers' and workers' organizations of matters of mutual concern with a view to arriving, to the fullest possible extent, at agreed solutions; and

b) at ensuring that the competent public authorities seek the views, advice and assistance of employers' and workers' organizations in an appropriate manner, in respect of such matters as:

i) the preparation and implementation of laws and regulations affecting their interests;

ii) the establishment and functioning of national bodies, such as those responsible for organization of employment, vocational training and retraining, labour protection, industrial health and safety, productivity, social security and welfare;

iii) the elaboration and implementation of plans of economic and social development.

B – European Union

Treaty on the Functioning of the European Union

19. The following provisions embed social dialogue in EU primary law:

Article 152

The Union recognises and promotes the role of the social partners at its level, taking into account the diversity of national systems. It shall facilitate dialogue between the social partners, respecting their autonomy.

The Tripartite Social Summit for Growth and Employment shall contribute to social dialogue. [...]

Article 154

1. The Commission shall have the task of promoting the consultation of management and labour at Union level and shall take any relevant measure to facilitate their dialogue by ensuring balanced support for the parties.

2. To this end, before submitting proposals in the social policy field, the Commission shall consult management and labour on the possible direction of Union action.

3. If, after such consultation, the Commission considers Union action advisable, it shall consult management and labour on the content of the envisaged proposal. Management and labour shall forward to the Commission an opinion or, where appropriate, a recommendation. [...]

Article 155

1. Should management and labour so desire, the dialogue between them at Union level may lead to contractual relations, including agreements.

2. Agreements concluded at Union level shall be implemented either in accordance with the procedures and practices specific to management and labour and the Member States or, in matters covered by Article 153, at the joint request of the signatory parties, by a Council decision on a proposal from the Commission. The European Parliament shall be informed. [...]

European Pillar of Social Rights

20. Principle 8 of the European Pillar of Social Rights reads as follows:

8. Social dialogue and involvement of workers

The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.

Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.

Support for increased capacity of social partners to promote social dialogue shall be encouraged.

Recommendation of 12 June 2023 on strengthening social dialogue in the European Union (C/2023/1389)

21. The Recommendation of 12 June 2023 (C/2023/1389) calls on Member States to strengthen social dialogue and collective bargaining at all levels by ensuring timely consultation, adequate capacity, and an enabling legal and institutional framework for social partners, in full respect of their autonomy.

THE LAW

PRELIMINARY CONSIDERATIONS

As to the developments before the second half of 2024

22. The complainant organisations allege that the Government that came to power in Castilla y León at the beginning of 2022 implemented an aggressive policy aimed at dismantling regional social dialogue arrangements. This consisted in the non-fulfilment of multiple social dialogue agreements that had been concluded in a tripartite format in accordance with the procedure laid down in Law No. 8/2008, as well as the deterioration of institutional participation within various tripartite regional bodies and councils (see above, §§16-17). Moreover, they assert that representatives of the Regional Government made a series of false and disparaging statements targeting trade unions and calling into question the value of social dialogue as such.

23. More specifically, the complainant organisations refer to the failure to include the direct subsidy for institutional participation in the 2023 regional budget, in breach of Article 16 of Law No. 8/2008 (see above, §17). They also refer to what they argue was the unforeseen and unjustified suppression or reduction of budgetary allocations

for a range of programmes, including occupational health and safety, vocational training for migrant workers and for self-employed workers, capacity building for employer and employee representatives involved in social dialogue and collective bargaining, and labour dispute conciliation and mediation, among others. They further refer to the ensuing closure of the Regional Labour Relations Service (“*Servicio Regional de Relaciones Laborales de Castilla y León (SERLA)*”; “*the SERLA Foundation*”), a joint extrajudicial body designed to resolve labour disputes through conciliation, mediation and arbitration.

24. According to the complainant organisations, the budgetary allocations in question concerned subsidies awarded either directly or through competitive procedures for services provided by the social partners, including the complainant organisations in their capacity as representative trade unions. These subsidies were provided for in multi-annual thematic plans developed on the basis of existing social dialogue agreements.

25. The decision to withhold these subsidies followed several years during which they had been paid, and even though the services provided on that basis had been evaluated positively. Moreover, the complainant organisations allege that these decisions of the Regional Government were not properly justified, and no alternative measures were taken to ensure that vital services continued to be delivered to vulnerable groups of workers.

26. The complainant organisations note that, as a result of these decisions, they have lost a significant source of revenue, thereby endangering not only the delivery of the services in question and social dialogue in Castilla y León more broadly, but also their ongoing operational viability.

