



**socialplatform**

**Contribution to  
the European  
Commission  
Consultation  
"Have your say on  
reinforcing Social  
Europe",  
18 November  
2020**

**BUILDING A SOCIAL EUROPE  
FOR ALL WITH ALL.**

**Social Platform views on the future  
European Pillar of Social Rights  
Action Plan**





# socialplatform

Social Platform is the largest network of civil society organisations in the European Union advocating for a social Europe. It is driven by a membership of 48 European federations united in the fight for social justice, equality between all people, inclusion, sustainability, and participatory democracy in the EU and beyond.



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## Key messages

1. **A comprehensive and ambitious implementation of the Social Pillar:** the Action Plan must define concrete targets and timelines and clearly outline how each of the 20 principles will be implemented. Implementation with great ambition and at all levels of governance - EU, national, regional, and local - will be key to ensure Europe's social recovery during and in the aftermath of the COVID-19 pandemic.
2. **The importance of mainstreaming across policy areas:** synergies must be established between existing and future initiatives and strategies which fall under the different principles of the Social Pillar. Equality principles should be mainstreamed.
3. **A Social Pillar for all People in the EU:** existing and future initiatives under the Social Pillar should always consider the impact on different groups of people, with a specific focus on groups in vulnerable situations.
4. **Establishing minimum social standards across the EU:** whenever possible, legislation should be used over soft-law instruments to set minimum level-playing fields for the implementation of the Social Pillar at the national level.
5. **Rebalancing social and economic policies in EU socio-economic governance:** all 20 principles of the Social Pillar must be effectively mainstreamed and monitored in the European Semester process.
6. **An Economic Governance Framework that enables social investment to be able to finance the measures needed to fully implement the Social Pillar:** the Stability and Growth Pact shows key shortcomings failing to differentiate between productive types of expenditure, which are conducive to economic growth, from unproductive ones. Productive types of social public expenditure should be considered for exemption from the corrective and preventive arm of the Stability and Growth Pact.
7. **Investing in people, both at EU and national level:** to foster social fairness, resilience and a more inclusive Union, implementation of the Social Pillar must be adequately funded in the next MFF and Next Generation EU.
8. **Closely monitoring national implementation:** the effective implementation of the Social Pillar must be monitored through the European Semester process, using an improved Social Scoreboard.
9. **Working together with civil society:** the meaningful involvement of civil society in the implementation of the Social Pillar must be ensured, both at the European and the national level to leverage its expertise and guarantee that measures taken correspond to people's needs and experiences.
10. **A post-2020 Strategy:** the Social Pillar and its Action Plan must be included in an overarching post-2020 strategic framework, which should also fully integrate the SDGs and the European Green Deal.

## Executive summary

The European Pillar of Social Rights (Social Pillar) was proclaimed in November 2017 by the European Parliament, the Council of the European Union and the European Commission. It is the first set of social rights proclaimed by EU institutions since the Charter of Fundamental Rights in the year 2000. It serves as a compass for a renewed process to ensure better working and living conditions across Europe. Indeed, it sets out 20 key principles and rights to support equal opportunities and access to the labour market, fair working conditions, and social protection and inclusion.

While some of the rights set by the Social Pillar have been realised through policy and legislative action at EU and national levels since its proclamation, this has been done in a rather ad-hoc way without a concrete plan to fully implement all 20 principles. To remedy this, the European Commission is planning to propose an Action Plan for the Social Pillar in the beginning of 2021. Throughout most of 2020, interested stakeholders were invited to provide their views in a public consultation opened by the European Commission. This paper serves as Social Platform's input to this public consultation.

Social Platform advocates for a comprehensive implementation plan for an effective European Pillar of Social Rights<sup>1</sup> that encompasses:

- EU legislation & policies that establish minimum social standards in Member States;
- Broad inclusion of the 20 principles in the EU's socio-economic governance through the European Semester process, ensuring a balance of social, economic and environmental priorities;
- Investment in people both at EU and national levels;
- Meaningful involvement of civil society organisations in the realisation and monitoring of the Social Pillar, at EU and national level.

This is now more crucial than ever in the current context of the COVID-19 pandemic to tackle its significant socio-economic impact on people across the continent. The Social Pillar Action Plan must define ambitious and concrete targets and timelines for the realisation of each of the 20 principles. Member States must then ensure that they are made a reality at national, regional and local level and progress towards achieving these rights must be monitored, in consultation with relevant stakeholders, including civil society organisations. It is important to ensure that existing and future policy & legislative initiatives at the EU level each support the realisation of these rights so that they become reality for all. The impact of these initiatives on different groups of people, with a specific focus on groups in vulnerable situation must always be considered to ensure their full inclusion into society. Legislative initiatives must be preferred over legally non-binding instruments to help set minimum social standards across the EU. It is crucial to sufficiently invest in people through both at EU and national level through dedicated funds to improve social fairness across the EU for all. Finally, the Social Pillar and its Action Plan must be included in a larger strategy for Europe that sets all the objectives of the EU for the next 10 years.

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<sup>1</sup> Social Platform Position paper, Building Social Europe. A comprehensive implementation plan for an effective European Pillar of Social Rights. 2018. Available at: <https://www.socialplatform.org/wp-content/uploads/2018/03/Building-Social-Europe-A-comprehensive-implementation-plan-for-an-effective-EPSR.pdf>

## Who we are

Social Platform is the largest network of civil society organisations in the European Union advocating for a social Europe. It is driven by a membership of 48 European federations united in the fight for social justice, equality between all people, inclusion, sustainability, and participatory democracy in the EU and beyond.

## Methodology

The aim of this paper is to serve as an input document to the ongoing public consultation<sup>2</sup> of the European Commission on reinforcing Social Europe, in which various stakeholders are called to either present their views on new policy action or legal initiatives needed on different levels (EU, national, regional and local) and/or pledge concrete commitments as a Member State, region, city or organisation towards implementing the Social Pillar.<sup>3</sup> The collected input will support the development of the future Action Plan, foreseen by the European Commission for 2021.

We will present our views and the views of our members on necessary new policy action and/or legal initiatives and focus mainly on the EU level. We will put our views in the current context, which is particularly marked by the ongoing COVID-19 outbreak, declared a pandemic by the World Health Organisation on 11 March 2020. This pandemic is affecting the entire world and is having a significant socio-economic impact, including in Europe. These socio-economic consequences can be expected to last in the longer-term, especially without far-reaching policy and legal initiatives at all levels to mitigate this impact and avoid the next social crisis. Through such measures, we can also, in the longer term, build a more social, inclusive, equal, prosperous, sustainable, and resilient Europe that puts all people and their wellbeing at the centre of decision-making.

The introduction of this paper will elaborate on this context and the role of an ambitious implementation of the Social Pillar, building on the key messages of Social Platform's 2018 position paper "Building Social Europe. A comprehensive implementation plan for an effective European Pillar of Social Rights".<sup>4</sup>

We will present our views on the socio-economic impact of the COVID-19 pandemic to date and look at certain reforms we deem crucial in order to enable the necessary investment needed to take the policy and legal initiatives that are necessary to tackle the socio-economic impact of this crisis. To this end, we will elaborate several recommendations with regards to key elements of the economic governance review that we believe are important to set the right conditions for enabling this level of investment.

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<sup>2</sup> European Commission, Have your say on reinforcing Social Europe. Available at: <https://ec.europa.eu/social/main.jsp?catId=1487>

<sup>3</sup> Idem.

<sup>4</sup> Social Platform Position paper, Building Social Europe. A comprehensive implementation plan for an effective European Pillar of Social Rights. 2018. Available at: <https://www.socialplatform.org/wp-content/uploads/2018/03/Building-Social-Europe-A-comprehensive-implementation-plan-for-an-effective-EPSR.pdf>



In the main part of the paper, we will present our views on policy actions and legal initiatives that Social Platform and our member organisations see as necessary to ambitiously implement the Social Pillar, looking at all 20 principles of the Social Pillar. To do so, we will follow the following guiding questions for each sub-chapter per principle:

- What are the demands of Social Platform and its members?
- Why do we make these demands?
- How should these demands be implemented at the EU level?

Our recommendations will cover the timeframe 2019-2024, linked to the current mandate of the EU legislature. Throughout the main part, we will link to the European Commission's political guidelines for this period,<sup>5</sup> published in 2019. We will refer to foreseen initiatives by the European Commission and highlight elements we believe need to be completed or are currently missing to fully implement the principle in question.

This contribution is based on various positions of Social Platform and its member organisations. Member organisations who have significantly inputted to this piece of work are listed at the end of this report. For more detailed information on certain Social Pillar principles, we always recommend referring to the extensive work done by our member organisations who are experts in these various fields.

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<sup>5</sup> European Commission, A Union that strives for more. My agenda for Europe. 2019. Available at: [https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf)

# 1. Introduction

## *Our work on the implementation of the European Pillar of Social Rights*

The core of Social Platform's work is advocating for an ambitious implementation of the Social Pillar, which aims to ensure social rights and to set minimum social standards across the EU. Alongside the social and economic rights in the EU Charter of Fundamental Rights and the Treaty reference to the European Social Charter, it is an important commitment by EU institutions and EU Member States alike to improve people's living and working conditions in Europe, a commitment we want to see become a reality. However, while we have seen some progress with regards to its implementation, much more remains to be done. The success of the Social Pillar is reliant on the political will to make full use of existing and potential implementation tools available at EU and national levels.

## *The socio-economic impact of the COVID-19 pandemic*

The socio-economic impact of the COVID-19 pandemic varies and will continue to vary strongly across Member States (including across their regions) and across different groups. This is due to different reasons, such as different decisions taken regarding pandemic containment measures and their duration, policy measures to mitigate the socio-economic impact of the pandemic, the extent to which a country has been affected by the epidemic, the preparedness, capacities and resilience of countries' health, long-term care and social care systems and pre-existing levels of inequalities. Therefore, different levels of focus on reforms in certain policy areas might be necessary depending on the Member State in question. In addition, these impacts will continue developing in the longer term. This subchapter aims at giving a rough overview of impacts that Social Platform and its member organisations are seeing to date, which in our view warrant the legal and policy measures we would like to see included in the Social Pillar Action Plan and subsequent EU initiatives.

The COVID-19 pandemic has significantly exacerbated socio-economic challenges and inequalities that existed well before this crisis. It is impacting on human physical and mental health and wellbeing, education & training, employment, working conditions, wages and income, access to services including health, care, including childcare and long-term care services, social service provision to marginalized groups, etc. While this crisis impacts all, it does not hit all equally. Indeed, the social and economic consequences are the most severe for people in vulnerable situations and people who are already at risk of or experiencing poverty and social exclusion. Just to name a few examples from an employment perspective:

- People with low-quality jobs, those earning low wages and/or income, those with atypical work and/or precarious employment contracts (e.g. zero-hour contracts), people who are unemployed or dependent on income support.”<sup>6</sup>

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<sup>6</sup> European Anti-Poverty Network (EAPN), EAPN Statement on COVID-19 (March 2020). Available at: <https://www.eapn.eu/eapn-statement-on-covid-19/>; European Anti-Poverty Network (EAPN), EAPN Report “The impact of Covid-19 on people experiencing poverty and vulnerability. Rebuilding Europe with a Social Heart”. 2020. Available at: <https://www.eapn.eu/the-impact-of-covid-19-on-people-experiencing-poverty-and-vulnerability-eapn-report/>

- Workers, employees, and especially self-employed persons active in professions that cannot be done remotely have been strongly affected by pandemic containment measures. They often have been fully or temporarily suspended from their jobs or made redundant because of the measures taken to contain COVID-19 and have had to deal with a full or partial, temporary, or longer-term loss of income. Self-employed persons, in particular, are most at risk of losing their businesses in the longer run, due to reduced or lacking income, being unable to pay rents, loans, and other fixed liabilities.
- The workforce in the sectors of health, care and social care and support have faced massive challenges, including shortages in staff, lack of protective equipment, low pay, stress, lack of recognition as frontline workers, etc.
- Single parents, the majority (85%) of whom are women<sup>7</sup>, have been greatly affected due to the nature of the jobs they perform: more women than men work in temporary, part-time and precarious employment (26.5 % compared to 15.1 % of men).<sup>8</sup>
- Persons with disabilities are also more likely to work part-time and be in precarious employment situations.
- Many Roma people are employed in the informal economy or as self-employed and were limited by lockdowns in exercising their trades, without typically being covered or eligible for replacement incomes.

At the same time, the social impact of the crisis goes significantly beyond the impact it has had on people's employment. Generally, people have been facing increased mental health issues, social isolation, and loneliness. Stress and burnout are on the rise, gender-based violence has increased, parents and people with caring responsibilities face increased difficulties and stress trying to balance work and care responsibilities, etc.

Moreover, specific vulnerable groups who, including before the pandemic, have often been at higher risk or levels of poverty and social exclusion and have been among the most marginalised are hit especially hard. This can include homeless persons, persons with disabilities and/or pre-existing health conditions, women, children and young people, older persons, people in training or with only non-formal skills, single parents and their families, migrants and refugees, members of the LGBTIQ+ community, ethnic minorities such as Roma, racialised communities as well as religious minorities.

Those at risk of poverty, social exclusion, unemployment, and employment precariousness during the COVID-19 pandemic face exceptional levels of stress and anxiety increasing their exposure to mental health issues, which also often impacts children. The scaling down or closing of social service provision has exacerbated pre-existing exclusion and vulnerabilities of people for whom these services are indispensable, including to cover basic needs such as food or shelter. Some groups, such as Roma, have experienced increased discrimination, stigma, hate speech, policy brutality associated with lockdown measures, and scapegoating for the crisis.

