

Stocktaking Report

The Council of Europe

Reform of the European Social Charter System

18 February 2026



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Abbreviations

CDDH	Steering Committee for Human Rights
CM	Committee of Ministers
CoE	Council of Europe
ECSR	European Committee of Social Rights
ESC	European Social Charter
GC	Governmental Committee
GR-SOC	Rapporteur Group on Social and Health Questions
GT-Charte	Committee of Ministers Ad Hoc Working Party
HLC	High-level Conference
PACE	Parliamentary Assembly of the Council of Europe

1 Introduction

1.1 Background to the assignment

The European Social Charter (ESC) has been revised and the reformed several times since its adoption in 1961. With the High-level Conference (HLC) in Turin in 2014, the reform process gained momentum. This led to the most recent reform steps and changes, implemented since 2022. Key adaptations concern:

- The reporting procedure (reporting cycles, grouped questions, introduction of ad-hoc reports)
- The collective complaints procedure as regards in particular the follow-up phase
- The procedure on non-accepted provisions
- The cooperation of the various treaty bodies and state parties (e.g. enhanced dialogue)

In 2026, the next High-Level Conference on the ESC will take place in Chisinau, Moldova. In that context, this stocktaking report **analysing key results of the reform process and providing recommendations for the way forward** has been developed.

1.2 Objectives of the assignment

The object of this research has been the **European Social Charter system**, specifically the reforms and changes implemented since 2022. As foreseen in the terms of reference and the inception concept, the report:

- takes stock of the progress made in implementing the reform steps of the ESC system
- collects data on the implemented and ongoing reform steps and the preliminary results and lessons learned of these reform steps
- identifies further reform needs and priorities and provides practice-oriented recommendations for the further process in preparation of the 2026 HLC.
- takes stock and makes further recommendations on the enhanced dialogue mechanism, capacity building, communication and visibility issues
- assesses whether the conditions have been created to revisit the issues postponed by the recent reform.

1.3 Overview of methodology and scope

The stocktaking report builds on the evaluation of the ESC system as well as internal discussions and preliminary assessments of the reforms and their preliminary results. In addition, primary data was collected. Data collection methods included document analysis as well as key informant interviews.

The documents to be analysed included:

- Secretary General Strategic Framework of the CoE
- the Secretary General's proposal for "Improving the implementation of social rights – reinforcing the European Charter system"
- the recommendations of the reports of the Steering Committee for Human Rights (CDDH) - "Report identifying good practices and making proposals with a view to improving the implementation of social rights in Europe"
- the reports of the Committee of Ministers Ad Hoc Working Party GT-CHARTE "Improving the European Social Charter system: longer term substantive and

procedural issues” CM (2022) 196 and “Outline of a possible reform of the reporting procedure under the European Social Charter”

- the Committee of Ministers (CM) report “Improving the European Social Charter system – Consolidated Report”
- the CM decisions on “Implementation of the Report on Improving the European Social Charter system - Operational proposals for the reform of the European Social Charter system” and “Improving the European Social Charter system: long-term substantive and procedural issues”

Further relevant documents are referenced in the literature list in the annex.

Ten key informant interviews have been conducted covering various stakeholders involved in the reform process, including:

- member states
- the ECSR
- civil society and social partners
- the Council of Europe Secretariat

Data was analysed via **qualitative content analysis** by the researcher. Methodological approach and preliminary findings have been validated in close collaboration with the reference group and key expert (Giuseppe Palmisano).

The research was predominantly **explorative in nature** to capture unintended consequences, preliminary experiences, potential risks and anecdotal evidence on early results of the most recent reforms. Interview questions were open-ended and action oriented. Research results will have primarily informational value and will not be representative. The applied interview guidelines can be found in the annex.

2 Overview of the Reform process

The reform process of the ESC system is rooted in efforts dating back several years, gaining significant momentum with the launch of the Turin Process, which culminated in the adoption of a comprehensive reform package in 2022. Various working groups and entities were involved and developed, discussed and refined reform recommendations, including the Secretary General, CM, CDDH, ECSR and the ad-hoc working party GT-Charte. The ultimate goal of these steps was to improve the efficiency and effectiveness of the monitoring mechanism while reducing the bureaucratic and reporting burden on the monitored member states and, to a lesser extent, on the monitoring bodies. Implementation began in 2023.

2.1.1 What were the reasons and rationale behind these decisions

The primary drivers for the reform addressed fundamental problems regarding the efficiency and effectiveness of the existing monitoring mechanisms:

1. Improving Efficiency, Effectiveness and Impact: The prior system struggled to timely identify the most serious problems concerning social rights implementation, thereby limiting its usefulness in helping states improve implementation. The process aimed to enhance the efficiency and impact of the statutory reporting procedure. Specifically, it aimed to improve the consideration and the effective impact of the Charter social rights obligations and ECSR's conclusions and decisions on the domestic legal order and administrative practice of the States Parties to the Charter.