27. The complainant organisations also briefly refer to other actions, such as the withdrawal or non-payment of funding for university chairs (“*cátedras*”) that had been created and financed under existing social dialogue agreements, or the elimination of programmes implemented by local authorities for the recruitment of equality officers responsible for promoting equality and non-discrimination policies based on gender.

28. The complainant organisations allege, in general terms, that these actions and omissions constitute a violation of Articles 3, 5, 6, 9 and 19§1 of the Charter. They further note that they have challenged the legality of many of the impugned actions and omissions of the Regional Government before the domestic courts.

29. In its initial submissions, the Government draws a distinction between its own actions and those of the Regional Government and acknowledges that the latter are in breach of domestic law, as well as of the Charter, in particular as regards the withholding of the institutional participation subsidy and the closure of the SERLA Foundation. The Government refers to the mechanisms available at the national level to challenge the legality of those actions, expressing the view that the Spanish legal system is therefore fully compliant with the Charter. The Government notes that it has in fact initiated several sets of legal proceedings to that effect, either alone or jointly with the complainant organisations.

As to the developments since the second half of 2024

30. In their submission dated 23 January 2026, the complainant organisations refer to the following developments in connection with their initial complaints. A new Regional Government, which came to power in the second half of 2024, resumed social dialogue, largely restoring the *status quo ante*. In particular, the Social Dialogue Council was reconvened, and tripartite negotiations held in that context resulted in the adoption of a social dialogue framework agreement on 25 April 2025 (namely, the Fourth Integrated Strategy for Employment, Vocational Training, Prevention of Occupational Risks, Equality, Co-responsibility and Youth in Employment, 2025–2028). This was accompanied by annual plans in various policy areas, including vocational training for unemployed workers and migrant workers, capacity strengthening for employer and employee representatives, occupational health and safety, and labour dispute conciliation and mediation, among others, supported by appropriate budgetary allocations. Agreement was also reached on the establishment of working groups tasked with developing annual plans for 2026 along similar lines.

31. The complainant organisations also refer to Judgments Nos. 279/2025 and 303/2025, dated 4 and 11 March 2025 respectively, of the High Court of Justice of Castilla y León, which struck down the Regional Government's decision to withhold institutional participation funding for trade unions and ordered the restitution of those funds. In doing so, the High Court reaffirmed the statutory guarantees of social dialogue and institutional participation under regional law.

32. While acknowledging the formal restoration of the *status quo ante*, the complainant organisations note that the impugned measures constituted a breach of trust with long-lasting consequences and express concern about the provisional nature of the current arrangements, which remain liable to revision in the event of a return to authoritarian policies. Consequently, the complainant organisations maintain their initial allegations and request the Committee to deliver a decision on the merits.

33. In its submission dated 26 January 2026, the Government notes that, following a change in the head of the Regional Ministry of Employment in Castilla y León in July 2024, the financial assistance granted to the SERLA Foundation was restored, thereby enabling the resumption of its statutory functions. The Government also refers to the 2025 judgments of the High Court of Justice of Castilla y León (see above, §31), among other judicial developments, and concludes that the complainant organisations' allegations have been resolved in a satisfactory manner at the national level.

As to the provisions of the Charter at stake

34. The Committee recalls that, in principle, it rules on the legal situation prevailing on the day of its decision on the merits (*European Council of Police Trade Unions (CESP) v. France*, Complaint No. 57/2009, decision on the merits of 1 December 2010, §52). It will, however, examine a situation that has occurred in the past, taking due account of the nature of the problem at issue with regard to the meaning and scope of the obligations under the Charter, as well as of the effects of the relevant decisions on the affected population (*Open Society European Policy Institute (OSEPI) v. Bulgaria*, Complaint No. 204/2022, decision on the merits of 3 December 2024, §30). The

Committee will therefore examine the latest developments as presented by the parties in the light of these principles.

35. The Committee notes, based on the parties' replies in response to its request for additional information, that, in the second half of 2025, the Regional Government resumed social dialogue, reconvened the Social Dialogue Council, and adopted a tripartite framework agreement covering all thematic areas referred to in the present complaint, and that funding was restored for the services in question. The Committee further notes that the Regional Government restored previously withheld institutional participation funding to the social partners, following domestic court orders to that effect, as well as funding enabling the continued viability of the SERLA Foundation. The Committee notes that these developments postdate its decision on admissibility in the present case of 19 March 2024.