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<sup>7</sup> European Commission, Peer Review on "Single mothers facing poverty: Providing adequate financial, material and social support for sustainable social integration", Brussels (Belgium), 5 October 2017. Available at: <https://ec.europa.eu/social/main.jsp?catId=1024&langId=en&newsId=9005&furtherNews=yes>

<sup>8</sup> European Institute for Gender Equality, Economic hardship and gender. Available at: <https://eige.europa.eu/covid-19-and-gender-equality/economic-hardship-and-gender>

Identifying as a member of several at-risk groups will compound and increase the impact of the crisis.

### ***The right economic governance framework to enable necessary investment***

Extensive political and financial measures are indispensable to ensure that this crisis does not worsen living and working conditions of all people across Europe, as did the 2008 financial crisis. We will therefore highlight several measures we believe are important to set the right economic governance framework to enable the investment we need to be able to finance and implement these measures.

Social investment is essential for achieving social justice. Indeed, it contributes, among many other things, to access to adequate income, the promotion of equal opportunities, the fight against unemployment and employment precariousness, accessible, affordable and quality health, care and social services for all, the integration of refugees, migrants and people with migrant backgrounds, as well as the promotion of social inclusion and social cohesion for all.

Furthermore, there are inherent economic returns and advantages to social investments. Indeed, economies with higher social investment levels are more resilient to shocks and perform better in crises,<sup>9</sup> as well-functioning and adequately resourced social protection systems can function as automatic stabilisers.<sup>10</sup> Moreover, improved social cohesion prevents the tremendous economic costs of inequalities in the long run.<sup>11</sup>

Lack of social investment threatens convergence across the EU and within the Member States. Indeed, the 2008 financial crisis led to a long-term social crisis, with socio-economic inequalities rising sharply across the EU. This crisis also led to dropping investment rates in Member States. Despite a gradual recovery in the last couple of years, investment rates still lag behind their long-term averages.<sup>12</sup>

This is now especially problematic as the severe socio-economic impact of the COVID-19 pandemic demands significantly higher levels of investment, including social investment, to mitigate this impact. Investment must be social, inclusive, equitable and environmentally sustainable, while ensuring sustainable public finances and avoiding macroeconomic imbalances in the long run. To create the conditions that can enable the needed investments, we need the right economic governance framework at EU level. Therefore, the European Commission's initiative to review its economic governance and fiscal surveillance framework is extremely timely, also in line with the

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<sup>9</sup> Social Platform, Eurodiaconia, CESI: Towards more public social investment in EU economic governance: Which way forward? 2016. Available at: <https://www.eurodiaconia.org/wordpress/wp-content/uploads/2017/03/Discussion-paper-on-public-social-investment.pdf>

<sup>10</sup> European Commission, Employment and social developments in Europe 2014. Available at: <http://ec.europa.eu/social/BlobServlet?docId=13404&>

<sup>11</sup> Social Platform, Eurodiaconia, CESI: Towards more public social investment in EU economic governance: Which way forward? 2016. Available at: <https://www.eurodiaconia.org/wordpress/wp-content/uploads/2017/03/Discussion-paper-on-public-social-investment.pdf>

<sup>12</sup> European Commission, Investment in the EU. An analysis of drivers and barriers. Institutional Paper 062, October 2017. Available at: [https://ec.europa.eu/info/sites/info/files/ip062\\_en.pdf](https://ec.europa.eu/info/sites/info/files/ip062_en.pdf)

use of the escape clause that temporarily suspended the Stability and Growth Pact (SGP), allowing for needed flexibility in spending.

In this context, we will elaborate our recommendations with regards to key elements of the economic governance review that we believe are crucial to set the right conditions for enabling the necessary investment.

The current format of public accountability rules that consider public social investment on the same footing as other running expenses is hindering a more forward-looking approach to considering public social investment. We think that the Stability and Growth Pact (SGP) in his current form shows key shortcomings failing to differentiate between productive types of expenditure, which are conducive to economic growth, from unproductive ones.

We argue that there are at least four areas of public social expenditure which are productive and should be considered for exemption from the corrective and preventive arm of the SGP: 1) early childhood education and care, 2) primary and secondary education, 3) life-long learning, training and active labour market policies, and 4) services that support autonomy and independence as well as affordable and quality social housing.<sup>13</sup> They are growth-friendly because they increase labour productivity and reduce social inequalities. Whilst short-term savings can be achieved by cutting spending in these and other areas, in the long run, austerity measures in these areas create more challenges for human rights and social cohesion.<sup>14</sup> For these reasons, it is necessary to allow greater budgetary flexibility for public social investment in areas that show economic and social returns.

It is also of utmost importance to fully exploit the impact of public investment through efficient and socially responsible public procurement. The promotion of social clauses and reserved contracts are important measures in this regard.

### ***Our view on Social Pillar implementation at EU level to date***

As highlighted above, we argue in our position paper presenting a comprehensive plan for Social Pillar implementation<sup>15</sup> for a complete and ambitious implementation of all Social Pillar principles, coordinated between all governance levels, through the following four means:

- 1) Policy & legislation
- 2) Socio-economic governance
- 3) Funding
- 4) Civil dialogue

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<sup>13</sup> Social Platform, Eurodiaconia, CESI: Towards more public social investment in EU economic governance: Which way forward? 2016. Available at: <https://www.eurodiaconia.org/wordpress/wp-content/uploads/2017/03/Discussion-paper-on-public-social-investment.pdf>

<sup>14</sup> Council of Europe, The impact of the economic crisis and austerity measures on human rights in Europe. 2016. Available at: [https://edoc.coe.int/en/module/ec\\_addformat/download?cle=f52db9f7c0ae7017ee41f63c2a7353bc&k=cc4b4e34d39084861777906cf788b837](https://edoc.coe.int/en/module/ec_addformat/download?cle=f52db9f7c0ae7017ee41f63c2a7353bc&k=cc4b4e34d39084861777906cf788b837)

<sup>15</sup> Social Platform Position paper, Building Social Europe. A comprehensive implementation plan for an effective European Pillar of Social Rights. 2018. Available at: <https://www.socialplatform.org/wp-content/uploads/2018/03/Building-Social-Europe-A-comprehensive-implementation-plan-for-an-effective-EPSR.pdf>



We have seen some progress made since the proclamation of the Social Pillar in November 2017, but this progress has been rather fragmented, addressing objectives set in some Social Pillar principles rather than taking a comprehensive approach and developing a European vision on how to implement the Social Pillar in its entirety over time.

### **1) Legislation & Policies**

From a legislative perspective, several legal acts, such as the Work-Life Balance Directive or the Directive on Transparent and Predictable Working Conditions have been adopted and have laid the groundwork for some progress to be ensured through implementation at national level, while still falling short of some of our expectations.

We see the need for more ambitious legislative developments to address existing fragmentation and gaps in social rights and to avoid the emergence of new inequalities and discrimination, especially in the context of the COVID-19 pandemic.

We have also seen certain policy initiatives at EU level, such as the communication on more efficient decision-making in social policy<sup>16</sup> published in April 2019, which aimed at launching a debate on an increased enhanced use of qualified majority voting in social policy to make decision-making more timely, flexible and efficient where an EU competence already exists. This policy initiative, if implemented, could contribute to strengthening the implementation of the Social Pillar through the adoption of EU-level legislation, such as the Horizontal Anti-Discrimination Directive,<sup>17</sup> blocked in the Council of the European Union for more than ten years. However, since the publication of the communication by the European Commission and some reactions by the EU institutions, such as an opinion<sup>18</sup> of the European Economic and Social Committee published in 2019, not much progress has been made on this initiative.

### **2) Socio-economic governance**

We have seen some progress with regards to the strengthening of the social dimension of the European Semester process, with an increased focus on social topics in country-specific recommendations (CSRs), even though imbalances remain. As highlighted in our analysis of the 2019 Semester process<sup>19</sup> as well as the one on the 2020 cycle<sup>20</sup>, the Semester was conceived, and is still primarily seen, as an annual coordination cycle of macroeconomic policies: the wording and thematic focus chosen

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<sup>16</sup> European Commission, Commission launches debate on more efficient decision-making in EU social policy. 2019. Available at: <https://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=9351&furtherNews=yes>

<sup>17</sup> Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation. 2008. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52008PC0426>

<sup>18</sup> European Economic and Social Committee, More efficient decision-making in social policy: Identification of areas for an enhanced move to qualified majority voting. 2019. Available at: <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/more-efficient-decision-making-social-policy-identification-areas-enhanced-move-qualified-majority-voting>

<sup>19</sup> Social Platform, Socialising the European Semester. Analysis of the 2019 Semester process and recommendations for the 2020 cycle. 2019. Available at: <https://www.socialplatform.org/wp-content/uploads/2019/11/Socialising-the-European-Semester-Social-Platform-analysis-of-the-2019-Semester-process-with-recommendations-for-the-2020-cycle.pdf>

<sup>20</sup> Social Platform, Socialising the European Semester. Analysis of the 2020 and 2021 cycles and recommendations for the future. 2020. Available at: <https://www.socialplatform.org/wp-content/uploads/2020/11/Social-Platform-European-Semester-Process-Analysis-2020-2021.pdf>

throughout the European Semester documents often describe investment in social policy and social policy reform primarily as a tool for achieving growth in macroeconomic terms, even if it is often worded as “inclusive growth”.<sup>21</sup> In this way, many aspects that are crucial to improving the wellbeing of people are neglected. As advocated for in our analysis,<sup>22</sup> the priorities of the European Semester process should strike a proper balance between sustainable economic growth that must be inclusive, and the wellbeing of people. This is even more crucial in the current context, where the COVID-19 pandemic has created a socio-economic crisis across Europe on various levels, with the impacts described above.

For 2021, the European Commission’s publication of the Annual Sustainable Growth Strategy (ASGS) has temporarily linked the European Semester to the Recovery and Resilience Facility.

Thus, we regret to see that the ASGS 2021 does not underpin the commitment to the full implementation of the Social Pillar, as well as the focus on investment to address inequalities and mitigating the social consequences of the current crisis. The Social Pillar is mentioned in the ASGS 2021 only in relation to the need for the EU Member States to adopt measures to ensure equal opportunities, inclusive education, fair working conditions and adequate social protection, but no explicit reference is made to the social or human rights established in the Social Pillar as a whole.

In the whole package, we see a general lack of inclusion of social reforms, with the document being dominated by priorities addressing the digital and green twin transition. While green investments are earmarked at 37% and an earmarking of 20% is suggested for the digital transition, the document does not include any earmarking for fair investment. This is crucial, as employment alone - created or preserved through the twin transition - cannot tackle social exclusion, poverty, and inequalities.

Moreover, the social aspect is only narrowly touched upon in only one of the seven flagship areas, with the focus on upskilling and reskilling, even though the social focus should be mainstreamed across all aspects. We call for the inclusion of a 25% earmarking for social investment.<sup>23</sup> We also call for bringing the implementation of the Social Pillar to the forefront of the European Semester to ensure that the recovery from the current crisis is truly inclusive, tackling social exclusion, poverty, and inequalities. The European Semester process must recommend the right policy reforms for EU countries to undertake to improve social standards. These reforms must be people-centred, ensure that no one is left behind and build more secure, adequate, and accessible social protection and active inclusion systems for all.

The right recommendations for the right reforms in the most important policy areas, especially the ones noted above, in the framework of the Semester process will be crucial to tackle this socio-economic impact at national, regional, and local levels and ensure the EU’s social recovery from the pandemic.

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<sup>21</sup> Idem.

<sup>22</sup> Idem.

<sup>23</sup> Social Platform, Call to reinforce the social dimension of the European Semester, the RRF and the NRRP. 2020. Available at: <https://www.socialplatform.org/news/call-to-reinforce-the-social-dimension-of-the-european-semester-the-rrf-and-the-nrrp/>

We furthermore see various issues related to the current design of the European Semester process and its different documents. We have highlighted these issues in our analysis of the 2019<sup>24</sup> and 2020<sup>25</sup> cycles, suggesting a reflection about the design of the various stages of the process and the related documents to identify solutions to these issues and improve the impact of the Semester process.

We have also highlighted issues related to the Social Scoreboard and its indicators through which the implementation of the Social Pillar is monitored by tracking trends and performances across Member States in 12 areas, feeding into the European Semester process. While some progress has been made with the Social Scoreboard's data being increasingly mainstreamed in the various documents of the European Semester process, there are concerns with regards to its use to decide which countries receive recommendations in which policy areas that created inconsistencies. We described these issues further in our analysis of the 2019 Semester process.<sup>26</sup> Another concern is that the Scoreboard operates with EU averages, where best and worst performers are those either above or below that average. However, this is an easy race to the bottom, since the objective is only based on the minimum common denominator among Member States, rather than ambitious objectives. We have also underlined the importance of adding more indicators that must extensively cover all 20 Social Pillar principles, as various realities are currently not captured by existing indicators.<sup>27</sup> Moreover, we see the need to disaggregate data by other characteristics in addition to sex, aiming at measuring the impact of policies on other specific groups in vulnerable situations. Only then can complex barriers and reforms needed for improving the living and working conditions specifically for these groups be identified and translated into adequate policy responses.

### **3) Funding**

The Social Pillar is the EU's chance to build strong, cohesive societies, but its success will depend on adequate funding. Investing in people and in reforms that put people first - both at EU and national level - is a crucial component of making the Social Pillar a reality. Indeed, an EU budget that promotes the rights of people can rebuild trust between people and decision-makers and show that the wellbeing of people is at the heart of the EU agenda.