2. Addressing Complexity and Administrative Burden: The system was perceived as overly complex, creating an excessive administrative workload for member states due to the

intricate nature of reports, categories of provisions, cycles, and multi-level follow-up. The reform aimed to streamline monitoring procedures.

3. Improving Follow-up: A lack of robust mechanisms for following up on the implementation of conclusions of the ECSR created an "implementation gap". The reform sought to strengthen direct and constructive follow-up, aiming for a more forward-looking and action-oriented approach to monitoring implementation.

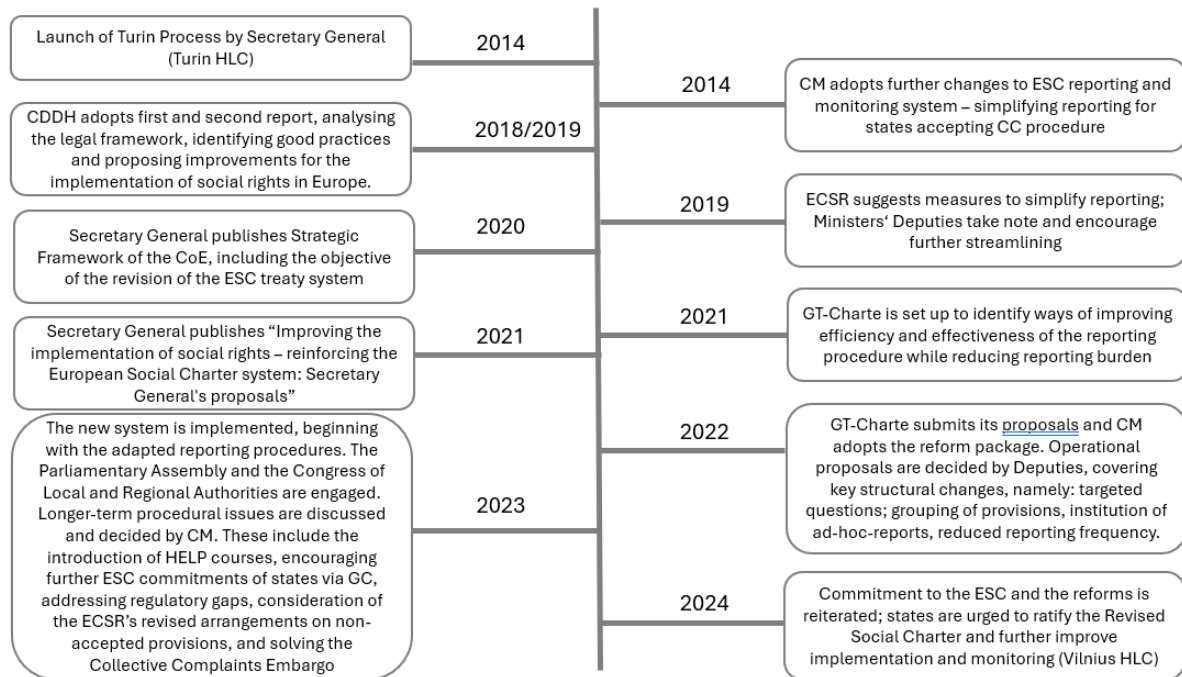
4. Enhancing dialogue: The reform sought to promote real dialogue between the Charter's organs and States Parties, as well as with other valid stakeholders, including civil society, social partners, international organisations such as EU and ILO, etc.

5. Streamlining Collective Complaints: The potential indefinite reporting on follow-up to collective complaints decisions was addressed by the introduction of a "single report" procedure 2 years after the adoption of a CM Recommendation concerning follow-up in the context of a given complaint. The possibility of engaging in the enhanced dialogue referred to above applies also to this procedure. .

The reform also addressed several **concrete needs of the treaty bodies and member states**:

- **Reducing the Reporting Burden:** A key interest was enabling member states to focus reporting by moving away from a comprehensive approach to a selective and targeted approach. This involved proposing a reduction in the frequency of statutory reports to one every two years (instead of annually), covering one of two groups of provisions.
- **Targeted Reporting:** Introducing "targeted questions" focused on up to about a dozen Charter provisions per report, ensuring reporting is more focused and topical.
- **Addressing Emerging Issues:** The introduction of ad hoc reports was proposed to allow the system to examine new or critical issues with a broad or pan-European dimension, especially in response to rapid or unforeseen changes or crises.
- **Lighter Regime for Collective Complaints States:** For States Parties that have accepted the collective complaints procedure, the proposal was to submit only one short statutory report every four years, providing an incentive for other states to adopt the procedure.
- **Action-Oriented Follow-up:** The follow-up procedures to ECSR conclusions of non-conformity (reporting procedure) were strengthened to encourage the GC to make reasoned proposals for recommendations (where appropriate) for adoption by the Committee of Ministers, prepared in consultation with the concerned State.