36. The Committee therefore concludes that the alleged rights violations contained in the initial complaint have been remedied and therefore require no further examination. However, the Committee also notes the complainant organisations' submission that the impugned actions and omissions of the Regional Government have led to a long-lasting deterioration of social dialogue arrangements in Castilla y León, notwithstanding the above-mentioned remedial actions. As such, the Committee considers that this complaint raises substantive issues under Article 6§1 of the Charter which warrant examination on the merits.

As to the respective responsibilities of regional and national authorities

37. The Committee notes that the relevant facts of the complaint are linked to local and regional competences in the Autonomous Community of Castilla y León. In this regard, the Committee recalls that, even where local or regional authorities exercise a particular function under domestic law, States Parties to the Charter remain responsible, under their international obligations, for ensuring that such responsibilities are properly discharged (*European Roma Rights Centre (ERRC) v. Greece*, Complaint No. 15/2003, decision on the merits of 8 December 2004, §29). The ultimate responsibility for policy implementation, involving at a minimum supervision and regulation of local action, lies with the Government which must be able to show that both itself and the local authorities have taken practical steps to ensure that local action is effective (*European Roma Rights Centre (ERRC) v. Italy*, Complaint No. 27/2004, decision on the merits of 7 December 2005, §26).

ALLEGED VIOLATION OF ARTICLE 6§1 OF THE CHARTER

38. Article 6§1 of the Charter reads as follows:

Article 6 – The right to bargain collectively

Part I: "All workers and employers have the right to bargain collectively."

Part II: "With a view to ensuring the effective exercise of the right to bargain collectively, the Parties undertake:

1. to promote joint consultation between workers and employers; (...)"

A – Arguments of the parties

1. The complainant organisations

39. The complainant organisations allege that the Regional Government engaged in a concerted effort aimed at weakening the legitimacy of trade unions and undermining social dialogue in Castilla y León. In this regard, they highlight the traditionally high level of participatory democracy in Castilla y León and its drastic deterioration, which runs counter to regional and national legislation, as well as to European and global trends towards strengthening social dialogue and its institutions.

40. The complainant organisations refer to the non-fulfilment of several social dialogue agreements affecting different groups of vulnerable workers, as well as to the deterioration of institutional participation within various tripartite regional bodies and councils (see above, §22-28). The complainant organisations further describe other actions taken by the Regional Government before 2024, such as the attempts to open new negotiation rounds without the prior agreement of employer and trade union organisations with representative status, in breach of the applicable legal procedures and existing social dialogue agreements, or the refusal to open negotiations on specific subjects in accordance with pre-agreed schedules. The Regional Government also invited additional business bodies and trade unions to join newly established committees, allegedly for the purpose of diluting the standing of the traditional social partners. Finally, the Regional Government failed to fulfil other procedural obligations, such as submitting a Public Employment Service Plan to the General Council for Employment.

41. The complainant organisations allege that these infringements occurred against the background of what they describe as repeated false and defamatory statements made by representatives of the Regional Government and senior public servants targeting trade unions. They provide multiple examples of statements made during debates in the Regional Parliament that were widely covered in the media. Such statements often included generalised allegations that the social dialogue arrangements in place in Castilla y León served to obscure the misuse, or even the outright theft, of public funds by trade unions, as well as attacks on vulnerable groups such as women or migrants.

42. In their submission dated 23 January 2026, the complainant organisations express the view that the actions taken by the Regional Government have had long-term consequences, including a broader loss of confidence and a hollowing-out of social dialogue. They submit that the Regional Government's decision to resume social dialogue after 2024 was forced upon it as a result of adverse court rulings and does not reflect a durable political consensus. Social dialogue, and in particular the commitments made with regard to institutional participation funding for 2026, has not resumed at the same pace or with the same intensity as before the crisis. Whereas major multi-year framework agreements were concluded in the past, current agreements are more fragmented, sectoral and reactive. Furthermore, while the SERLA Foundation has received funding enabling it to remain operational, it is unable to engage in long-term development planning along the lines agreed prior to the crisis. Finally, the complainant organisations warn of a high risk of a return to authoritarian policies following the regional elections scheduled for 15 March 2026.

2. The respondent Government

43. The Government emphasises that the actions taken by the Regional Government were in breach of national law, as well as of the Charter, in that they undermined the proper functioning of trade unions and employers' organisations as representatives of their respective economic interests in Castilla y León. However, the Government considers that the allegations raised in the complaint have been resolved in a satisfactory manner at the national level (see above, §33).

