

ETUC (preliminary) Contribution to the preparation of the Programme for the High-Level Conference on the European Social Charter and its outcomes

(18-19 March 2026, Chişinău (Moldova))

From the outside, the ETUC (and its affiliates) warmly welcome the possibility to contribute to preparation of the programme for this very important 2nd High-Level Conference on the European Social Charter. Whereas the 1st High-Level Conference, held in Vilnius (Lithuania) in July 2024, was marked by a first ever Political Declaration on the European Social Charter, ETUC considers indeed that it is now time to turn the key recommendations of this Declaration into further actual action, deeds and strong commitments by all stakeholders (Member States, public authorities, (inter)national trade union and employers' organisations, (I)NGOs as well as relevant international (UN, ILO) and European institutions (other CoE bodies and EU institutions/bodies) to be embedded in an ambitious Strategic Action Plan with a clear calendar!

Below we will elaborate on our views regarding the different possible events/meetings as well as certain topics that could/should be discussed in more detail by all stakeholders concerned at the HLC.

Firstly, as increasing ratifications/commitments within the European Social Charter system has been a longstanding demand around which ETUC has been and is mobilising/supporting its affiliates, the **ETUC fully supports the organisation of a Treaty event** where Council of Europe member States can undertake or pledge additional commitments, including ratification of the revised Charter and acceptance of its provisions and/or the collective complaints procedure. Furthermore, work should also continue (in the GC Reform Working Group and beyond) to ensure that **the 6 remaining States still bound by the 1961 Charter to ratify the 1996 revised Charter as well as that the 4 members States who have not yet done so, to ratify the 1991 Amending Protocol so as to strengthen legal certainty and clarity in respect of the Charter's monitoring procedures.**

Secondly, as for the **organisation of the eventual plenary sessions** (and looking at the approach taken in Vilnius if that would be at least partially reconsidered): given that this 2nd HLC is all about turning the recommendations and commitments of Vilnius into concrete action (plans), it would be key that during the **eventual opening speeches, an opportunity to speak is offered to ALL stakeholders directly or indirectly involved in the implementation, application and enforcement of the ESC**, i.e. governments, ECSR, GC, social partners (in particular ETUC given its Treaty-based privileged status), INGOs,...

Thirdly, as for **dedicated plenary/thematic sessions**:

- 1) The ETUC considers it of utmost importance to have a **dedicated/thematic session on the “Ongoing Reform process”** including indeed a stock taking of the (impact of) measures taken so far, identifying new measures and how these can be turned into concrete actions (with clear calendar) into the Strategic Action Plan. **Depending on how and via which process this Strategic Action Plan will be drafted and prepared before/in the run up of the HLC, it would be of utmost importance that social partners (and -again- trade unions like ETUC, as key implementation actors for many of the ESC articles, are fully and at all stages of this process involved.** I.e. lessons have to be learned from the preparation of the Vilnius Declaration that was almost exclusively a governmental process with only at some stages a “consultation” of social partners and INGOs via GT-Charte or indirectly as some are observers in the GC.

During this session it would be **necessary to take a holistic approach** thereby **looking at all measures taken** so far and **in particular their interrelationship and how more and better synergies could be created both in relation as to content, questions, intervals/calendar, etc.** For example, for the reporting procedures, where most of the reforms have so far have been taken, this implies looking at the same time at the normal reporting procedures for both (non-) CCPP countries, the reporting under the CCPP (i.e. leading to the “Findings”) and the non-accepted provisions reporting procedures.

In this regard, the ETUC has been working on a Legal Opinion on the compatibility of the new (normal) reporting system with Article 21 ESC which will be shared soon publicly. This Legal Opinion will be further complemented/updated in the months to come depending on new developments and lessons learned in the ongoing reform process. The

- 2) As for other **thematic sessions**, in particular to **address contemporary social rights challenges**, the ETUC would like to stress that all of the identified challenges like Cost of Living crisis, climate change/environment, AI, etc. are of course equally important and necessitate indeed further analysis and action under the ESC. Nevertheless, the ETUC would like to highlight one “old” and one “new” challenge:
 - a. As for the **“old” but still ongoing challenge, i.e. the “Cost-of-Living crisis”**: March 2026 will in a way form the 1-year anniversary of the launch of the first ECSR ad hoc report on this particular topic; a report in which the ECSR identified at least 10 key recommendations (for action) and in the meantime both ECSR as well as the GC embarked in a process on how to best ensure a follow-up and implementation of ad hoc reports in general and this first one in particular; see in that sense also the expert seminar the ESC department/ECSR organised in Brussels with INGOs and social partners – So it might be a good idea to turn one of the thematic session in an “implementation/follow up of the 1st ad hoc report” whereby all relevant stakeholders discuss together (rather in silo meetings) the report, its implementation so far as well as the way forward. Such a session would not only be valuable for this 1st report but also in relation to the more general reform process (see above) on how to better use ad hoc reports and the recommendations/statements of interpretation deriving from it;
 - b. As for the **“new” social rights challenge, i.e. access to justice/(free) legal aid to enforce social rights** in particular by victims and their representatives from TUs and civil society: more and more it is clear that the access to justice/(free) legal aid for victims is facing (legal) obstacles and that human rights defenders organisations like trade unions and CSO do not have (or are denied) an access to justice or even worse are more and more criminalised and/or attacked (e.g. via SLAPP proceedings); having social rights is one thing not being able to enforce them before courts is an even big or even greater human rights violation!
- 3) Finally the **ETUC is of course also ready to engage in any sessions/discussions** if they would be envisaged and which would **focus on “Enhancing Institutional Cooperation by strengthening collaboration between CoE institutions** (like the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Conference of INGOs and relevant intergovernmental committees and actors) and **by reinforcing strategic partnerships, in particular the relationship with the European Union** (to recall is that ETUC is a EU treaty recognised co-legislator and representative cross-industry social partner), the United Nations/ILO and other key international actors.

Fourthly, the ETUC, and being engaged or willing to be engaged in all the abovementioned actions and processes, is **not considering to organise an own or joint side/fringe-event at the HLC.**

As mentioned in the introduction, all the above forms part of a preliminary contribution and the ETUC remains of course at your disposal both formally and informally to further reflect on the best way forward in the organisation of this 2nd HLC!