2.2 Overview of key decisions and reform steps



2.2.1 Reforms and changes in 2022 in comparison to before

Reporting Procedure and Ad Hoc Reports

Before the reform	After the reform
- States submitted one report annually, covering one of four thematic groups of provisions. This resulted in a four-year cycle per provision - Reports provided information on every accepted provision, responding to a growing number of questions posed by the ECSR ("comprehensive approach") - Reports referred to a past reference period - States accepting the collective complaints procedure submitted a simplified national report every two years focusing on follow-up to complaints, alternating with ordinary thematic reports Ad-hoc reports did not exist	- States not bound by the collective complaints procedure submit one report every two years, alternately covering accepted provisions from one of two groups - Reports focus on a limited number of "targeted questions" (covering up to about a dozen provisions per report, selected by ECSR in cooperation with GC). - Reports should predominantly focus on the current situation and reflect action being taken - States accepting the collective complaints procedure submit only one short statutory report every four years, focusing on one of the two thematic groups, effectively reducing their reporting burden Ad hoc reports can be requested to examine new or critical issues of broad or pan-European dimension (e.g., the cost-of-living crisis). Ad hoc reports are not subject to conclusions on conformity but serve as a basis for general analyses and subsequent dialogue and potential guidance from the CM. Ad hoc reports are prepared by the ECSR.

Procedure on Non-Accepted Provisions of the Charter

Before the reform	After the reform
• ECSR asked additional questions for the response in the next report on a particular subject • Only States Parties to the revised ESC were applied this procedure every five years after ratification. • ECSR examined the provisions that are not accepted either through written information provided by the States Parties or during on-site visits. • The written information on non-accepted provisions provided by States Parties was not made public, but only the ECSR reports following examination. • The procedure had not foreseen third party comments. • •	• ECSR was allowed to apply the procedure to all States Parties to either Charter • ECSR requests written information systematically and in addition may request on-site meetings on non-accepted provisions. ECSR can be joined by other GC representatives at these meetings that involve the concerned states authorities, social partners and civil society as well as parliaments upon case. • The written information provided by States Parties is made public and third-party comments are encouraged in the following three months after publishing. • ECSR revised its own arrangements for the non-accepted provisions procedure. The deputies instructed GR-OCSOC to examine ECSR reports regarding non-accepted provisions and, where appropriate, prepare recommendations to the concerned state parties in consultation with GC. • Non accepted provisions procedure an reports are also the object of enhanced dialogue and a larger approach to promote acceptance of new provisions when possible

Follow-up to Collective Complaints Procedure

Before the reform	After the reform
• States submitted a simplified report every two years following a decision on the merits finding violations of the ESC, potentially continuing indefinitely (if the ECSR did not find that the situation had been redressed) • Decisions on the merits were not made public until the Committee of Ministers adopted a resolution, or at least four months after transmission to the CM • Recommendations by the CM were possible but rarely adopted	• States are asked to submit one single follow-up report on ECSR decisions on the merits two years after the Committee of Ministers' recommendation concerning such decision. If the ECSR assessment (called "finding") concludes that the situation has been redressed, the CM can close the case by adopting a resolution. If the ECSR finds that situation is still partially or fully not yet in compliance with the ESC, the CM may renew its recommendation. • The CM can request the GC to express an opinion before adopting the recommendation. •

Enhanced Dialogue

Before the reform	After the reform
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• “Enhanced dialogue” is a novelty which did not exist prior to the reform. Dialogue between the treaty bodies and the state parties was limited and not pursued systematically. • Data produced by the state parties was often disparate and could not be easily compared. • Dialogue with other relevant stakeholders. Including International organisations such as the EU and ILO or UN, or social partners and civil society, was possible, but rare and not systematic	• Dialogue is more defined and systematically pursued. It can take the form of requests for information, exchanges of letters, meetings, or country visits, aimed at identifying solutions and sharing good practices. • Enhanced, direct, and constructive dialogue is seen as an integral part of the follow-up on conclusions or Collective Complaints, aiming for a forward-looking and action-oriented approach. It may take place in various contexts, for example, when the ECSR findings related to a Collective Complaint indicate that a situation has not yet been redressed and the CM is encouraged to adopt a renewed recommendation. A digital platform including a comparative dashboard is taken into consideration (though not yet implemented) to facilitate the CM's strategic oversight role.
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Follow up to conclusions and ECSR's review of ad hoc reports

Before the reform	After the reform
• Follow-up was often seen as weak, lacking robust mechanisms, and non-binding, leading to an "implementation gap" • The GC considered follow up to ECSR conclusions and decided which situations merited recommendations, but recommendations addressed to individual States remained rare. • As regards ad hoc reports, they were not possible.	• The GC was encouraged and makes reasoned proposals for individual recommendations concerning ECSR' conclusions of non-conformity, to be submitted for adoption by the CM, prepared in consultation with the State concerned. • The GC examines measures adopted or envisaged by the State Party to improve the situation. Dialogue may lead to the development and adoption of concrete roadmaps, strategies, or action plans by national authorities. • As regards the ECSR's review on the Cost-of-Living crisis, the GC has proposed a recommendation for follow up and awareness raising for the review, which is to be adopted by the CM.