B – Assessment of the Committee

44. The Committee recalls that the expression “joint consultation” within the meaning of Article 6§1 of the Charter is interpreted as applying to all forms of consultation between workers and employers, or their respective organisations, on an equal footing, with or without the participation of government representatives (Conclusions I (1969), Statement of Interpretation on Article 6§1; Conclusions IV (1975), Statement of Interpretation on Article 6§1; Conclusions V (1977), Statement of Interpretation on Article 6§1). States Parties must take positive steps to encourage consultation between trade unions and employers' organisations (*Centrale générale des services publics (CGSP) v. Belgium*, Complaint No. 25/2004, decision on the merits of 9 May 2005, §41). If such consultation does not take place spontaneously, States Parties should establish permanent bodies and arrangements in which trade unions and employers' organisations are equally and jointly represented (*CGSP v. Belgium*, Complaint No. 25/2004, *op. cit.*, §41).

45. Moreover, consultation must take place on several levels: national, regional/sectoral and enterprise (Conclusions 2010, Ukraine), in the private as well as the public sector, including the civil service (Conclusions III (1973), Denmark, Germany, Norway, Sweden; *Confederazione Generale Italiana del Lavoro (CGIL) v. Italy*, Complaint No. 140/2016, decision on the merits of 22 January 2019, §107). Consultation must cover all matters of mutual interest, and particularly: productivity, efficiency, industrial health, safety and welfare, and other occupational issues (working conditions, vocational training, etc.), economic problems (organisation and management of the firm, working hours, production rates, structures and number of staff, etc), and social matters (social insurance, social welfare, etc.) (Conclusions I (1969), Statement of Interpretation on Article 6§1; Conclusions V (1977), Ireland).

46. In this context, the Committee refers to evidence demonstrating that peak-level social dialogue can strengthen policy coherence across government actors by ensuring that economic growth and social progress go hand in hand, thereby advancing the goal of decent work for all. Moreover, it can promote full employment, rights at work and equitable access to social protection, and foster an enabling environment for sustainable enterprises and productivity growth (*Social Dialogue Report 2024: Peak-Level Social Dialogue for Economic Development and Social Progress*, Geneva: International Labour Office, 2024). The Committee further notes that social dialogue is constitutionally embedded in EU primary law and that numerous measures designed to promote national-level social dialogue as a form of sound

governance and good economic policy have been taken at the EU level (see above, §§19-21, among others).

47. The Committee considers that, as a general rule, the existence of a supportive State and an enabling legal and regulatory framework contributes to ensuring compliance with Article 6§1 of the Charter. This appears to be the case in Spain, where trade unions enjoy a constitutionally entrenched legal status, further developed through ordinary legislation (see above, §§12-17), which confers on the most representative trade unions a special institutional role, including participation in collective bargaining, representation in public bodies, and involvement in social dialogue mechanisms. The Committee notes further that the Autonomous Community of Castilla y León has its own highly developed model of tripartite concertation covering a wide range of employment and social issues, and that the complainant organisations benefit from the full range of participatory rights at the regional level on the basis of their representative status. The Committee also recalls that it has previously concluded within the scope of its reporting procedure that the situation in Spain is in conformity with Article 6§1 of the 1961 Charter (Conclusions XXII-3 (2022)).

48. The Committee considers that, as a general rule, States Parties must attach due importance to agreements reached between trade unions and employers' organisations within joint consultation frameworks, particularly where such frameworks are highly institutionalised under domestic law, reflecting the principle of good faith in industrial relations.

49. Turning to the present case, the Committee notes that, as shown above, the impugned actions and omissions of the Regional Government, which interfered with existing social dialogue arrangements in Castilla y León, were either declared unlawful by the domestic courts or repudiated after a new Regional Government took office and that, as a result, social dialogue has been fully restored. While noting the allegations of a lack of genuine commitment by the Regional Government to social dialogue, the Committee considers that they are insufficiently substantiated and that, in any event, they do not, in and of themselves, demonstrate a violation of Article 6§1 of the Charter. Furthermore, while not seeking to downplay the significance of the facts alleged or the gravity of the remarks allegedly accompanying the regional authorities' attempt to interfere with social dialogue, the Committee considers that a hypothetical risk of a return to rights-violating policies does not in itself amount to a violation of the Charter either.

50. The Committee therefore finds that there is no violation of Article 6§1 of the Charter.