The EU institutions are currently negotiating the next EU long-term budget, known as the multiannual financial framework (MFF), and the Next Generation EU. The MFF sets out the main spending priorities for the EU budget in the 2021-2027 period, while Next Generation EU is the new recovery instrument set as temporary reinforcement

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<sup>24</sup> Social Platform, Socialising the European Semester: Analysis of the 2019 European Semester process and recommendations for the 2020 cycle. 2019. Available at: <https://www.socialplatform.org/wp-content/uploads/2019/11/Socialising-the-European-Semester-Social-Platform-analysis-of-the-2019-Semester-process-with-recommendations-for-the-2020-cycle.pdf>

<sup>25</sup> Social Platform, Socialising the European Semester. Analysis of the 2020 and 2021 cycles and recommendations for the future. 2020. Available at: <https://www.socialplatform.org/wp-content/uploads/2020/11/Social-Platform-European-Semester-Process-Analysis-2020-2021.pdf>

<sup>26</sup> Social Platform, Socialising the European Semester: Analysis of the 2019 European Semester process and recommendations for the 2020 cycle. 2019. Available at: <https://www.socialplatform.org/wp-content/uploads/2019/11/Socialising-the-European-Semester-Social-Platform-analysis-of-the-2019-Semester-process-with-recommendations-for-the-2020-cycle.pdf>

<sup>27</sup> For instance, this applies to the issue of homelessness with existing indicators only looking at severe housing deprivation.



to the MFF. As an investment instrument, the EU budget has great potential to finance common public initiatives with high societal returns.

The MFF has been negotiated in the challenging context of the UK's departure from the EU, leaving a sizable gap in the EU budget. At the same time, it has been under discussion in a period where Europe is faced with multiple challenges, from climate change to mounting inequalities, demographic and technological change, all of which are currently being exacerbated significantly by the ongoing COVID-19 pandemic.

Tackling these challenges requires firm political commitment and can only be achieved with an ambitious EU budget. To foster social fairness, resilience and a more inclusive EU and to mitigate the socio-economic impact of the COVID-19 pandemic, we have advocated for implementation of the Social Pillar to be sufficiently funded in the next EU budget, with a specific focus on instruments focused on 'Cohesion and Values' (heading 2 of the MFF).<sup>28</sup> Additionally, social investment should be mainstreamed across instruments and headings, and we encourage the EU to use the MFF to overcome "silo" thinking, since social rights and social inclusion are relevant to a wide variety of EU policies and instruments.<sup>29</sup>

Social Platform has welcomed the proposal for a Next Generation EU to strengthen healthcare systems, to protect the economy, businesses and workers in the context of the pandemic, as well as to enable strategic and forward-looking investments to drive and support the digital and green transitions. However, our analysis<sup>30</sup> published in June 2020 shows that the investments foreseen, and the approach taken will not be sufficient to mitigate the social consequences of the current crisis. The social dimension should be strongly embedded to make sure that these transitions do not exclude anyone, in particular the most vulnerable.

In line with the negotiating position of the European Parliament and several Member States, Social Platform called, in 2018, for an increase of the MFF ceiling from the proposed 1.1 to 1.3% of the EU gross national income,<sup>31</sup> a percentage that is significant higher than the original negotiating position of the European Commission as well as many Member States.

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<sup>28</sup> Social Platform, Investing in social Europe Social Platform's position on the next Multiannual Financial Framework (MFF 2021-2027). 2018. Available at: [https://www.socialplatform.org/wp-content/uploads/2019/01/MFF-position-paper\\_FINAL.pdf](https://www.socialplatform.org/wp-content/uploads/2019/01/MFF-position-paper_FINAL.pdf)

<sup>29</sup> Social Platform Position paper, Building Social Europe. A comprehensive implementation plan for an effective European Pillar of Social Rights. 2018. Available at: <https://www.socialplatform.org/wp-content/uploads/2018/03/Building-Social-Europe-A-comprehensive-implementation-plan-for-an-effective-EPSR.pdf>

<sup>30</sup> Social Platform, Analysis of the social dimension of Next Generation EU and the revised 2021-2027 EU Budget and related Recommendations. 2020. Available at: [https://www.socialplatform.org/wp-content/uploads/2020/07/Social-Platform-analysis-Next-Generation-EU\\_MFF\\_June\\_2020.pdf](https://www.socialplatform.org/wp-content/uploads/2020/07/Social-Platform-analysis-Next-Generation-EU_MFF_June_2020.pdf)

<sup>31</sup> Social Platform, Investing in social Europe Social Platform's position on the next Multiannual Financial Framework (MFF 2021-2027). 2018. Available at: [https://www.socialplatform.org/wp-content/uploads/2019/01/MFF-position-paper\\_FINAL.pdf](https://www.socialplatform.org/wp-content/uploads/2019/01/MFF-position-paper_FINAL.pdf)

#### **4) Civil dialogue**

As we highlight in our position paper,<sup>32</sup> “European civil society organisations (CSOs) bring together local, regional and national members working with and representing the interests of people and organisations, including those who are traditionally underrepresented in decision-making.” For this reason, it is of paramount importance that CSOs are involved in the implementation and monitoring of the Social Pillar at all stages of the process, as a truly open, transparent and regular civil dialogue at both EU and national level, on equal footing with social dialogue. This would strengthen legitimacy, accountability and efficiency of policy-making.

We therefore advocate for four principles to improve the quality of civil dialogue:<sup>33</sup>

1. The right to be consulted in decision-making: as well as agenda-setting and policy-making, civil society organisations should be actively involved in implementation, evaluation, and monitoring;
2. The need for transparent and open decision-making processes, such as the introduction of a mandatory Transparency Register for all EU institutions;
3. The need for protective regulatory and financial framework civil society organisations;
4. Greater institutional recognition of the importance of civil dialogue.

The EU treaties create the foundation for civil dialogue (article 11.2 of the Treaty on European Union). Moreover, recital 11 of the 2018 employment guidelines calls for them to be implemented in partnership with all national, regional, and local authorities, closely involving parliaments, as well as social partners and representatives of civil society.<sup>34</sup> However, civil society organisations do not currently take part in a regular structured dialogue with the EU institutions and Member States’ governments on the implementation of the Social Pillar. At the moment, consultation of civil society organisations is mostly ad-hoc and depends on the goodwill of the governing institutions in question, creating a wide diversity with regards to the existence and quality of civil dialogue across Member States and EU institutions.

We call on the European Commission and Member States to regularly and meaningfully involve civil society organisations in the design and monitoring of the Action Plan and in the implementation of legislative and policy initiatives contained therein.

#### ***The future European Pillar of Social Rights Action Plan***

We very much welcome the initiative of the European Commission to put forward a Social Pillar Action Plan. We also appreciate that the European Commission has allowed for an extensive period of time to consult all interested stakeholders on the policy action or legal initiatives needed on different levels (EU, national, regional, local) to implement the Social Pillar.

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<sup>32</sup> Social Platform Position paper, Building Social Europe. A comprehensive implementation plan for an effective European Pillar of Social Rights. 2018. Available at: <https://www.socialplatform.org/wp-content/uploads/2018/03/Building-Social-Europe-A-comprehensive-implementation-plan-for-an-effective-EPSR.pdf>

<sup>33</sup> Idem.

<sup>34</sup> European Commission, Proposal for a Council decision on guidelines for the employment policies of the Member States. 2017. Available at: [https://ec.europa.eu/info/sites/info/files/2017-comm-677\\_en.pdf](https://ec.europa.eu/info/sites/info/files/2017-comm-677_en.pdf)

To ensure full implementation of the Social Pillar, the Action Plan must combine legally binding measures for its implementation with strengthened, more coherent and more effective EU soft coordination mechanisms like the European Semester, backed by EU funds.<sup>35</sup> It is also crucial to ensure synergies with existing and future thematic strategies which fall under different Social Pillar principles, such as the Youth Guarantee, Child Guarantee, Disability Strategy, Gender Equality Strategy, the EU Strategic Framework on Roma Equality and Inclusion and the LGBTI+ Equality Strategy.

The Social Pillar has been described as “as a compass for a renewed process of convergence towards better working and living conditions across Europe.”<sup>36</sup> Therefore, it is crucial for the Action Plan to follow in its structure the Social Pillar and its principles, addressing under each of them the policy & legislative action foreseen to implement the principle in question, with clear time tables at both EU and national levels for their implementation and mechanisms to measure progress made. While this seems self-explanatory, we have highlighted the need to structure the EU processes that support the implementation of the Social Pillar in such a way as to not only briefly reference the need to implement the Social Pillar, but to coherently demonstrate how action taken supports the implementation of all of its principles. We have made this argument especially with regards to the European Semester process where this has so far been missing.

A clear goal should be to progress towards an enforceable framework of rights, if implementation is to be effective. It is equally important that the Action Plan puts people, their rights and needs at the heart, empowers them to contribute to solutions, gives access to adequate income and quality services and holds elected governments to account. This will be facilitated by binding guidelines on quality participation and the structural involvement of civil society organisations in the European Semester as well as in other EU and national decision-making processes.

Moreover, the Action Plan should recall and build on Member States’ existing obligations under international human rights law. International human rights law represents universal and binding standards for Member States. While the Social Pillar as such is not legally binding, most of the rights contained therein are indeed already part of legally binding EU law and/or international human rights law. All Member States are a party to nine international human rights law instruments,<sup>37</sup> and thereby have an obligation to comply with them.

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<sup>35</sup> European Anti-Poverty Network (EAPN). EAPN contribution to the EC consultation for an action plan to implement the European Pillar of Social Rights (June 2020). Available at: <https://www.eapn.eu/wp-content/uploads/2020/06/EAPN-EAPN-Proposals-on-Action-Plan-to-implement-the-EPSR-4514.pdf>

<sup>36</sup> European Commission, Commission presents the European Pillar of Social Rights. 2017. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_17\\_1007](https://ec.europa.eu/commission/presscorner/detail/en/IP_17_1007)

<sup>37</sup> International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; International Convention on the Elimination of all Forms of Racial Discrimination; International Convention on the Elimination of all Forms of Discrimination against Women; Convention against Torture and other Cruel, Inhuman or Degrading Treatment; Convention on the Rights of the Child; Convention on the Rights of Persons with Disabilities; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; International Convention for the Protection of All Persons from Enforced Disappearance.

In the upcoming main part of this paper, we will detail the policy action or legal initiatives we believe are necessary to ambitiously implement the Social Pillar per Pillar principle.

## 2. Necessary policy action and legal initiatives needed to ambitiously implement the Social Pillar per Pillar principle

### Chapter I: Equal opportunities and access to the labour market

#### 1. Education, training and life-long learning



*'Everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market.'*

The European Commission foresees the following initiatives that have the potential to support the implementation of this principle:

- European Education Area;
- Digital Education Action Plan;
- Skills Agenda and Skills Guarantee;
- Tripling the Erasmus+ funding as part of the next long-term budget.

#### European Education Area

- What are the demands of Social Platform and its members?

We agree with several of the elements referred to in the European Commission's Communication "Building a stronger Europe: the role of youth, education and culture policies"<sup>38</sup> that outlines the EU's commitment to "support Member States in improving

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<sup>38</sup> European Commission communication, Building a stronger Europe: the role of youth, education and culture policies. 2018. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A268%3AFIN>

the inclusive, lifelong-learning based and innovation-driven nature of their education and training systems.”<sup>39</sup> The European Commission is planning on continuing its work on making the European Education Area a reality by 2025 through a non-legislative initiative launched in September 2020.<sup>40</sup>

It is crucial in our view that work undertaken to implement principle 1 of the Social Pillar is inclusive. Social Platform and its members advocate for the right to universal, quality, affordable, accessible and inclusive public education throughout the life-course for all. We also promote a learner-centred, rights-based approach, which puts people, their potential, and their aspirations at the heart of any learning activity.<sup>41</sup> It needs to take into account especially the needs and situation of groups who are especially vulnerable in education systems.<sup>42</sup> This includes those who come from economically disadvantaged families, those whose parents have limited educational experience, ethnic minorities such as Roma, migrants, young carers, and learners with disabilities.

It should also encompass a holistic life-long learning perspective and enable people at all life stages to continue learning and developing their competences.<sup>43</sup> The validation of non-formal and informal education is key, too, as it is exactly this kind of educational support which appeals to people who may have not done well through formal systems. Indeed, as an example, many social economy enterprises operate education and training programmes to meet the needs of a diverse workforce.

Unfortunately, it seems that the initiatives on EU level mainly focus on ‘skills’ intended solely to serve the labour market, whereas broader objectives beyond skills and employment should also be pursued.<sup>44</sup> Indeed, quality and inclusive education has a key role to play in supporting personal development, integration, active citizenship and social participation, all of which should feature more strongly in initiatives that aim at implementing principle 1. There is an absence of systematic policies encouraging learning also outside of formal education systems or the labour market, especially in domains that are preconditions for social inclusion in our changing societies, such as

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<sup>39</sup> Idem.