2.2.2 Key stakeholders driving the reform process

The planning and execution of the reform process involved multiple specialized groups:

GT-Charte (Ad Hoc Working Party on the European Social Charter system): The Ministers' Deputies established GT-Charte to investigate practical ways of improving the efficiency and impact of the reporting procedure, the follow-up by the GC and the CM, and procedural aspects of the collective complaints procedure. GT-Charte was instrumental in setting out the state of discussion on longer-term substantive and procedural issues, taking into account contributions from various stakeholders, including ECSR, GC, CDDH, and the social partners.

GR-SOC (Rapporteur Group on Social and Health Questions): GR-Soc is an informal working structure of the Ministers' Deputies with the role of preparing decisions for the CM.

GR-Soc played a key coordinating role in implementing the reform and examining specific areas. It was instructed to review ECSR reports concerning non-accepted provisions and prepare recommendations to concerned States in consultation with the GC. GR-Soc also examines proposals for concrete measures to be taken by the CM and was invited to receive information on any steps taken by states to reduce or renounce the embargo on ECSR decisions in collective complaints.

High-level Group of experts: The Secretary General appointed a High-level Group of experts on Social Rights. This group delivered a report containing proposals that informed the Secretary General's subsequent suggestions for improving the implementation of social rights and strengthening the ESC system. Their role included pointing toward future substantive and procedural developments, such as:

- Exploring the feasibility of advisory opinions from the ECSR.
- Considering the addition of new rights to the Charter, such as the right to a healthy environment, a right to an adequate standard of living (including access to food and water), and specific rights for workers in new forms of employment (like the gig economy).
- Examining the question of accession by the European Union to the ESC.
- Re-considering the scope of application of the Charter in terms of persons protected [it is important to add this item]

3 Taking stock

The implementation of the reform package, adopted by the Committee of Ministers in May 2022, began to be phased in starting in 2023. The Deputies formally took note of the operational proposals on 27 September 2022, inviting relevant bodies to implement them as soon as possible.

While it is still early to fully assess the long-term impact, preliminary data and stakeholder interviews suggest a significant shift in efficiency. Moreover, the changes and their outputs have generated political momentum and institutional energy, though concerns remain regarding the depth and scope of monitoring, and the workload of the monitoring bodies.

The reforms have been a very positive thing, it outweighs the negatives. The energy created, the attention to the system...

3.1 (a) Reporting Procedure and (b) Ad-hoc Reporting

3.1.1 Status of implementation of the changes

The new system of biennial reporting for most states and quadrennial reporting for states accepting the collective complaints procedure is active. However, since the adoption of the reform package in 2022, only one round of reporting under the new system has taken place. The targeted questions (2024/2025) for the statutory report Group 1 focus on labour rights (<https://rm.coe.int/questions-2025-eng/4880288419>). The first set of conclusions after the reform has been published in January 2026.

A first [ad-hoc report on the cost-of-living crisis](#) was initiated in 2023 and the ECSR published its review in 2025. The review collected information from state parties and has provided a systematic overview of the measures and practices across state parties. The review thus provides comprehensive information on practices related to social protection, employment and wages, housing, energy and food as well as consideration of groups particularly affected by the cost-of-living crisis. It further includes statements of interpretation, giving practical guidance in relation to this pan-European and global challenge.

3.1.2 Preliminary results and experiences with the changes

Reporting procedure

The transition to “targeted questions” has successfully reduced the reporting workload for state parties as well as the volume of conclusions (interviews). The interviewed States Parties welcome the reduced administrative burden and the focus of targeted questions. However, others report that these specific questions can also be difficult to answer due to a lack of detailed national statistics. There have also been technical issues, such as machine-translated questions leading to misinterpreted reports. A few interviewees stated that they still struggle to accumulate the required information across ministries in their respective state, given the complexity of the questions and the binary judgement (conformity / non-conformity) independent of the degree of compliance, which can lead to frustrations and challenges for follow-up. Therefore, despite the simplification, “reporting fatigue” still persists, with some states failing to report entirely.

For the monitoring bodies, namely the ECSR, the workload has remained similar, as they monitor the fewer provisions more intensely, were given additional tasks (specifically the ad-hoc report) and are more involved in enhanced dialogue. The quality of national reports by state parties has improved overall, but remains inconsistent, with a few states providing minimal or no information, forcing the monitoring bodies to request further clarifications (interviews).

