

The European NGOs are sounding the alarm
The Declaration hereto attached is supported by

The Conference of International Non-governmental Organisations
400 INGO members
enjoying participative status with the Council of Europe – CoE 4th Pillar
(<http://www.coe.int/T/NGO>)
upon decision of the Board of the Conference of 10 June 2011

Recent developments confirm the concerns expressed in the above Declaration. The tendency to adopt measures of «*economic governance*» of purely monetarist character and to ignore the social dimension of the European Union is growing, to the detriment of social cohesion and growth, as it is widely admitted. In particular:

Both the «*Treaty on Stability, Co-ordination and Governance in the Economic and Monetary Union*», signed by 25 Member States on 2 March 2012, and the «*Treaty establishing the European Stability Mechanism*», signed by the Euro Area Member States on 2 February 2012, **impose a strict budgetary discipline, ignoring the social dimension of the EU**. Moreover, none of these Treaties refers to the fundamental values and objectives of the Union or to the Fundamental Rights Charter, which are nonetheless binding on all Union institutions and Member States. These fundamental rights and values are universal and binding on all countries of the world. In this respect the Union must “**point the way ahead for the world**”¹.

However, **the demands for an anti-crisis agenda which is socially fair and respectful of fundamental rights are growing** in the EU and they are increasingly voiced by the European Parliament. In this respect, we welcome inter alia the **European Parliament** Declaration of 2 February 2012 “*Contribution to the Annual Growth Survey 2012*” and its Resolution of 4 July 2012 “*on the June 2012 European Council meeting*”.

Consequently, we are **sounding the alarm** and repeating our **urgent demands**:

- that **all measures of economic governance, including modifications of the EU Treaties**, be accompanied by **binding social clauses based on the fundamental rights guaranteed by the EU Treaties and the Charter**;
- that **the European Parliament avail itself of its powers as reinforced by the Lisbon Treaty in order to demand such clauses**;
- that **the European Parliament and the Commission members dealing with social affairs and human rights** be actively involved in the elaboration and implementation of the economic governance measures;

Otherwise, **all economic governance measures are doomed to failure. They will only lead to misery and will shake the democratic institutions.**

The institutions of the Union and those of the Member States bear a heavy responsibility. It is the very survival of the Union that is at stake. 13 July 2012

¹ Laeken European Council, 14-15 December 2001, *Declaration on the Future of the Union*.

Reinforcing social rights in order to exit the economic crisis

I. In view of the recent socio-economic developments, we recall the following:

- The European Community, at the outset an Economic Community, has developed into a Community, and then a political Union of States, based on fundamental values and rights.
- Fundamental rights are a cornerstone of the European Union, according to its Treaties. Therefore, their effective guarantee is an obligation of both the Union and its Member States.
- Social rights are fundamental rights all over Europe, by virtue of the Treaties, the EU Charter of Fundamental Rights, the European Social Charter, the case law of the EU Court and even of the European Court of Human Rights of the Council of Europe – although the European Human Rights Convention does not mention social rights – and the decisions of the Committee of Social Rights of the Council of Europe.
- All fundamental rights, whether civil and political or social, economic and cultural, are indivisible and interdependent.
- The social character – indeed the human face – of the EU is constantly stressed by the European Parliament, the Council and the Commission. It is reinforced by the Court's case law.
- The EU Court holds that the social aspect of the EU prevails over its economic aspect.²
- *Fundamental rights*, including *gender equality* and *non discrimination*, are EU fundamental values and *horizontal objectives*, according to Articles 2 and 3(3) TEU and Articles 7-8 TFEU.
- *The first aim* of the EU is to promote its values and the well being of its peoples, according to Article 3(1) TEU.
- The Union's *social objectives*, including *full employment*, *social inclusion*, *social protection* and *social progress*, are interwoven with its economic objectives and condition the effectiveness of the latter; *economic cohesion* relies on *social cohesion*, according to Article 3(3) TEU.

II. However, the real situation all over Europe is flagrantly diverging from the rules hereabove quoted. The social protection structures are disintegrating and the gap between the economically weak and the powerful is dangerously widening and deepening. Consequently:

Any policy aimed at achieving the exit from the crisis must be designed and implemented in light of the EU fundamental values, rights and objectives explicitly proclaimed in EU fundamental texts. Otherwise, the substantial decrease of salaries and pensions, unemployment, the intensification of poverty and social exclusion, and the ensuing social tensions will further hamper economic growth and accelerate **recession** and **misery**, thus **reinforcing the current crisis** and putting at risk **democratic structures** in Europe.

III. We welcome however the **European Parliament's** Resolution of 20 October 2010, which requests that the economic governance have a **social dimension**, as well as the recent realisation of the **Tripartite Social Summit**, which however must be regularly convened.

In view of the above, we present the following urgent demands:

- that any economic governance measures, including Treaty amendments, be accompanied by **social clauses**, which will be binding on the Member States and whose implementation will be followed and supported by the EU.
- that the Commission members dealing with social affairs and human rights be **actively involved in the elaboration and implementation of the economic governance;**
- **Let us not forget that all EU policies are about human beings and that the EU proclaims that it «places the individual at the heart of its activities»** (Fundamental Rights Charter, Preamble). **The protection of the weak must be the Union's first task**, in particular at times of economic crisis. **Otherwise, it will betray the fundamental values and principles proclaimed in its fundamental texts and will deprive our youth of its future.**

17 May 2011

² Cases C-50/96, *Schröder*, [2000] ECR I-774; C-270-271/97, *Sievers*, [2000] ECR I-933.