<sup>40</sup> European Commission, Communication on achieving the European Education Area by 2025. 2020. Available at: [https://ec.europa.eu/education/sites/education/files/document-library-docs/eea-communication-sept2020\\_en.pdf](https://ec.europa.eu/education/sites/education/files/document-library-docs/eea-communication-sept2020_en.pdf)

<sup>41</sup> European Anti-Poverty Network (EAPN), EAPN Report “Leaving nobody behind. Prevention and reduction of poverty and social exclusion through education, vocational training and lifelong learning”. 2020. Available at: <https://www.eapn.eu/leaving-nobody-behind-ensuring-education-vocational-training-and-lifelong-learning-contributes-to-the-prevention-and-reduction-of-poverty-and-social-exclusion-eapn-key-issues-and-promising-pract/>

<sup>42</sup> Council of Europe, Education. Available at: <https://www.coe.int/en/web/compass/education>; European Anti-Poverty Network (EAPN), EAPN Report “Leaving nobody behind. Prevention and reduction of poverty and social exclusion through education, vocational training and lifelong learning”. 2020. Available at: <https://www.eapn.eu/leaving-nobody-behind-ensuring-education-vocational-training-and-lifelong-learning-contributes-to-the-prevention-and-reduction-of-poverty-and-social-exclusion-eapn-key-issues-and-promising-pract/>

<sup>43</sup> European Association for the Education of Adults (EAEA), European Education area must not leave adults behind. Reaction to the Second Package of the European Education Area 2018. Available at: [https://eaea.org/wp-content/uploads/2018/06/2018\\_EEA\\_second-package\\_statement.pdf](https://eaea.org/wp-content/uploads/2018/06/2018_EEA_second-package_statement.pdf)

<sup>44</sup> AGE Platform Europe, Written statement on the right to education, training, life-long learning and capacity-building for the UN Open-Ended Working Group on Ageing, 10th session, 2019: [https://social.un.org/ageing-working-group/documents/tenth/Inputs%20NGOs/AGE\\_Platform\\_Europe\\_Education%20Training%20LLL%20Capacity-building.pdf](https://social.un.org/ageing-working-group/documents/tenth/Inputs%20NGOs/AGE_Platform_Europe_Education%20Training%20LLL%20Capacity-building.pdf)



digital education.<sup>45</sup> It will be important for educational approaches supported by the ESF+ or other EU funds not to be geared only to accessing any job, but as part of a rights-based approach for delivering on the priority of promoting social inclusion and fighting poverty. Indicators and benchmarks must also more clearly reflect this priority, looking at ensuring social participation and inclusion (including measures for combating ethnic segregation in schools), not just employment.

Existing shortcomings in the functioning of our education systems, especially for groups in vulnerable situations, can only be detected through the collection of statistics disaggregated by these population groups. Unfortunately, statistics for specific groups are currently not comprehensively collected or coherently disaggregated in EU statistical analyses done in the framework of the social scoreboard (mainly social statistics such as the EU Labour Force Survey (LFS) or the EU Statistics on Income and Living Conditions (EU SILC)).<sup>46</sup> For instance, data collection on adult learning entirely stops at age 65. Therefore, the social scoreboard should be further developed by adding additional indicators as well as by disaggregating data by more characteristics going beyond sex.

- Why do we make these demands?

In 2019, 10.2% of 18-24 year olds in the EU had completed at most a lower secondary education and were not in further education or training (early leavers), with significant differences between Member States ranging from 3.0% in Croatia to 17.3% in Spain.<sup>47</sup> Compared to the starting year of the Europe 2020 Strategy, the percentages of early school leavers, however, has gone down for all early school leavers where the rate in 2010 was 13.9% in total.<sup>48</sup> While these numbers may tell a success story, great disparities persist, both between Member States and their regions as well as between specific groups.<sup>49</sup>

Also in 2019, 16.4% of the 20-34 year-olds in the EU were neither in employment nor in education and training (NEETs), with national differences ranging from 7.3% in Sweden to 27.8% in Italy.<sup>50</sup> Both of these averages are significantly higher for specific groups in vulnerable situations, thereby significantly hindering their quality of life and prospects in terms of societal and labour market participation.

Indeed, for example, persons with disabilities in the EU are shown to be on average 10.1 percentage points more likely to be early school leavers than the general

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<sup>45</sup> Forthcoming: AGE Platform Europe, Response to consultation on the Digital Education Action Plan.

<sup>46</sup> Eurostat, European Pillar of Social Rights - Overview. Available at:

<https://ec.europa.eu/eurostat/web/european-pillar-of-social-rights>

<sup>47</sup> Eurostat, Early leavers from education and training. 2020. Available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php/Early\\_leavers\\_from\\_education\\_and\\_training](https://ec.europa.eu/eurostat/statistics-explained/index.php/Early_leavers_from_education_and_training)

<sup>48</sup> European Commission, European Semester Thematic Factsheet. Early School Leavers. 2017. Available at: [https://ec.europa.eu/info/sites/info/files/european-semester-thematic-factsheet-early-school-leavers\\_en\\_0.pdf](https://ec.europa.eu/info/sites/info/files/european-semester-thematic-factsheet-early-school-leavers_en_0.pdf)

<sup>49</sup> European Anti-Poverty Network (EAPN), EAPN Report "Leaving nobody behind. Prevention and reduction of poverty and social exclusion through education, vocational training and lifelong learning". 2020. Available at: <https://www.eapn.eu/leaving-nobody-behind-ensuring-education-vocational-training-and-lifelong-learning-contributes-to-the-prevention-and-reduction-of-poverty-and-social-exclusion-eapn-key-issues-and-promising-pract/>

<sup>50</sup> Eurostat, Statistics on young people neither in employment nor in education or training. 2020. Available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics\\_on\\_young\\_people\\_neither\\_in\\_employment\\_nor\\_in\\_education\\_or\\_training](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics_on_young_people_neither_in_employment_nor_in_education_or_training)

population.<sup>51</sup> 63% of Roma aged 16-24 are not employed, in education or training.<sup>52</sup> Only 18% of Roma completed higher secondary education or higher.<sup>53</sup> In addition, members of both groups continue to remain either out of mainstream education or are in segregated settings. There is ample evidence that this significantly and causatively hinders their quality of life and prospects in terms of societal and labour market participation. Generally, NEETs are more likely to suffer detriments to their physical and mental health, to be unemployed, to have low wages and to have low quality work later in life.<sup>54</sup>

With regards to adult education, 44.4% of people in the EU aged 25 to 64 took part in education and training, the majority of which participating in non-formal education and training.<sup>55</sup> However, the participation of younger persons (aged 25–34) in the EU was more than 20 percentage points higher than that of older ones (aged 55–64) in 2016.<sup>56</sup> This indicates issues of discrimination by employers who do not consider older employees for training, lack of suitable and adapted learning opportunities for older persons, lack of funding for adult learning and lack of awareness and encouragement of older learners to take part in adult education opportunities.

The COVID-19 pandemic has increased inequalities between learners,<sup>57</sup> especially putting groups in already vulnerable situations at further risk of being left behind. Most Member States temporarily closed schools as part of their measures to limit contact between people and to slow down the spread of SARS-CoV-2. While education systems struggled to continue providing education virtually, this is not equally accessible to all learners. Education systems have seen more students in vulnerable situations struggling to adapt to virtual learning options, if available, with less access to virtual learning materials and digital platforms, and less educational support at home.<sup>58</sup> With regards to the above mentioned groups for example, virtual education was often not available for Roma children or children with severe intellectual disabilities and complex support needs, technology was often inaccessible and learners often needed more time than available to adjust to new learning environments, lacking appropriate support.

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<sup>51</sup> Based on respondents aged 18-24. EU SILC 2017.

<sup>52</sup> European Union Agency for Fundamental Rights, Second European Union Minorities and Discrimination Survey – Roma. 2017. Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2016-eu-minorities-survey-roma-selected-findings\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf)

<sup>53</sup> European Commission, Report on the implementation of national Roma integration strategies. Available at : [https://ec.europa.eu/info/sites/info/files/swd2019-320-final\\_report\\_on\\_the\\_implementation\\_of\\_national\\_roma\\_integration\\_strategies\\_en.pdf](https://ec.europa.eu/info/sites/info/files/swd2019-320-final_report_on_the_implementation_of_national_roma_integration_strategies_en.pdf)

<sup>54</sup> European Anti-Poverty Network (EAPN), EAPN Report “Leaving nobody behind. Prevention and reduction of poverty and social exclusion through education, vocational training and lifelong learning”. 2020. Available at: <https://www.eapn.eu/leaving-nobody-behind-ensuring-education-vocational-training-and-lifelong-learning-contributes-to-the-prevention-and-reduction-of-poverty-and-social-exclusion-eapn-key-issues-and-promising-pract/>

<sup>55</sup> Eurostat, Adult learning statistics. 2020. Available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Adult\\_learning\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Adult_learning_statistics)

<sup>56</sup> Idem.

<sup>57</sup> “Digital exclusion became a higher risk factor for social exclusion during the pandemic, as many services are available only online. Beyond these directly vulnerable categories, older people living alone, a large majority of them women, are facing the mental and physical health consequences of isolation and lack of activity.” p. 36, European Anti-Poverty Network (EAPN), EAPN Report “The impact of Covid-19 on people experiencing poverty and vulnerability. Rebuilding Europe with a Social Heart” (July 2020). Available at: <https://www.eapn.eu/the-impact-of-covid-19-on-people-experiencing-poverty-and-vulnerability-eapn-report/>

<sup>58</sup> Eurydice, How is Covid-19 affecting schools in Europe? 2020. Available at: [https://eacea.ec.europa.eu/national-policies/eurydice/content/how-covid-19-affecting-schools-europe\\_en](https://eacea.ec.europa.eu/national-policies/eurydice/content/how-covid-19-affecting-schools-europe_en)



This will undoubtedly exacerbate existing educational inequalities.<sup>59</sup> It can be expected that numerous disadvantaged learners are falling and will continue fall behind due to the difficulties of following education virtually and are at risk of dropping out of school early.

With regards to adult populations, many are at risk of losing their employment and income due to the COVID-19 pandemic as well as due to policies that will need to be adopted in the next few years across Europe to slow climate change and improve digitalisation. This will make the availability and uptake of adult continuous learning opportunities even more important to ensure that they can change professions, if needed, especially for older adults who are already lagging behind in this regard. Without this support, people are excluded and left behind in Europe's digital transformation.

- How should these demands be implemented at the EU level?

The EU's European Education Area is a key initiative promoting the achievement of high-quality, inclusive education systems across all levels in all EU members by 2025.

Implementation should be done through the European Semester process, coordinated with the EU Education Area (EEA) pressing for the realisation of social rights and access to universal, quality and affordable education, vocational education and training and life-long learning throughout the life course. To ensure the success of the initiative it should

- recognise the key role of support services in inclusive education;
- facilitate increased data collection and monitoring of the inclusion of learners in education systems across Europe;
- be supported with the appropriate investment and funding. Country-specific recommendations for those Member States which have made slow progress or failed to ensure equal treatment for groups in vulnerable situations should be prioritised.

It is crucial to include in the Multiannual Financial Framework (MFF), and more specifically in the ESF+, dedicated funding to support targeted investments in more inclusive education systems, as well as in support of informal and non-formal education. In EU-funded lifelong learning programmes, those with the lowest level of educational attainment should be prioritised, as well as those from low income families or who are suffering from discrimination when it comes to access to programmes. It is crucial that concrete support measures for these groups are implemented. Finally, it is important to better target EU funds to support lifelong learning from a broader perspective than labour market needs, for example through implementing enabling conditionalities in the ESF+. Furthermore, benchmarks for the quality of support for early school leavers should be set.

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<sup>59</sup> "Digital exclusion became a higher risk factor for social exclusion during the pandemic, as many services are available only online. Beyond these directly vulnerable categories, older people living alone, a large majority of them women, are facing the mental and physical health consequences of isolation and lack of activity." p. 36, European Anti-Poverty Network (EAPN), EAPN Report "The impact of Covid-19 on people experiencing poverty and vulnerability. Rebuilding Europe with a Social Heart" (July 2020). Available at: <https://www.eapn.eu/the-impact-of-covid-19-on-people-experiencing-poverty-and-vulnerability-eapn-report/>

Moreover, the European Education Area needs to be linked and fully integrated with other ongoing initiatives including but not limited to:

- The upcoming European Disability Strategy, which needs to go beyond recognising inclusive education, training and lifelong learning as a right and provide concrete elements to address key barriers to this right.
- The Social Economy Action Plan should also focus on the contribution of social economy enterprises to implement the European Education Area as many existing providers of education, training and lifelong learning for persons with disabilities are not-for-profit organisations and therefore often part of the social economy of each country.
- The EU Roma Strategic Framework and Council Conclusions on Roma equality and inclusion must ensure equitable access to quality mainstream education for all Roma children and increase the enrolment and completion rate of Roma in quality integrated education. It should also systematically monitor and end school and class segregation or misdiagnosis of Roma children, include the teaching of Romani language and history in schools and tackle anti-Roma bias in educational settings.

### Digital Education Action Plan

- What are the demands of Social Platform and its members?

We welcome the initiative to update the Digital Education Action Plan. As stated in the 2018 communication,<sup>60</sup> “the digital revolution will continue to dramatically change the way people live, work and study. While this offers tremendous opportunities, there are also significant risks if digital competences are not developed.” We believe that there is scope to strengthen the existing plan, for example by better integrating the Upskilling Pathways Initiative.<sup>61</sup> Furthermore, we would advocate for broadening the scope of competences by applying the Digital Competence Framework.<sup>62</sup> Moreover, significant investments are needed to make high speed broadband internet available to everyone, including groups in vulnerable situations as well as people living in rural areas, and to improve the digital skills of learners with a focus on those lacking basic digital skills. Another focus should be to improve digital health literacy, as health services are increasingly provided digitally, creating barriers for people lacking these skills. In the same vein, we strongly advocate for accessibility and training to be at the heart of any EU action on digital education to ensure that it is accessible for all. Finally, the potential of non-formal and informal learning should be fully embraced within the revised Digital Education Action Plan.

- Why do we make these demands?

The need to improve digital education across Europe has very quickly increased due to the COVID-19 pandemic. Indeed, the confinement periods imposed across Member States have further demonstrated a significant digital gap and exacerbated its impacts.