The new reporting procedure is nevertheless seen mostly positively due to the momentum it has created. While the ECSR used to point out breaches of the Charter in the past, it would not lead to any changes or “action” on the side of the states or other treaty bodies. Interviewees describe the situation as “locked” in the GC.. The new procedure, involving the GC more closely, has led to individual recommendations to the states, entailing sometimes that GC representatives consider the best course of action in order to “unlock” a long-standing situation of non-conformity. Recommendations, seen before 2020 as a negative reading, are perceived in the recent years as a positive step and the opening of a dialogue on implementation. . So far, this understanding has fostered the collegial atmosphere within the GC. The more engaging procedure and direct discussion among state representatives is judged positively, creating actionable recommendations and incentives to move forward on social rights. The ECSR’s monitoring findings gain additional authority through the endorsement by the GC, in the sense of “peer pressure”. Interviewees also highlight that the attitude of state parties towards the Charter is more positive since the reforms.

In a way, the monitoring process is a free consultancy. Once the ECSR has reviewed legislation with its comprehensive legal expertise, and the GC has provided its input, the advice to states is very hands on.

While the GC’s role was strengthened through the reform, the role of the ECSR as the main monitoring body has not been reinforced. The GC was further given a role in the selection of targeted questions, which is supposed to be done in cooperation with the ECSR (cp. <https://rm.coe.int/appendix-questions-for-the-next-statutory-report-group-1-2024/1680b0e515>). This risks a blurring of institutional mandates, as it interferes with the key monitoring responsibility of the ECSR. The selection and formulation of questions have also been identified as a key lever for successful monitoring, also given that some states are reluctant to follow up on clarification requests.

The longer-term consequences of the reform on the quality of statutory reporting and the integrity of the CC mechanism is yet to be seen, as the ECSR has to reconcile its key mandate

(legal assessments to ensure conformity and social rights implementation) with the limitations on scope, the disconnection with the old reporting procedure, and the new tasks at hand (ad-hoc reporting). Secretariat and ECSR also continue to struggle with limited resources, though the reduction of questions has better matched resources with obligations. However, positive effects of the reform have equally been noticed for the ECSR (increased state interest, in-depth focus on a defined number of questions), improved relationships with other treaty bodies and state parties), and there is a keen interest to ensure consistency within the new system (interviews).

Ad-hoc reporting

Despite binding significant resources that might come at a cost of the regular legal assessments, the ad-hoc report on the cost-of-living crisis is viewed by most interviewees as a major success for its visibility and relevance (interviews). Expectations in relation to quality and applicability of contents were met, despite prior doubts and insecurity of the ad-hoc reports purpose and contents. The ECSR used the opportunity to deal with a social rights issue in detail. The ad-hoc report has led to various positive outcomes already:

- Interviewees emphasise the topicality and relevance of the subject (cost-of-living) picked by the ECSR and supported by the GC. Results are considered tangible, and the report has raised interests beyond the treaty bodies (interviews).
- States Parties see the ad-hoc report mostly positively. While they are required to dedicate resources for reporting for this, too, the report is more solution and less problem focused. The ad-hoc reporting was praised for making the Charter more "alive" and dynamic. However, some officials feel they have limited benefit because there is little evidence that countries actually read or act upon the findings, or at least ensure that the reports results are spread among relevant institutions within the states (interviews).
- The ad-hoc report does not make any legal assessments or identify specific breaches of the Charter provisions. It is thus a significant deviation from the ECSR's working methods and key expertise. However, it does point to key issues and allows for statements of interpretation, which can be leveraged to push for further steps towards social rights improvements. Its comparative and systematic nature further allows for mutual learning and has engaged states to agree on recommendations (interviews).
- Civil society organisations reported using the ad-hoc review directly for national advocacy work (interviews). One aspect that contributed to this, apart from the topicality of the crisis, was the more accessible style in which the report was written.
- The ad-hoc review also was the focus of several events, which confirms that the chosen subject was an interesting topic for academics, society and officials, and the report thus served as a promotional tool at the national level.

I had feared that this format, which is neither a scientific review, nor a legal output, is something "in between". But surprisingly, it worked quite good in sending messages, getting attention from civil society, media, social partners.

A key fear and risk identified by interviewees concerns the ad-hoc reports' complementary value. Interviewees repeatedly mentioned that ad-hoc reports, while being of great value for the promotion, engagement and visibility in relation to the ESC, cannot replace the regular statutory monitoring and legal assessments that are the key feature of a legally binding treaty such as the ESC.

