

Report Thematic session 1: A social Europe, with equal rights for its citizens

Introduction

A social Europe means provisions in a number of areas, which date back many decades. The legislation for **occupational health and safety**, i.e. dozens of specific regulations, dates back to 1989. Coordination of **social security** dates back to 1959, with the objective of making free movement easier and fairer to all, including the millions of Europeans living outside of their country of residence. Since 1956, the **European Social Fund** has been the main financial instrument in helping people obtain better jobs, ensuring fairer access to job markets. The European Union invests in human capital, in its workers, young people, people seeking for jobs and it does so by allocating 10 billion per year to improving job prospects for all Europeans.

The EU Social Pillar

The EU Social Pillar was first introduced by the Commission on 26 April 2017. It sees the creation of a well-functioning labour market, with equal opportunities and access for all Europeans. The Pillar sets out 20 key principles and rights, which among other focus areas include the following: gender equality, social protection and inclusion, childcare and support to children, entitlement to social protection, minimum and old-age income, inclusion of the disabled, support for homeless people, active support to finding employment, fair working conditions, social dialogue, dismissal procedures, work-life balance, such as caring for children and older relatives next to one's job.

The EU Social Pillar is tailored mostly to the Eurozone, but is applicable to all Member States wishing to be part of it. The EU Social Pillar will be the responsibility of the Commission and Member States, taking into consideration the competences of each level and the current acquis. However, real substance is still very much needed: extending existing rights, granting access to rights, implementation of said rights – everything is under discussion and national idiosyncrasies with regard to the complementation and additionality of the Pillar's principles and rights need to be thoroughly examined.

Equality and non-discrimination

The EU combats discrimination on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation and sex. Strategic Engagement 2016-2019 for gender equality has set the following goals: Increasing female labour-market participation and equal economic independence of both men and women; reducing the gender pay, earnings and pension gaps and fighting poverty among women; promoting equality in decision-making; combating gender-based violence; and promoting gender equality across the world. All Member States also have equality bodies that ensure that principles of equality and non-discrimination are upheld, since governments might have slightly differing views on social equality.

Great progress has been made in equal treatment legislation, the EU has been actively working on equality, ensuring equal pay for equal work, since 1961, and gender mainstreaming happens in all relevant policy aspects. LGBTI movement has also changed a lot over the last 20 years thanks to the EU. The EU is also working to integrate its largest ethnic minority – the Roma people.

EU citizenship

The EU28 Member States' citizens are immediately awarded the EU citizenship as well. Having the EU citizenship does not negate the person's national one. The EU citizenship gives people the right to vote at municipal and Parliament elections and enjoy the freedom of movement between countries. The EU Citizenship Report 2017 package includes a number of actions on how to derive rights from both the national and EU citizenship.

Select questions from Q&A session

Q1. How to ensure the inclusion of different minorities in policymaking? How to foster even more cooperation between grassroots organisations and top-level officials? National and regional actors come into play here – they assist in better including minority groups, reducing the decision-making distance between top officials and grassroots organisations. For minority groups, there are different programmes that offer the people belonging to these groups possibilities to organise themselves. There are many NGOs for or consisting of said people. It is part of the common social fabric that is a way of organising oneself in a way that the Member States have a chance to listen to minority groups.

Q2. Seeing that there are social rights in place, are there also matching monitoring systems to ensure their effective implementation? Furthermore, how has the access to these rights been made available to people who have learning difficulties, low literacy, who do not comprehend legal language without assistance?

Awareness-raising is key here, especially with regard to ethnic and racial minorities. As for the monitoring and implementation of the law – the EU has an enforcement mechanism, the Member States need to have labour inspectors, for instance, to verify that occupational health and safety measures are followed. Implementation at Member State level might not always be correct – constant attention needs to remain at the forefront of the EU's actions.

Q3. Is social Europe and its key principles and rights only available to EU citizens? What about non-EU citizens living in the EU? Sometimes the residential status of a person defines their rights, but there are, for instance, employment contracts and working time regulations that apply to everyone working in the EU irrespective of their nationality/citizenship, so there are principles and rights that do apply.

Q4. How are the Commission and other institutions reflecting on redistribution, making a compromise between capital and labour? How does it relate to the White Paper and the potential scenarios of the Member States moving forward as one? There is an enormous inequality in the socio-economic situation of people, and also upward convergence where everybody's situation will improve, but the ones who are left behind have to improve even more to close the gap. The European Semester Exercise (related to Europe 2020 objectives) sees the Member States' economic, financial and budget policies annually reviewed and assessed by the Commission. As a result, country-specific recommendations (CSRs) are compiled; CSRs are a soft tool, as the EU cannot immediately prohibit or ask country to do something or the else. If countries go against legal principles or key values, there are other instruments available to influence their behaviour. The notion of solidarity also emerges. With regard to the different White Paper scenarios, the gap between Member States has diminished considerably; the structural funds have helped the 2004 and 2007 accession countries to catch up. Progress has been made, but there is still a lot of work ahead.

Q5. Is there an enforcement mechanism to counter the closing of Member States' borders in case of emergency? This Relates to the refugee crisis and DG HOME deals with these issues, although, DG JUST has common policies with regard to the management of the EU's external borders and how the Dublin regulation should be applied. It is important to deal with this issue together this cannot be handled by one Member State alone – to have a common approach is imperative. There are derogations in the Schengen area from the free movement policy; hopefully, these are only a temporary measure, seeing that the EU wants to return back to the free movement area in its full capacity. Politicians say that this can only happen when and where there is proper management at the EU's external borders.

Q6. Nutella in Croatia is 33% higher in price and has fewer ingredients than the Nutella in Austria. What is the EU doing to equalise product quality in Member States and discourage two-tiered class citizenship?

Commissioner Jurova has taken an active stance on this, Juncker made a long reference to this in his State of the Union address. As long as standards of food safety are met, no restrictions can be made from the EU's side. Consumers should be given the right to know about the discrepancies in quality and the Commission is trying to act as a guide for this. There is also direct support for testing quality of the products sold in Member States.

Food for thought from the speaker

Is there a social Europe, is Europe really social?

Didn't the EU do much more to save the banks during the financial crisis than it ever did to achieve social objectives?

Should the EU have more ruling power in the social sphere or should it be left to the Member States?

What is the added value of having European rules in the social area, e.g. gender equality, LGBTI rights, non-discrimination?

Is there a link between equal rights for EU citizens and the Rule of Law?

Which one do you prefer: EU citizenship or national citizenship?