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<sup>60</sup> European Commission communication on the Digital action plan. 2018. Available at: [52018DC0022 - EN - EUR-Lex](#)

<sup>61</sup> European Association for Education of Adults, The European Commission’s three initiatives on key competences, common values and digital education. 2018. Available at: [https://eaea.org/wp-content/uploads/2018/02/EAEA-response\\_EC\\_Three-initiatives\\_2\\_2018.pdf](https://eaea.org/wp-content/uploads/2018/02/EAEA-response_EC_Three-initiatives_2_2018.pdf)

<sup>62</sup> Idem.

As highlighted above, the pandemic has been disrupting the education of an entire generation of learners, especially of those already in vulnerable situations before. For instance, there are severe issues related to a lack of accessible digital education for learners with disabilities, both in terms of online learning platforms being unusable for many persons with disabilities, and in teachers lacking knowledge of how to adapt distance learning for the needs of learners with disabilities. For this reason, countless persons with disabilities have seen their education grind to a halt. In Roma communities, the lack of infrastructure (access to the internet, electricity), equipment (PCs, tablets etc), and knowledge (digital literacy) have significantly hindered Roma children from accessing distance learning. These examples highlight the need to comprehensively tackle the digital divide, to ensure equal opportunities and to leave no one behind.

Similarly, the fact that many public and private services moved to exclusive online service provision created barriers for many of those who are digitally excluded, be it due to the lack of skills or because of lack of access to connectivity or devices. More than 40% of European still lack basic digital skills,<sup>63</sup> clearly showing that a focus on initial and formal education only is not sufficient to make the digital world accessible to most.

- How should these demands be implemented at the EU level?

These priorities should be implemented through projects using EU funding (such as ESF+, cohesion and regional development funds), but also through the development of EU frameworks and collections of good practices. We also see a need for further emphasis on inclusive and life-long learning in the European Semester to achieve these objectives.

### Skills Agenda and Skills Guarantee

- What are the demands of Social Platform and its members?

We welcome the new “Skills Agenda”, including the “New Skills Pact” and the “Skills Guarantee” published by the European Commission in July 2020.<sup>64</sup> These initiatives have the potential to make a difference in the lives of people across Europe by ensuring upskilling for people who need it most. While we agree with many key points of the published documents, we believe that there is a potential to strengthen the importance of the provision and recognition of non-formal education.<sup>65</sup> Indeed, non-formal education is only mentioned through the lens of skills recognition, not as a provider of learning opportunities and a facilitator of life skills acquisition that needs to be supported.<sup>66</sup> We would also like to see a broader vision with regards to skills development, going beyond workplace learning.<sup>67</sup> Additionally, we believe that the skills referred to should be approached more broadly, including soft skills such as

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<sup>63</sup> European Commission, Facing the Digital Transformation: are Digital Skills Enough? 2020. Available at: [https://ec.europa.eu/info/sites/info/files/economy-finance/eb054\\_en.pdf](https://ec.europa.eu/info/sites/info/files/economy-finance/eb054_en.pdf)

<sup>64</sup> European Commission, Commission presents European Skills Agenda for sustainable competitiveness, social fairness and resilience. 2020. Available at: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_1196](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1196)

<sup>65</sup> European Association for the Education of Adults, EAEA welcomes the Skills Agenda – a huge opportunity for Europe. 2020. Available at: [https://eaea.org/wp-content/uploads/2018/01/EAEA\\_statement\\_skills-guarantee.pdf](https://eaea.org/wp-content/uploads/2018/01/EAEA_statement_skills-guarantee.pdf)

<sup>66</sup> Idem.

<sup>67</sup> Idem.

critical thinking, problem-solving or learning to learn (which are best acquired through non-formal education and learning).<sup>68</sup> These initiatives should consider the inclusion of a lifecycle perspective, acknowledging the existence of discontinuous career paths rather than linear ones. Indeed, it is crucial to allow men and women to withdraw from work partially or completely to educate and care for their children or dependent relatives, and then re-enter the labour market without being heavily penalised. Additionally, it should be possible for skills acquired during such periods to be recognised.

Moreover, it would be important to strengthen the definition of learners, not only seeing them as workers or employees, but also variably as people, citizens, parents, voters, consumers, etc. who can benefit from a wide variety of learning opportunities, including to strengthen civic, democratic and intercultural competences.<sup>69</sup>

- Why do we make these demands?

People increasingly require a variety of skills ranging from basic skills (literacy, numeracy and digital skills) to vocational or technical skills as well as entrepreneurial skills and transversal skills (such as foreign languages or the ability to learn and take initiative).<sup>70</sup> Skills are essential for people's participation in the local community, their integration into social life, and their employment.<sup>71</sup> However, one in five people across Europe are still struggling with reading and writing, and more have poor numeracy and digital skills.<sup>72</sup> These numbers are often higher for groups of people who are at higher risk of leaving school early and groups already in vulnerable situations, such as young people from lower socioeconomic backgrounds, those with a migrant background, those from ethnic minority groups, and young people with disabilities. As described above, the pandemic disrupted the education of an entire generation of learners and these groups often could not or not fully access their schooling that had now moved to digital platforms, further increasing their already higher risk of dropout. It is therefore more important than ever to ensure possibilities for people across Europe to develop basic, digital and further skills, with a focus on groups in vulnerable situations.

- How should these demands be implemented at the EU level?

In order to properly implement both the Skills Agenda and the Skills Guarantee, the mobilisation of significant funds at national level will be necessary. We call on Member States to properly invest into the education and skills of people across Europe. We also call for mainstreaming and integrating education in all other ongoing initiatives, such as the EU Strategic Framework for Roma and the European Disability Strategy for example.

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<sup>68</sup> Idem.

<sup>69</sup> Idem.

<sup>70</sup> European Commission. Skills and qualifications. Available at:

<https://ec.europa.eu/social/main.jsp?catId=1146&langId=en>

<sup>71</sup> European Platform for Adult Learning in Europe (EPALE). Basic Skills Development of Adults. 2019. Available at: <https://epale.ec.europa.eu/en/blog/basic-skills-development-adults>

<sup>72</sup> European Commission. Skills and qualifications. Available at:

<https://ec.europa.eu/social/main.jsp?catId=1146&langId=en>

## Tripling the Erasmus+ funding as part of the next long-term budget

- What are the demands of Social Platform and its members?

We welcome the initiative to triple the Erasmus+ funding as part of the next long-term budget, even if this remains below demands made by Youth sector NGOs to be at least 10 times more ambitious with the Erasmus+ successor programme for the post-2020 Multiannual Financial Framework.<sup>73</sup> However, with funding being mobilised for the recovery package, we see risks of funding cuts to programmes like Erasmus+. The adoption of the recovery package must not entail reductions of the current commitments in the 2021-2027 MFF.<sup>74</sup> Indeed, decision makers cannot afford to cut back on essential sectoral programmes, such as the EU flagship Erasmus+ Programme, that play a significant role in ensuring democratic life in the EU. The Erasmus+ programme should fully play its role as a life-long programme for learning mobility by allocating an adequate part of its budget to adult learning. While Erasmus+ is highly known for encouraging mobility of tertiary education students, its strands promoting learning mobility of all kinds of learners (VET and adult education) should be better promoted and made more inclusive. A strong budget is needed to support the commitment of the EU institutions to make Erasmus+ more accessible to people from all walks of life.

- Why do we make these demands?

The Erasmus+ programme promotes the overall personal development of active citizens in diverse and democratic societies, focussing on youth, sports and all forms of education and training.<sup>75</sup> Indeed, “social inclusion, lifelong learning, European identity, active citizenship, participation of young people in democratic life, critical thinking, volunteering, intercultural dialogue and learning to live together, gender equality, sustainable development, mobility for all and global cooperation”<sup>76</sup> are just some of the objectives a well-funded and designed Erasmus+ programme can better contribute to.

- How should these demands be implemented at the EU level?

Generally, it is crucial the Erasmus+ is made more accessible to people from all walks of life, including by ensuring that sufficient funds are dedicated to this objective specifically. For instance, funds should be ring-fenced to go towards the support needs of young people requiring assistance when moving abroad, such as persons with disabilities.

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<sup>73</sup> European Youth Forum. Policy Paper on the Erasmus+ successor programme. 2017. Available at: [https://www.youthforum.org/sites/default/files/publication-pdfs/0119-17\\_PP\\_ErasmusPlus\\_Successor\\_Programme.pdf](https://www.youthforum.org/sites/default/files/publication-pdfs/0119-17_PP_ErasmusPlus_Successor_Programme.pdf)

<sup>74</sup> European Youth Forum. Youth reaction to European Parliament Covid-19 Resolution. 2020. Available at: <https://www.youthforum.org/youth-reaction-european-parliament-covid-19-resolution-0>

<sup>75</sup> European Youth Forum. Policy Paper on the Erasmus+ successor programme. 2017. Available at: [https://www.youthforum.org/sites/default/files/publication-pdfs/0119-17\\_PP\\_ErasmusPlus\\_Successor\\_Programme.pdf](https://www.youthforum.org/sites/default/files/publication-pdfs/0119-17_PP_ErasmusPlus_Successor_Programme.pdf)

<sup>76</sup> Idem.

## 2. Gender equality



*'Equality of treatment and opportunities between women and men must be ensured and fostered in all areas, including regarding participation in the labour market, terms and conditions of employment and career progression.*

*Women and men have the right to equal pay for work of equal value.'*

The European Commission has foreseen several major initiatives in the field of gender equality:

- A European Gender Equality Strategy, involving:
  - Binding pay transparency measures
  - Quotas for gender balance on company boards
  - EU Accession to the Istanbul Convention
- New anti-discrimination legislation (covered under principle 3)
- Full implementation of the Work-Life Balance Directive (covered under principle 9)

### A European Gender Equality Strategy

On 5 March 2020, ahead of International Women's Day, the European Commission presented its "Strategy on Gender Equality 2020-2025".<sup>77</sup> The Strategy aims at making progress towards a gender equal Europe "where all women and men, girls and boys, in all their diversity, are equal. Where they are free to pursue their chosen path in life, where they have equal opportunities to thrive, and where they can equally participate in and lead our European society."

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<sup>77</sup> European Commission, A Union of Equality: Gender Equality Strategy 2020-2025, 2020. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A152%3AFIN>



The Strategy is divided into three parts. Part one, *Being free from violence and stereotypes*, concerns actions in the field of gender-based violence, sexual harassment, abuse of women and female genital mutilation, as well as challenging gender stereotypes. Part two, *Thriving in a gender-equal economy*, addresses actions to close the gender pay, pension and care gaps in the labour market as well as achieving gender equal participation across different sectors of the economy. Part three, *Leading equally throughout society*, includes actions aimed at achieving gender balance in decision-making and politics.

- What are the demands of Social Platform and its members?

After five years without a political framework at EU level, Social Platform welcomes the adoption of the European Gender Equality Strategy and calls for ambitious measures to ensure its full implementation. As discrimination on the basis of sex is often combined with other factors such as race or ethnic origin, religion or belief, disability, age, sexual orientation and gender identity, class, and/or migration status, it is crucial that all measures taken are considered from an intersectional perspective to take into account the different realities that the diverse people affected by gender inequality live.

- Why do we make these demands?

Member States scored 67.4 out of 100 on average in the EU Gender Equality Index 2019, a score which has only improved by 5.4 points in the past 15 years.<sup>78</sup> Gender gaps especially continue to exist especially in the field of employment, pay and pension and care responsibilities (more under principles 9, 11 and 18). Also, gender stereotypes and gender-based violence and harassment remain a major concern in the EU.

We will detail in the following sections how these demands should be implemented at the EU level.

#### Binding pay transparency measures and quotas for gender balance on company boards

- What are the demands of Social Platform and its members?

Social Platform calls for a comprehensive framework of binding and non-binding measures that ensures women have equal opportunities in the labour market. This relates to:

- pay transparency measures to reach a gender-equal remuneration system and close the persisting pay and pension gaps, including for today's older women.
- fostering underrepresentation of women in executive and political positions and in male dominated sectors and breaking down existing gender stereotypes.
- ensuring a strong link to accessible, affordable, and quality long-term care and childcare services, to lift the unequal share of caring responsibilities of women.
- the recognition of social economy enterprises, which have not been mentioned in the Gender Equality Strategy at all. Social economy enterprises provide

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<sup>78</sup> European Institute for Gender Equality (EIGE), Gender Equality Index, 2019. Available at: <https://eige.europa.eu/news/gender-equality-index-2019-still-far-finish-line>.

person-centred pathways to the social and professional integration of women and tailor to their specific needs. The Action Plan for Social Economy must have a strong gender dimension, given the multiple ways in which the social economy affects women and gender equality in Europe; both as part of the sector's workforce and in terms of the impact of social economy enterprises themselves (care services, training services, employment services, etc).

- a strong gender dimension in the European Disability Strategy given both the interconnection between disability and women's rights, as well as the very high proportion of women providing care and support to persons with disabilities in Europe.
  - taking full account in the EU Strategic Framework for Roma Equality and Inclusion that Roma women are subjected to multiple and intersectional forms of discrimination and gender-based violence, not least in employment, and are bearing the brunt of the pandemic in both frontline jobs as well as in their caring responsibilities at home.
- Why do we make these demands?

Equal pay for equal work is one of the core values in the European Union.<sup>79</sup> However, on average women are still paid 16% less than their male counterparts in the EU. This gender pay gap results in a gender pension gap of about 37%.<sup>80</sup> In her political guidelines, European Commission President Ursula von der Leyen committed to introducing binding pay transparency measures.<sup>81</sup> For this purpose, the European Commission held an open consultation with the public, Member States and the social partners. The results of this consultation will be the basis for the proposal on binding pay transparency measures to be published in the fourth quarter of 2020. Additionally, the European Commission has committed to unblocking the proposed Women on Boards directive<sup>82</sup> until 2024, which remains blocked in the European Council since 2013. The purpose behind binding pay transparency measures is to tackle the gender pay and pension gap and the purpose of the Women on Boards proposal is to get more women into executive positions.