3.2 Procedure on non-accepted provisions

3.2.1 Status of implementation of the changes

The European Committee of Social Rights (ECSR) has revised its internal arrangements for this procedure on non-accepted provisions (Improving the ESC long-term.pdf).¹ Reports for all the States Parties are increasingly being prepared by dedicated staff and internal lawyers and are shorter and more targeted. 2025 was the first year in which all States covered by this exercise managed to provide written information by the deadline or with minimal delay. Civil society (CINGO and NHRI) is involved in providing third-party comments or shadow reports. The structure of the report, the introduction and the language used have been standardised. Also, states are selected for pro-active engagement on non-accepted provisions (e.g. with on-site visits and enhanced dialogue).² The ECSR has begun providing tailored documents suggesting which non-accepted provisions could be adopted without major legislative changes. The ECSR further appoints country rapporteurs for each exercise starting in 2025. The Rapporteur Group on Social and Health Questions (GR-SOC) is now instructed to examine these reports and prepare recommendations in consultation with the Governmental Committee (GC) (Improving the ESC long-term.pdf). The GC is in this respect considering how to best formulate, when needed and appropriate, follow-up to NAP reports, including dialogue, support, and possibly recommendations directed to the State in question. This update in the working methods on non-accepted provisions was not part of the reform, but coincided or overlapped with the reform process, and is linked to the new methods of engagement foreseen in the enhanced dialogue. A positive trend of acceptance of new commitments under the Charter has been recorded as of 2024 on.

3.2.2 Preliminary results and experiences with the changes

The procedural changes on non-accepted provisions (including enhanced dialogue on non-accepted provisions) has partially paved the way for states' increased willingness to accept further provisions. Progress was likely also achieved in combination with the reforms of the reporting procedures which have accommodated key interests of State Parties and with the enhanced dialogue. The relevance of social rights has further increased, e.g. in the context of the cost-of-living crisis, and the protection of social rights is increasingly discovered as an important lever to address anti-democratic tendencies. The political will to commit to the ESC system, and showing commitment by accepting further provisions, has overall improved.

Nevertheless, the "sharper" reports provide more targeted and actionable insights for states to accept additional provisions. The new approach has identified "easy wins" for states, encouraging them to move toward the Revised Charter by highlighting provisions that are already compatible with the existing national legislation. Moreover, the ECSR has used the "enhanced dialogue" label to legitimise direct communication with ministries to encourage the acceptance of further provisions (interviews). This process is viewed as more helpful and clear

¹ States parties to the Revised Charter are subject to this procedure every five years from the adoption of the Revised Charter. States parties to the 1961 Charter have been applied this procedure since 2023. The seven States that were bound by the 1961 Charter were divided into two groups and applied the procedure in 2023 and 2024 and will continue to be subject of it every five years thereafter, according to a set calendar.

² Cp. ECSR (2022) Adjustments to the procedure on non-accepted provisions: "Where appropriate, and when it is deemed to represent an added value by the interlocutors concerned, bilateral meetings on the non-accepted provisions be organised with the States Parties, at the initiative of the ECSR or the States Parties, and with participation of the national social partners and civil society representatives."

than in the past. First experiences suggest that on-site visits by ECSR members, which have recently included GC representatives with positive results, to discuss non-accepted provisions and engage directly with relevant stakeholders are far more effective than written communication alone. The high local visibility of these joint visits is considered an enabling factor. It can thus be confirmed that the new procedures are applied and integrated in the overall reform efforts.

3.3 Follow-up to collective complaints procedure

3.3.1 Status of implementation of the changes

The follow-up to CC is a two-stage process. At first, the ECSR decides on the CC's merits and transmits the report to the parties involved and the CM, which must then adopt a resolution or recommendation. The second stage consists of the follow-up report to be submitted by the states two years after, which leads to a re-examination of the situation by the ECSR. The ECSR's assessment is transmitted to the CM which may either close the case with a resolution, renew the recommendation, or refer the case to the Governmental Committee for further consultations before taking the decision. The new procedure consisting of requiring a single follow-up report after a CM recommendation (rather than indefinite reporting) is being implemented as the first findings under this system have emerged (in 2025, the ECSR adopted four such findings, one of which has already been submitted to the CM to close the case). However, states in some cases have not submitted their follow-up report.

The new procedure might therefore lead to a situation that complaints are neither remedied nor re-examined, unless the CM follows up. As outlined in the ECSR's press briefing 2023, the *"Findings 2023 will be the last under the existing system for presentation of reports on follow-up to decisions in collective complaints. This system has operated since 2015 and several of the findings represent the 5th assessment of the follow-up and with the situations still not having been remedied."*

Officials note they have not yet seen significant changes in how complaints are handled in practice.

3.3.2 Preliminary results and experiences with the changes

In relation to this procedure, there is a clear divide between state and civil society views. States mostly favour the change (and have thus strongly advocated for it in the reform process) because it provides a defined "end" to the monitoring process (despite a few remaining uncertainties on how to report on remedies related to violations prior to the reform). In contrast, civil society representatives expressed frustration, arguing that the system has been "weakened" by removing recurring reports on whether recommendations have actually been implemented (interviews).

The outcomes of the new procedure depend strongly on the CM. There is a concern that if the CM does not pick up the political follow-up, the fact that the ECSR has only one possibility to indicate whether the situation it had found to be in violation of the Charter was redressed or not in light of the information brought to its attention accountability gap. This might even lead to complaints being repeatedly brought before the ECSR, which in turn would (again) increase the related workload for all concerned.

