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STEERING COMMITTEE FOR HUMAN RIGHTS
(CDDH)

DRAFTING GROUP ON SOCIAL RIGHTS
(CDDH-SOC)

Preparatory document

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of the “section submitted to the CDDH identifying good practices and making proposals with a view to improving the implementation of social rights”

It is recalled that the CDDH-SOC, in its 2nd meeting (2–4 May 2018), adopted its Analysis of the legal framework of the Council of Europe for the protection of social rights in Europe (first report). On this basis, the CDDH-SOC, in accordance with its mandate, identifies good practices and makes, as I f u r t h e r appropriate, proposals with a view to improving the implementation of social rights and to facilitate in particular the relationship between the Council of Europe instruments with other instruments for the protection of social rights” in a section

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EXECUTIVE SUMMARY

INTRODUCTION

1. Terms of reference and methodology
2. Review of the background
3. Main results of the Analysis of the legal framework of the Council of Europe for the protection of social rights in Europe

I. THE MEMBER STATE COMMITMENT UNDER THE RELEVANT INSTRUMENTS

1. Ratification of the (revised) Charter and of the 1995 Additional Protocol and acceptance of additional provisions of the (revised) Charter
 - (a) Current challenges¹
 - (b) CDDH proposals
2. Personal scope of application of the (revised) Charter
 - (a) Current challenges
 - (b) CDDH proposals

II. THE MONITORING PROCEDURES UNDER THE TREATY SYSTEM OF THE EUROPEAN SOCIAL CHARTER

1. State reporting procedure
 - (a) Current challenges
 - (b) CDDH proposals
2. Collective complaints procedure
 - (a) Current challenges
 - (b) CDDH proposals

¹ For each challenge, the document could present (a) the background; (b) the reasons given by the relevant stakeholders (Council of Europe Member States / representatives of the monitoring bodies / Secretariat); (c) the analysis thereof.

III. THE AWARENESS, VISIBILITY AND ESTEEM OF THE CHARTER SYSTEM

1. Current challenges
2. CDDH proposals

IV. NATIONAL IMPLEMENTATION OF SOCIAL RIGHTS

1. Current challenges
2. CDDH proposals

V. RELATIONSHIP OF COUNCIL OF EUROPE INSTRUMENTS WITH OTHER INSTRUMENTS FOR THE PROTECTION OF SOCIAL RIGHTS

1. Current challenges
2. CDDH proposals

CONCLUSIVE REMARKS