The impact of care responsibilities on women, especially also in the context of the COVID-19 pandemic, is further addressed under principle 9 on work-life-balance, principle 11 on childcare and principle 18 on long-term care.

- How should these demands be implemented at the EU level?

When designing these measures, the following points should be kept in mind:

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<sup>79</sup> Article 157 (1)-(2) TEU and Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32006L0054>

<sup>80</sup> European Commission & Social Protection Committee, The 2018 Pension Adequacy Report: current and future income adequacy in old age in the EU. Volume I. 2018. Available at: <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8084&furtherPubs=yes>

<sup>81</sup> European Commission, Gender pay gap – transparency on pay for men and women, 2020. Available at: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12098-Strengthening-the-principle-of-equal-pay-between-men-and-women-through-pay-transparency>

<sup>82</sup> Proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures, 2012. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52012PC0614>



- The need for mainstreaming gender equality: all laws and policies to be adopted must be looked at from a gender perspective.
- Gender budgeting should be used as a tool of gender mainstreaming to ensure that all EU money is delivering on equality between women and men.
- Existing EU frameworks, such as the European Semester process, need to seek to progress towards equality between genders.
- Concrete annual targets should be formulated for closing the gender pay and pension gaps.
- In relation to the gender pension gap, recommendations to reform national pension systems should require a gender impact assessment, as changes in the duration of working lives and the amount of minimum pensions and survivors' pensions have a strong impact on older women.
- Introduction of 'care credits' to offset breaks from employment taken in order to provide informal care to family members and periods of formal care leaves, such as maternity, paternity and parental leave, and to count those credits towards pension entitlements fairly. The impact of care responsibilities on women is further addressed under principle 9 on work-life-balance, principle 11 on childcare and principle 18 on long-term care.
- An intersectional approach to measures aimed at improving gender equality needs to be taken, fully taking into account that different groups have different needs which need to be addressed with targeted measures.
- The need to ensure that the gender perspective is fully integrated in recovery measures related to the COVID-19 pandemic.

### EU Accession to the Istanbul Convention

- What are the demands of Social Platform and its members?

Social Platform welcomes the strong commitment of the European Commission to tackling violence against women and urges for the EU's swift accession to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).<sup>83</sup> The Istanbul Convention is the first legally binding treaty in Europe that criminalises multiple forms of violence against women, including physical and psychological violence, sexual violence, sexual harassment and rape, stalking, female genital mutilation, forced marriage, forced abortion and forced sterilization. It also emphasises and recognises that violence against women is a human rights violation, a form of discrimination against women and a cause and consequence of inequality between women and men.

- Why do we make these demands?

The European Union signed the Istanbul Convention on 13 June 2017, after the Council of the European Union agreed on two decisions limiting the scope of the signature to exclusive competence on judicial cooperation in criminal matters and asylum and non-refoulement. In September 2017, the European Parliament adopted a Resolution on EU Accession to the Istanbul Convention with an overwhelming majority, urging EU Member States to speed up the negotiations on the ratification of the Convention by the EU and calling for a broad EU accession without any limitations.

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<sup>83</sup> Council of Europe, website on violence against women, 2020. Available at: <https://www.coe.int/fr/web/istanbul-convention>

The resolution specifically calls for an EU Coordinator to lead the implementation of a holistic EU Strategy.

Violence against women and girls continues to be a major concern in the European Union. The European Institute for Gender Equality regularly provides data on the situation in the EU and highlighted that:<sup>84</sup>

- 1 in 3 women has experienced physical and/or sexual violence since the age of 15;
- 1 in 2 women has experienced sexual harassment;
- 1 in 20 women has been raped;
- 1 in 5 women has experienced stalking;
- Over 1 in 4 older women experienced violence or abuse.<sup>85</sup>

Moreover, the COVID-19 pandemic and its lockdown measures have most certainly lead to a steep increase of incidences of violence against women, as the perpetrators most often are their intimate partners.

- How should these demands be implemented at the EU level?

Violence against women and girls does not stop at borders and should therefore be tackled at EU level. Social Platform, together with members and partners, works in a European Coalition to End Violence against women and girls.<sup>86</sup> This coalition has put forward the following key recommendations:

- The Council of the European Union should ratify the Istanbul Convention without delay, within the most effective scope of EU competence.
- EU Institutions should fully integrate the Istanbul Convention into the EU legislation and policy framework, establishing an effective and representative EU monitoring framework.
- The European Commission and Member States should develop a comprehensive EU Strategy to prevent and combat all forms of violence against women and girls, and to address the structural issues that fuel this violence. Applying an intersectional perspective to this work is of crucial importance, as different groups of women are more likely to be victims of violence.
- The EU should appoint an EU coordinator on ending violence against women and girls, with a strong political mandate and responsibility to coordinate the EU Strategy and all the efforts of the relevant EU Institutions and agencies and to facilitate the exchange of good practices for the implementation of the Convention at the national level;
- The EU should ensure systematic data collection on gender-based violence, and not exclude the age groups of older women from data collection.
- Civil society should be supported in preventing and combating gender-based violence and gender stereotyping, including through EU funding.

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<sup>84</sup> European Institute for Gender Equality (EIGE), What is gender based violence? 2020. Available at: <https://eige.europa.eu/gender-based-violence/what-is-gender-based-violence>

<sup>85</sup> Luoma et al., Prevalence Study of Abuse and Violence Against Older Women, Finish National Institute for Health and Welfare, 2011. Available at: [https://thl.fi/documents/189940/259311/AVOWEuropeanResearchReport\\_April2011.pdf](https://thl.fi/documents/189940/259311/AVOWEuropeanResearchReport_April2011.pdf)

<sup>86</sup> European Coalition to End Violence against women and girls, factsheet, 2018. Available at: <https://www.womenlobby.org/Factsheet-EU-ratification-of-the-Istanbul-Convention-A-vital-opportunity-to-end-7715>

- Any policies to address the impact of COVID-19 must keep the issue of gender-based violence in mind, as lockdown measures increase vulnerability.
- Member States must implement risk management measures involving the police, justice, and health sectors in their response to the present increased risk of gender-based violence.
- Data collection on violence against women needs to be harmonised between Member States to ensure comparability and allow the identification of changing patterns of violence in times of crisis.

### 3. Equal opportunities



*'Regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, everyone has the right to equal treatment and opportunities regarding employment, social protection, education, and access to goods and services available to the public. Equal opportunities of under-represented groups shall be fostered.'*

For the first time, the EU has a Commissioner for Equality, tasked with fighting discrimination and proposing new anti-discrimination legislation, where needed. It is key for us that the Horizontal Equal Treatment Directive adopted.

Having adopted a Gender Equality Strategy earlier this year (see principle 2), additional strategies are also foreseen:

- A Post 2020 EU Framework on Roma Equality and Inclusion;
- An LGBTI Equality Strategy;
- An Anti-Racism Action Plan 2020-2025;
- The European Disability Strategy post 2020 (see principle 17).

#### Horizontal Equal Treatment Directive

- What are the demands of Social Platform and its members?

We urge the EU institutions to make progress with the adoption of the Horizontal Treatment Directive, blocked in the Council for 12 years. While we welcome the other planned initiatives, a single comprehensive legislation is the most effective way to enforce legal clarity and effective protection against discrimination. Moreover, one comprehensive piece of legislation ensures that there is no hierarchy between the different grounds of discrimination and takes into account the concepts of multiple discrimination and intersectionality.

- Why do we make these demands?

People living in the EU are still not equally protected by law when they experience discrimination in different spheres of life. Broad legal protections at the EU level against discrimination exists on the grounds of gender, race, sexual orientation, disability, age and religion, but generally only in the field of employment. Beyond the field of employment, legislation only covers discrimination on the grounds of gender and race. This situation creates second-class citizens and prevents people from enjoying the rights conferred to them by the EU Treaties. It also leads to situations in which citizens are better protected on the ground of one of their identities compared to another, thereby disregarding the concepts of multiple discrimination and intersectionality and not taking into account lived realities that vary from one person to another.

- How should these demands be implemented at the EU level?

For equal opportunities to exist for everyone, discrimination on all grounds covered in Article 21 of the European Charter of Fundamental Rights (and beyond) and in all fields must be tackled. Social Platform therefore calls for:

- the swift adoption of the Horizontal Equal Treatment Directive;
- the creation of necessary links between the different strategies foreseen. An important opportunity would be missed if no strong links are created between the various documents;
- the EU-wide collection of equality data disaggregated by the different grounds of discrimination, to allow for a regular and updated understanding of the current situation;
- exploring the concept of discrimination based on grounds of socio-economic status. While some EU Member States already include this form of discrimination and the Charter of Fundamental Rights prohibits discrimination on the grounds of social origin and property, it is not yet included in the EU treaties.

#### Post 2020 EU Framework on Roma Equality and Inclusion

- What are the demands of Social Platform and its members?

The newly adopted EU Roma Strategic Framework must be linked to the implementation of other overarching socio-economic development initiatives, chiefly among them the Social Pillar, but also the European Green Deal and the Sustainable Development Goals. While we appreciate that the new Framework includes antigypsyism, poverty and participation as horizontal objectives, areas, we regret the non-ambitious minimum commitments set in the area of education, health, housing, the fight against antigypsyism and discrimination and participation. We welcome, among other positive elements, the framing of antigypsyism as the cause of the social exclusion and discrimination of Roma and that the new Framework clearly says that it will contribute to the Social Pillar and the SDGs.

However, reciprocity is not ensured: there is no mention that the Social Pillar Action Plan will also contribute to the delivery of the Framework. Additionally, the Framework only highlights, when it comes to the Social Pillar, Principles 1 (quality and inclusive

education), 3 (equal opportunities) and 20 (access to essential services). We strongly believe that only mentioning three principles can have a counter-productive, limiting effect on the others, and demand that all 20 policy principles of the Social Pillar are deemed relevant for Roma inclusion, and treated as such in guiding the use of EU funds for both targeted and mainstream measures. For this reason, the implementation of the EU Roma Framework must also be integrated in the European Semester and the disbursement of the Recovery and Resilience Facility funds. Roma communities and their NGO representatives must be involved at all stages in the design, delivery, and monitoring of measures, at both national and EU level.

In addition, the 2020 “EU Strategic Framework for Roma must be accompanied by a strong EU Council Recommendation demanding Member States to put at the centre of their policies and strategies a specific focus on humanitarian aid and a 10-year plan to fight structural racism and inequality. This recommendation should support the delivery of basic services and infrastructure in Roma communities to mitigate the impact of COVID-19 on vulnerable Roma communities. In order to guarantee a level playing field in the access to basic rights and services, governments have to set higher targets in each of the 7 priority areas and increase the scope of interventions beyond what it is in the new EU Framework, for all Member States.

- Why do we make these demands?

Europe’s Roma have some of the worst socio-economic indicators, while they continue to face rampant discrimination and antigypsyism in every aspect of daily life. Real change can only be achieved if ambitious targets are set in line with national realities, which must be measured explicitly and consistently, and which become actual triggers of policy change. Additionally, without up-to-date and detailed data collection on the real situation on the ground, it is impossible to devise effective public policy responses. All Member States must step up their efforts to close down segregation in housing, link houses to running water, electricity and garbage services, and invest in safe and green housing, including social housing for all those living in shacks, shanty towns and unsafe and inhumane conditions. Combating antigypsyism through the existing anti-discrimination legislation is not enough.

- How should these demands be implemented at the EU level?

True equality, inclusion and participation can be best promoted through specific strategies for key groups that work in full alignment and synergy with the mainstream social and economic initiatives, to ensure policy coherence and efficiency, and to prevent that different efforts are at odds or even undermine each other. Experience shows that, if the Roma are not named as explicit beneficiaries of mainstream measures and funds, these fail to reach them, effectively leaving them behind and perpetuating (instead of curbing) cycles of discrimination and exclusion. All EU funding, without exception, should by default target vulnerable groups and Roma, in line with EU’s own principles and standards. Delivery must be underpinned by a comprehensive and meaningful partnership of all stakeholders, including the Roma and the civil society organisations representing them, as a prerequisite for both achieving the best results, as well as for building ownership and more resilient democracies.



The Social Pillar Action Plan must take full account, across its 20 principles, of the commitments and targets of the EU Roma Strategic Framework. The Social Scoreboard needs to include disaggregated data per key group, including Roma. There is a need for a clear coordinated methodology for how Member States can collect ethnic data on Roma, in line with the Race Equality Directive and GDPR provisions. The baseline of the EU Roma Strategic Framework (namely, the Fundamental Rights report of 2017) needs to be revised, as it is outdated and renders the objectives unambitious. Mutually reinforcing synergies must be ensured between the Framework, the Social Pillar, and other EU initiatives, such as the LGBTI Strategy, the Gender Equality Strategy, the Youth Guarantee, the Child Guarantee, and the Action Plan against Racism, with the Roma specifically named throughout, as being among the most disadvantaged groups of people. There is also a need for EU and national measurable anti-discrimination indicators in the key areas of education, employment, housing and health, in addition to social inclusion programmes, which must be monitored on an annual basis across all Member States, as well as Enlargement and Neighbourhood Countries. Roma participation in the design and implementation of the national/local Roma strategies should be ensured at all levels throughout the entire process, in line with Article 11 of the Treaty on European Union (TEU), and a target set at a minimum of 50%.

#### LGBTI+ Equality Strategy:

- What are the demands of Social Platform and its members?