The workload of ECSR is considered high by various interviewees, including from the monitoring bodies and civil society. The slow responsiveness resulting from this workload as well as from other postponements, e.g. for states to submit their observations and responses,

is equally perceived as problematic by States Parties. Decisions on admissibility can take a year, and merits can take up to four years.

Based on the decision on the merits adopted on 11 September 2024 by the ECSR in the case *Defence for Children International (DCI), European Federation of National Organisations working with the Homeless (FEANTSA), Magistrats européens pour la démocratie et les libertés (MEDEL), Confederación sindical de comisiones obreras (CCOO) and International Movement ATD Fourth World v. Spain*, the CM has adopted a recommendation in December 2025. To what extent these first CM recommendations will lead to legislative changes and improved conformity has yet to be seen.

. One attempt to ensure that complaints will not be “ignored” was to increase the outreach and engagement of all parties concerned (including the CM, the States Parties and civil society). Overall, the implementation gap remains a challenge. Civil society representatives also identified loopholes in monitoring old decisions, noting a lack of synergy between the Collective Complaints procedure and normal reporting cycles.

3.4 Enhanced dialogue

3.4.1 Status of implementation of the changes

Enhanced Dialogue has been institutionalised as an integral part of the follow-up process (CoM_improving.pdf). Joint meetings between the ECSR and GC have been initiated, and country-specific “enhanced dialogue” meetings have taken place (DIO-EVA(2025)02-ESC-FinalReport-EN.pdf; interviews). Implementation is further visible in the increased interaction between the Bureaux of the Governmental Committee (GC) and the ECSR. The extent of implementation of enhanced dialogue has been limited by a lack of earmarked funding for travel and personnel that would allow for more country visits, meetings, or a more active role of the bureaux.

3.4.2 Preliminary results and experiences with the changes

One of the most positive results has been the improved relationship between the treaty bodies, specifically the GC and the ECSR (interviews), but also between the ECSR and the State Parties. The ECSR is seen less as a hostile institution assessing states’ performance, but has now the possibility to explain positions, promote the acceptance of provisions or provide advice on legislation and practical implementation. The GC has become more proactive and works in synergy with the ECSR. The coordination between the GC and ECSR has been “smoothed,” leading to more fruitful discussions on which issues to prioritize (interviews). A key success is the shift in the perception of recommendations; they are increasingly seen as “action-oriented” and helpful tools for discussion among competent services rather than “punitive” measures (interviews). The leveraging of peer pressure and peer learning within the GC helps to translate the ECSR’s findings to the context of States Parties, which interviewees expect to affect implementation of recommendations positively.

While the “enhanced dialogue” with States Parties has been assessed very positively, certain States Parties still feel that more on-site visits in the countries would be helpful, granting more visibility to the Charter and ensuring contextualization of monitoring findings.

3.5 Follow-up to (a) conclusions and (b) to the Review on the basis of ad-hoc Reporting

- a. Follow up to conclusions

3.5.1 Status of implementation of the changes

As a result of the 2022 CM decisions, the GC was encouraged to implement more follow up in relation to conclusions. The GC took a proactive role to effectively address the CM's decisions. As a result, in May 2023, the GC strengthened its operational framework by adopting new Rules of Procedure and issued a Handbook with its working methods in 2025. The primary aim was to enhance the GC's capacity to formulate well-grounded proposals for recommendations, particularly in cases of persistent non-conformity.

3.5.2 Preliminary results and experiences with the changes

This procedural change allowed the GC to adopt a more proactive role in drafting and discussing recommendations, laying the groundwork for effective decision-making. This was demonstrated in 2023 and 2024, leading to the proposal of over 80 recommendations for the adoption by the Committee of Ministers. It would be desirable to promote more exchanges to overcome barriers to implementation, as well as introducing ways to consider each member state submissions on progress in implementing CM recommendations at regular intervals.

- b. Follow up to the ECSR's review of ad hoc reports

3.5.3 Status of implementation of the changes

There was cooperation in 2023 and 2024 between ECSR and GC in the choice of the topic for ad hoc reporting (Social Rights and the Cost-of-Living Crisis) for the first ad hoc exercise.

3.5.4 Preliminary results and experiences with the changes

Following the adoption by the ECSR of its review based on the ad hoc reports, a draft recommendation was prepared to be submitted for adoption at the GR-SOC in 2026.

4 Recommendations to the High-level Conference

4.1 Short-term adaptations to support the reform's effectiveness, sustainability and further roll-out

- Enhancing Institutional Interaction and Dialogue:
 - In addition to the treaty bodies, an increased involvement of civil society and social partners is recommended. Increasing their role might help to reduce the risk of complaints not being followed-up, or other important issues being overlooked during the selection of targeted questions. Outreach to local stakeholders could be increased with webinars on the "everyday meaning" of the Charter. Shadow reports should be systematically solicited as an additional source of information.
 - To further strengthen political will and advocate for legislative improvements on social rights in the member states, engagement of the Parliamentary Assembly of the Council of Europe (PACE) should be increased (e.g. via formal or informal meetings with treaty bodies). It would allow for outreach to the states' legislative branches and also allow opposition members to monitor state compliance and raise the Charter's profile.

- The increased interaction between the treaty bodies and States Parties has revealed a high potential to create political will through multi-stakeholder engagement. Stakeholders advocated further moving beyond written communication toward more on-site visits and person-to-person meetings to increase visibility of and support for the Charter. Given limited funding for such visits, it is also recommended to further exploit opportunities of virtual communication.
 - One original objective of the Charter reforms was the better integration of the ESC system with EU law. The evaluation of the ESC identified the ESC monitoring as a key preparatory step for EU accession. At the same time, EU accession to the ESC is still being discussed. It is recommended to seek increased cooperation with the EU on social rights and pursue avenues of “joint political pressure”, also with other international stakeholders and frameworks (e.g. ILO).
- To avoid confusion of mandates and institutional tension, it is recommended that ECSR leads the process of choosing targeted questions for monitoring, ensuring they remain focused on major pan-European problems, with the GC clearly having an advisory role (but no “veto power”).
- While the GC can and should not interfere in the assessments, it has an important role to play in increasing the effectiveness of the monitoring mechanism by helping states close the legislative gaps. The GC should therefore be encouraged to continue to use peer pressure to push member states toward compliance and reporting. In addition, the GC should continue to advocate education and training on the Charter as well as increased communication and awareness raising about the ESC and ESCR decisions and conclusions at national level.
- When issuing targeted questions as part of the reporting procedure, care should be taken to ensure that the different some social rights areas covered by the Charter are well represented and not some areas completely neglected.
- The Secretariat and ECSR should pay close attention to the formulation of questions to ensure states provide the expected data, ideally minimising mid-cycle requests for clarification. Interviewees further recommend providing minimum standards and concrete indicators for each provision to help states understand exactly what is required for conformity.
- One interviewee suggested moving away from a binary “yes/no” compliance model toward a colour-coded dashboard (with red – orange – yellow – green for differing degrees of compliance) or, alternatively, a more differentiated scale (e.g. fully compliant, partially compliant, non-compliant). Key emphasis should be on the analytical part pointing out strengths and weaknesses of the national legislation and practice, and on how to address shortcomings constructively, with less emphasis on the judgement of conformity, also in the follow-up.
- The ad hoc reporting was found to be very useful and well-accepted and should be continued. However, the timing and frequency of the ad hoc reporting procedure should not be such as to undermine the ‘institutional’ reporting procedure, which must remain the primary monitoring tool within the system.
- The CM should be encouraged to establish a robust control mechanism that increases pressure on states to account for their implementation of CC decisions. If a state fails to report within a defined timeframe (e.g. after a one-year delay), the CM should initiate an automatic follow-up. In addition, it was suggested to reintegrate CC follow-up into

national reports (e.g. as an annex) to ensure that issues are not forgotten once a recommendation is issued. Ideally, the time span between lodging a complaint and the decision on its admissibility and merits should be shortened.

- Visibility remains a challenge. Conferences and thematic events should be organised regularly to maintain visibility. To increase the Charter's profile, interviewees also suggested engaging other CoE bodies, such as those related to education, and improving awareness among national politicians and parliaments. Integration of the ESC in university curricula and promotion among legal professionals via the existing HELP courses was equally proposed. Ad hoc reviews should be better promoted at the national level through inter-ministerial dialogues and events with social partners. To enhance understanding of the ESC as well as the reforms within relevant national institutions, a clear-cut factsheet with a "before-after" comparison was suggested.

4.2 Further (medium / long-term) recommendations

- Many interviewees were hesitant to introduce any further adaptations before a full cycle of reporting is completed to allow for a proper evaluation of the effectiveness of the reforms up to now.
- A significant long-term recommendation (re-iterated by many interviewees) is to move towards a single Charter system, doing away with the "double system" (1961 vs Revised Charter) and the "pick-and-choose" provisions, which are seen as undermining clear communication to the outside world.
- Major substantive issues, such as the limited personal and territorial scope of the Charter, need to be addressed by the CM.
- To manage the increased workload from ad hoc reports and collective complaints, the potential need to increase the number of members on the ECSR should be continuously monitored. While there is widespread support for states accepting further provisions, the monitoring workload would increase under these circumstances. Likewise, interviewees emphasised the need for human and financial resources for the Secretariat.
- The potential integration of "new rights", such as the right to a healthy environment should be revisited. Interviewees also felt that there was a lack of transparency or inter-institutional exchange (e.g. with CDDH on the consideration of a right to a healthy environment) on the results and intended follow-up of the discussion until now.
- In line with the discussion on EU accession to the ESC, a harmonisation of and better linkage between ESC standards and EU directives is paramount, especially for states aspiring to join the EU who are otherwise inclined to prioritise EU standards and deprioritise the ESC standards.
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