For the LGBTI+ Equality Strategy to be successful, it needs to address the following key areas: a) Equality and Non-discrimination; b) Protection of Fundamental Rights in the EU; c) Enabling Space for Civil Society; d) Countering Hate-Crimes and Hate-Speech; e) Advancing Recognition of Human Rights and Equality for Trans People; f) Advancing Recognition of the Rights of Intersex People; g) Protecting LGBTI People in the EU Asylum System; h) LGBTI People and their Families in Cross-Border Situations; i) Employment and Social Inclusion; j) Healthcare without Discrimination; k) Inclusive Education; l) LGBTI Human Rights in Enlargement, Neighbourhood Policies and Third Countries.

- Why do we make these demands?

Of particular importance to the areas covered by the Social Pillar is the socioeconomic precarity of LGBTI people, particularly trans and intersex people. In addition, as a result of the COVID-19 pandemic, we have seen impacts on LGBTI people's access to healthcare, as well as spiking rates of domestic violence, further restrictions and discrimination against LGBTI asylum seekers and migrants, and reports of increased homelessness among vulnerable LGBTI populations. As an above-average rate of LGBTI people are unemployed or in precarious jobs, and live on very limited and unstable financial resources, many LGBTI people have had no other choice than quarantining in or returning to hostile or abusive households during COVID-19. ILGA-Europe received reports from LGBTI organisations in 12 EU countries that there was a striking increase in domestic violence experienced by LGBTI people during the

height of the COVID crisis.<sup>87</sup> ILGA-Europe<sup>88</sup> also received reports of problems accessing basic needs, public assistance, support, and service programmes from LGBTI organisations in 10 EU countries during this time. Access to health care has become restricted (as detailed in previous sections), and this also disproportionately affects LGBTI asylum seekers, migrants and LGBTI Roma people. The LGBTI+ Equality Strategy should address all of the key areas outlined above, with a particular focus on the most marginalised LGBTI people.

- How should these demands be implemented at the EU level?

With the introduction of the focused portfolio of the Commissioner for Equality as well as increased attention paid to intersectionality, there is a clear opportunity to ensure that the LGBTI+ Equality Strategy is truly interlinked with other equality instruments, such as the Gender Equality Strategy, the Disability and Children's Rights Strategy, the Roma and Victims' Rights Strategy, the Anti-Racism Action Plan and other initiatives. All these initiatives need to truly work together and complement one another, create synergies, and form the foundation of a stronger policy framework to protect the fundamental rights of the most marginalised people and to ensure that no one is left behind. Throughout the LGBTI Strategy, clear references need to be made to the interlinking to other strategies, with clear guidance on how this will be translated concretely through effective cooperation among different directorate-generals (DGs) in the European Commission as well as policy frameworks. For each initiative, it should be indicated which DG is leading and how they are organising cooperation with other DGs in ensuring coordinated policy approaches.

LGBTI people from under-represented groups should be directly consulted and involved in the preparation, implementation and monitoring of EU policies and programmes that concern them. Funding should be made available for organisations and groups led by LGBTI people from underrepresented groups to build their capacity to be involved in public decision making.

The EU LGBTI+ Strategy will provide EU and national officials, the European Parliament and civil society a framework to assess and review progress on a year-to-year basis, thus creating accountability. The evaluation should follow a clear assessment of objectives rather than reporting on actions, focusing on the progress made towards full equality for LGBTI people. The annual assessment should foresee a moment of reassessment of the set objectives and strategies and leave room for adjustment of foreseen activities throughout the five-year cycle. An advisory panel of LGBTI civil society should be assigned a clear role in the annual evaluation process.

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<sup>87</sup> ILGA Europe, COVID-19 impacts on LGBTI communities in Europe and Central Asia: A rapid assessment report. 2020. Available at: <https://www.ilga-europe.org/sites/default/files/covid19-lgbti-assessment-2020.pdf>

<sup>88</sup> <https://www.ilga-europe.org/>



## EU Anti-Racism Action Plan 2020-2025

On 18 September, the European Commission published the EU Anti-Racism Action-Plan.<sup>89</sup> We strongly welcome this initiative, as it aims to address the urgent need to fight persisting structural racism in Europe.

- What are the demands of Social Platform and its members?

We call for the measures proposed in the action plan to be carried out with strong political will of EU institutions and Member States to effectively address the existence of structural, institutional and historical dimensions of racism in Europe and to address this through wide-ranging, proactive policies.

- Why do we make these demands?

This action plan comes after widespread public mobilisation of the Black Lives Matter and anti-racism movement worldwide, demanding racial equality and justice, as well as longstanding calls from anti-racist organisations for EU action to tackle racism through a comprehensive strategy. The European Agency for Fundamental Rights reports:<sup>90</sup>

- 30% of respondents of African descent experienced what they perceived as racist harassment in the past five years;
- Young respondents are more likely to experience racist harassment;
- Merely 14 % of the most recent incidents of racist harassment were reported to police or other services.

- How should these demands be implemented at the EU level?

If implemented with high ambition, the Action Plan has significant potential to achieve positive change for racialised people in Europe. Aspects of particular importance are:<sup>91</sup>

- Ensuring that all Member States develop and adopt national action plans against racism and adopt common principles for their implementation;
- Gathering consistent and improved equality data, disaggregated by racial or ethnic origin, which is crucial to uncover and address existing structural inequalities, while ensuring due respect of privacy;
- Proposing potential new legislation to address racism in law enforcement;
- Ensuring that EU policies, for example on migration, digital services, AI, the European Green Deal, benefit all and do not contribute to further racial inequalities;
- Improving racial diversity and representation within governments and EU institutions;

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<sup>89</sup> European Commission, EU Anti-Racism Action Plan 2020-2025. Available at: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en)

<sup>90</sup> European Agency for Fundamental Rights, Being Black in the EU. Second European Union Minorities and Discrimination Survey, 2019. Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-being-black-in-the-eu-summary\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-being-black-in-the-eu-summary_en.pdf)

<sup>91</sup> European Network Against Racism, EU Action Plan Against Racism: strong push on Member States to act better against racism, 2020. Available at: <https://www.enar-eu.org/EU-Action-Plan-Against-Racism-strong-push-on-Member-States-to-act-better>

- Strengthened participation of civil society organisations working with racialised groups for the implementation of the Action Plan. Meaningful participation is essential to ensure legitimacy, ownership, and efficiency of the plan. The EU anti-racism coordinator could play a key role in this respect;
- Ensuring strong measures to address racist and disproportionate policing, as it plays a key role in maintaining and fostering racial inequalities in Europe;
- Enabling the exchange of good practices and training for EU institutions, national governments and law enforcement agencies;
- Promoting research on the sociological explanations of the over- and underrepresentation of certain groups in specific sectors;
- Conducting awareness-raising campaigns to ensure a public discourse on discrimination focused more largely on understanding how European social, historical and political systems reproduce and perpetuate racism;
- Dismantling structures within certain sectors, which drive structural discrimination, such as school systems which allocate children to different paths at an early age.<sup>92</sup>

### European Disability Strategy post 2020

Please see principle 17 on the inclusions of persons with disabilities.

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<sup>92</sup> European Network Against Racism, Intersectional discrimination in Europe: relevance, challenges and ways forward, 2019. Available at: [https://www.enar-eu.org/IMG/pdf/intersectionality-report-summary\\_final.pdf](https://www.enar-eu.org/IMG/pdf/intersectionality-report-summary_final.pdf)

## 4. Active support to employment



*Everyone has the right to timely and tailor-made assistance to improve employment or self-employment prospects. This includes the right to receive support for job search, training and re-qualification. Everyone has the right to transfer social protection and training entitlements during professional transitions.*

*Young people have the right to continued education, apprenticeship, traineeship or a job offer of good standing within 4 months of becoming unemployed or leaving education.*

*People unemployed have the right to personalised, continuous and consistent support. The long-term unemployed have the right to an in-depth individual assessment at the latest at 18 months of unemployment.'*

The European Commission's political guidelines foresee EU action to turn the European Youth Guarantee into a permanent instrument to fight youth unemployment.<sup>93</sup> The European Commission revealed their "Youth Employment Support: A Bridge to Jobs" package and has introduced proposals to strengthen the European Youth Guarantee in July 2020, which we welcome.<sup>94</sup>

However, more action is needed to improve employment prospects of young people in vulnerable situations.

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<sup>93</sup> European Commission, A Union that strives for more My agenda for Europe. 2019. Available at: [https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf)

<sup>94</sup> European Commission, Proposal for a Council Recommendation on A Bridge to Jobs - Reinforcing the Youth Guarantee and replacing Council Recommendation of 22 April 2013 on establishing a Youth Guarantee. 2020. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1594047695309&uri=CELEX:52020DC0277>

## European Youth Guarantee

- What are the demands of Social Platform and its members?

While we welcome indications that the green and digital transition will be core to future youth employment policies,<sup>95</sup> we call for an improved and more sustainable Youth Guarantee as part of a wider, comprehensive strategy to increase quality youth employment and promote social inclusion, especially of those young people furthest away from society and the labour market.<sup>96</sup> The Youth Guarantee should strengthen provisions for these groups by developing a better understanding of the diversity of young people grouped under the NEET ‘not in employment, education or training’ label. It should also disaggregate data on the Youth Guarantee to account for this diversity of young people. Moreover, it must be ensured that Youth Guarantee schemes are accessible for all young people by removing barriers to participation, combatting discrimination on all grounds covered in Article 21 of the European Charter of Fundamental Rights (and beyond), and providing reasonable accommodation measures, where required.

For example, the Youth Guarantee currently does not include young persons with disabilities who receive a disability allowance.<sup>97</sup> Considering the considerable extra costs of living that persons with disabilities face, the reinforced Youth Guarantee needs to ensure flexibility in making paid work compatible with eligibility for receiving a disability allowance, as a way of off-setting these additional costs for persons with disabilities.<sup>98</sup> In addition, funds for the Youth Guarantee should also cover other costs needed to ensure the reasonable accommodation needed to enable the employment of certain persons with disabilities.<sup>99</sup>

The low quality of Youth Guarantee offers is still one of the most significant flaws of the Youth Guarantee. Therefore, we join the European Youth Forum and others in the call for quality standards at European level to be developed to make the Youth Guarantee a success.<sup>100</sup>

- Why do we make these demands?

According to the European Commission’s report on the implementation of the Youth Guarantee, “every year since 2014 has seen more than 3.5 million young people in YG schemes, taking up job offers, or going into continued education, traineeships or apprenticeships. By the end of 2017, the Youth Employment Initiative (YEI) had provided direct support to over 2.4 million young people across the EU for their entry

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<sup>95</sup> RREUSE commentary on the 2020 Youth Employment Support: a bridge to jobs for the next generation. A Greener Future ahead of European Youth? Available at:

<https://www.rreuse.org/youth-employment-support-a-bridge-to-jobs-forthe-next-generation-a-greener-future-ahead-of-european-youth/>

<sup>96</sup> European Youth Forum, Updated position on the Implementation of the Youth Guarantee, 2018. Available at: <https://www.youthforum.org/sites/default/files/publication-pdfs/Updated-position-on-the-implementation-of-the-Youth-Guarantee.pdf>

<sup>97</sup> European Disability Forum A strong social Europe for just transitions. Implementing the EU Pillar of Social Rights. 2020. Available via: <http://www.edf-feph.org/social-pillar>

<sup>98</sup> Idem.

<sup>99</sup> Idem.

<sup>100</sup> European Youth Forum, Quality Standards for the Youth Guarantee. 2020. Available at: <https://www.youthforum.org/quality-standards-youth-guarantee>

into the labour market or re-engaging in education and training.”<sup>101</sup> However, the COVID-19 pandemic will have a big impact on youth unemployment.<sup>102</sup> During recessions, youth unemployment rises almost twice as fast as the overall unemployment rate and young people are often ‘first-out’ when job losses occur. The youth unemployment rate is already high at 15%<sup>103</sup> compared to the overall rate of 6.6%<sup>104</sup> for the EU. Moreover, non-standard workers are more likely to lose their jobs during a recession. Young people are more likely to be in temporary and precarious forms of work and too many work without any contract at all, putting them at higher risk of losing their jobs in the coming months and years. Therefore, significant action to support young people in finding a quality offer of employment, training or further education is crucial.

- How should these demands be implemented at the EU level?

To improve the functioning of the Youth Guarantee and to make it more sustainable, the EU should define clear quality criteria and standards for offers of employment, education and training under the Youth Guarantee, including access to social protection, minimum income and employment rights.<sup>105</sup> To ensure this, quality standards for Youth Guarantee offers should be developed and the quality of services should be monitored and evaluated at all levels to assess the specific needs of young people and the quality of placements and outcomes.<sup>106</sup> Structures and protocols for meaningful partnerships with civil society organisations should be developed at local, national and European levels. A clearer understanding of the diversity of young people labelled ‘NEETs’, the barriers they face and support they require should be developed and used in data collection on the Youth Guarantee. In addition, information about the Youth Guarantee must be made more widely disseminated and made more accessible and easily understandable for all.<sup>107</sup> To reach young people who are furthest away from society, offers must also be combined with preventive and supportive measures addressing their specific needs, going beyond employment, education and training.<sup>108</sup> Ideally, they should be provided in one-stop shops that are accessible for all.<sup>109</sup> The EU should also ensure increased funding for this initiative in the framework of the next Multiannual Financial Framework and Next Generation EU. Member States should also allocate sufficient funding in national budgets to support the implementation of the Youth Guarantee.<sup>110</sup>

A quality framework governing the Youth Guarantee should be developed in association with social partners and civil society organisations at European level. This framework should define minimum quality standards for offers provided under the Youth Guarantee, in particular by ensuring employment offers provide long-term

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<sup>101</sup> European Commission, Report on PES Implementation of the Youth Guarantee. 2019. Available at: <https://ec.europa.eu/social/BlobServlet?docId=21886&langId=en>

<sup>102</sup> European Youth Forum, The European Youth Blueprint To Recovery. 2020. Available at: <https://www.youthforum.org/european-youth-blueprint-recovery>

<sup>103</sup> Eurostat, Youth unemployment rate by sex. 2019. Available at: <https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tesem140&plugin=1>

<sup>104</sup> Eurostat, Unemployment statistics. March 2020. Available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php/Unemployment\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php/Unemployment_statistics)

<sup>105</sup> Idem.

<sup>106</sup> Idem.

<sup>107</sup> Idem.

<sup>108</sup> Idem.

<sup>109</sup> Idem.

<sup>110</sup> Idem.

security, social protection and decent working conditions. Implementation of these standards can be supported by collecting data specifically on the types of offers received by young people, and by linking EU funds to binding quality criteria that prevents abuses of Youth Guarantee schemes by employers.

### Action to improve employment prospects of groups in vulnerable situations

- What are the demands of Social Platform and its members?

It would be crucial for the EU and Member States to undertake actions that go beyond the planned important work on reducing youth unemployment to also improve the employment prospects of groups in vulnerable situations. For example:

- We call for support to the work of work integration social enterprises (WISEs), which allow people in vulnerable situations to find a job or a qualifying training, while promoting an increase in self-esteem and self-confidence via an adapted integration process,<sup>111</sup> especially within the future Social Economy Action Plan. The action plan should boost the visibility and the action of actors of this sector and their work for the active support to employment of people in vulnerable situations (WISEs, Sheltered Workshops, Social Cooperatives, organisations offering counselling and training). The Social Economy Action Plan should not only provide concise objectives, but also accessible funds to implement its actions.
- Support measures, when provided, may help overcome structural and functional hindrances, if they are accompanied by a sustainable legislative and financial framework fitting long-term support needs. Similarly, services must continue to be provided following employment to avoid potential relapses into unemployment and therefore, if not tackled at an early stage, long-term unemployment.
- Persons with disabilities, similarly to other excluded groups, are structurally disadvantaged in the labour market because of barriers created by society. According to Eurostat, only around 50% of persons with disabilities are employed, far below the average employment rate for non-disabled persons. This excludes the many inactive persons with disabilities who - for various reasons - are not seeking or cannot seek employment. The European Disability Strategy should go beyond identifying employment of persons with disabilities as a right. The European Action Plan for the Social Economy should refer to, promote and provide practical solutions to the many social economy enterprises who either directly employ and/or provide active support to employment services for persons with disabilities.
- LGBTI people are higher than average in precarious employment, with trans and intersex people experiencing even higher rates of socio-economic exclusion than cisgender LGB people. According to the second LGBTI survey conducted by FRA in 2019,<sup>112</sup> in the previous 12 months, 10% of all respondents felt discriminated against when looking for a job, and this number rises to 32% for trans respondents and 27% for intersex

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<sup>111</sup> ENSIE, 2018 Impact WISEs study. Available at: [https://static1.squarespace.com/static/53da557be4b0202cfb098951/t/5ebe932bc4b8b2207a72753e/1589547824108/Impact+Wises+flyer\\_EN.pdf](https://static1.squarespace.com/static/53da557be4b0202cfb098951/t/5ebe932bc4b8b2207a72753e/1589547824108/Impact+Wises+flyer_EN.pdf)

<sup>112</sup> European Fundamental Rights Agency, EU LGBTI Survey II. 2019. Available at: <https://fra.europa.eu/en/project/2018/eu-lgbti-survey-ii>



respondents. The COVID-19 pandemic has exacerbated these issues, as many LGBTI people in precarious employment lost their jobs. The European Commission, through the upcoming LGBTI+ Equality Strategy, needs to focus on tackling barriers and discrimination in access to employment for LGBTI people. In particular, it needs to tackle the problem of very low representation of trans and intersex people in the labour market and the precarity coming with that, and identify good practices by governments and employers in increasing trans and intersex people's participation in the labour market. Recommendations and good practice exchanges should be organised, also in the context of the EU Platform of Diversity Charters.

- 40% of Roma reported feeling discriminated against when looking for work, while only 64% non-Roma would feel comfortable having a Roma co-worker.<sup>113</sup> It is essential to end structural discrimination in access to employment and in the workplace by supporting the full implementation of the Racial Equality and the Employment Equality Directives, with a specific emphasis on combatting antigypsyism. Measures should promote positive narratives of diversity in the workplace, provide anti-bias training, and invest in adapted workplaces. It is important to recognise and foster female talent at any stage of the career and particularly after a career break due to providing care to children or dependant relatives. Therefore, access to training will increase the employability potential of women re-entering the labour market. This is particularly relevant as motherhood or care responsibilities often trigger a career re-orientation allowing to combine work and family life.

- Why do we make these demands?

Indeed, groups in vulnerable situations are on average underrepresented in employment compared to the general population due to the various barriers to employment that they face. For instance, only 50.8% of persons with disabilities are in employment, compared to 74.8% for persons without disabilities; in certain Member States the rate of employment of persons with disabilities is even far lower.<sup>114</sup> In comparison to the general population, a much lower proportion of Roma are in employment.<sup>115</sup> The EU-27 unemployment rate for persons born outside the EU remained 6.3 percentage points higher than the rate for the native-born population in 2019.<sup>116</sup> About 2 in 5 older workers are not in employment, with a very high gender gap of 14 percentage points between women and men aged 55-64. These are just some examples of the inequalities that exist in the access to the labour market and that will most likely have significantly worsened during the COVID-19 pandemic. Therefore, it is more important than ever that they are addressed as a matter of urgency.

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<sup>113</sup> European Union Agency for Fundamental Rights, Second European Union Minorities and Discrimination Survey – Roma. 2017. Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2016-eu-minorities-survey-roma-selected-findings\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf)

<sup>114</sup> European Disability Forum. Employment. Available at: <http://www.edf-feph.org/employment>

<sup>115</sup> Fundamental Rights Agency. Second European Union Minorities and Discrimination Survey. Roma women in nine EU Member States. 2019. Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-eu-minorities-survey-roma-women\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-minorities-survey-roma-women_en.pdf)

<sup>116</sup> Eurostat, Migrant integration statistics – labour market indicators. 2020. Available at:

[https://ec.europa.eu/eurostat/statistics-explained/index.php/Migrant\\_integration\\_statistics\\_%E2%80%93\\_labour\\_market\\_indicators#Employment\\_rates](https://ec.europa.eu/eurostat/statistics-explained/index.php/Migrant_integration_statistics_%E2%80%93_labour_market_indicators#Employment_rates)

- How should these demands be implemented at the EU level?

We call on EU institutions to support the full implementation of the Racial Equality and the Employment Equality Directives. We call for targeted support via EU funds, and appropriate legislative frameworks, and exchange of practices to support the labour market integration of groups in vulnerable situations as part of active labour market policies. We call for a full implementation of the employment pillar of the EU Strategic Framework for Roma, in a way that ensures that people are supported through tailored approaches towards quality and sustainable employment.

## Chapter II: Fair working conditions

### **5. Secure and adaptable employment**



*'Regardless of the type and duration of the employment relationship, workers have the right to fair and equal treatment regarding working conditions, access to social protection and training. The transition towards open-ended forms of employment shall be fostered.'*

*In accordance with legislation and collective agreements, the necessary flexibility for employers to adapt swiftly to changes in the economic context shall be ensured.*

*Innovative forms of work that ensure quality working conditions shall be fostered. Entrepreneurship and self-employment shall be encouraged. Occupational mobility shall be facilitated.*

*Employment relationships that lead to precarious working conditions shall be prevented, including by prohibiting abuse of atypical contracts. Any probation period should be of reasonable duration.'*

#### Improve labour conditions and ensure secure and adaptable employment for non-standard workers

- What are the demands of Social Platform and its members?

The measures foreseen by the European Commission in its political guidelines to improve the labour conditions for platform workers have the potential to help ensure secure and adaptable employment for this group. While action to improve the labour conditions for platform workers is crucial, we advocate for wider-ranging measures with this objective for all non-standard workers to be included in the Social Pillar Action Plan. Indeed, they all need a clearer status, better working conditions, social protection, and access to collective bargaining.<sup>117</sup>

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<sup>117</sup> European Trade Union Confederation (ETUC), ETUC on Commission's Strong Social Europe communication. 2020. Available at: <https://www.etuc.org/en/pressrelease/etuc-commissions-strong-social-europe-communication>

- Why do we make these demands?

Regardless of their employment status, all workers in Europe should benefit from decent work conditions and have access to social protection. However, non-standard workers often do not receive adequate income. They are often insufficiently covered by social security schemes and do not receive other essential benefits. They are thus exposed to higher economic uncertainty and risk of poverty, especially in the long-term. Indeed, many of these workers will not have accrued sufficient pension rights when they will reach retirement age.<sup>118</sup> Therefore, social protection and pension systems must accommodate new forms of employment while ensuring that enough contributions are made to the system to deliver an adequate income in old age.<sup>119</sup> Non-standard workers include workers in temporary employment, part-time and on-call work, temporary agency work and other multi-party employment relationships as well as disguised employment and dependent self-employment.<sup>120</sup>

We have seen an emergence of the platform economy in recent years, which the International Labour Organization (ILO) describes as “one of the most important new transformations in the world of work.”<sup>121</sup> However, according to Eurofound, in 2018, no Member State had clear regulations specifying the employment status of platform workers.<sup>122</sup> In absence of such regulation, this means that in practice, the terms and conditions of the platform determine the employment status, which means in most cases that platform workers are considered to be self-employed.<sup>123</sup> This entails increased job insecurity, as the working relationship with the platform can usually be ended without notice or any form of dismissal protection.<sup>124</sup> In addition, even if the employment relationship is active, there is no guarantee of minimum pay, as this depends on performing an assignment.<sup>125</sup> These workers are at high risk of financial precariousness, not knowing from one day to the next whether they will have work and if yes, how much. This also opens the door to discrimination in the labour market, as there is often no justification given for granting an assignment to one platform worker rather than to another one.

With regards to social protection, insurance systems for self-employed workers tend to be less favourable with regards to coverage of different risks. Moreover, self-employed workers are fully responsible for the contributions, contrary to standard employment contracts where the contributions for social protection of employees are shared with the employer.<sup>126</sup> Some national systems also set a minimum eligibility

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<sup>118</sup> AGE Platform Europe, AGE highlights older persons' concerns on poverty & exclusion to EU Presidency & Commission officials. 2019. Available at: <https://www.age-platform.eu/policy-work/news/age-highlights-older-persons-concerns-poverty-exclusion-eu-presidency-commission>

<sup>119</sup> Idem.

<sup>120</sup> International Labour Organization, Non-standard forms of employment. Available at: <https://www.ilo.org/global/topics/non-standard-employment/lang-en/index.htm>

<sup>121</sup> International Labour Organization, Crowdwork and the gig economy. Available at: <https://www.ilo.org/global/topics/non-standard-employment/crowd-work/lang-en/index.htm>

<sup>122</sup> Eurofound, Platform work: Employment status, employment rights and social protection. Available at: <https://www.eurofound.europa.eu/fr/data/platform-economy/dossiers/employment-status>

<sup>123</sup> Idem.

<sup>124</sup> European Agency for Safety and Health at Work (OSHA), Protecting Workers in the Online Platform Economy: An overview of regulatory and policy developments in the EU. 2017. Available at: <https://osha.europa.eu/el/publications/protecting-workers-online-platform-economy-overview-regulatory-and-policy-developments>

<sup>125</sup> Idem.

<sup>126</sup> Eurofound, Platform work: Employment status, employment rights and social protection. Available at: <https://www.eurofound.europa.eu/fr/data/platform-economy/dossiers/employment-status>

threshold that can be difficult to reach for certain groups of platform workers.<sup>127</sup> Therefore, many platform workers are not covered by unemployment insurance (which is often not accessible to self-employed workers) and other types of social protection.<sup>128</sup> For many platform workers, being self-employed also entails that often various employment and labour protections, such as working time rules, do not apply. This often leads to unpredictable working time schedules, long and unsocial working hours, and/or a lack of breaks.<sup>129</sup>

The precariousness that many platform workers experience has a significant impact on the occupational health and safety of workers, both physical as well as psychosocial.<sup>130</sup> It also runs against the promotion of life-long employability and prolonging careers.

Many of these risks are currently exacerbated by the COVID-19 pandemic. Many platform workers are working during this crisis, for example delivering food or goods to the homes of individuals. Platform workers are more often subject to precarious working conditions, including lack of sick pay. Cases where platform pay workers who could in theory work but self-isolate due to Coronavirus symptoms are rare.<sup>131</sup> As most platform workers do not receive sick pay, many do not have a choice but to continue working, even if they could be infected with SARS-CoV-2.<sup>132</sup> In addition, many are also at increased risk of getting infected by getting in touch with many people during their work. Among those who cannot continue their work throughout lockdown periods, many might not be eligible for unemployment benefits, income support or measures to support traditional self-employed people.

Therefore, significant improvements to the working conditions and social security protections of self-employed workers are crucial, especially in the current context.

- How should these demands be implemented at the EU level?

The scope of upcoming EU action to improve the labour conditions for platform workers should be increased to further improve conditions and access to social protection for all non-standard workers, addressing lacks in the EU Directive on Transparent and Predictable Working Conditions. The situation of non-standard workers also needs to be continuously monitored.

Finally, exchanges of practices involving trade unions and employer's representatives could help with the development of better standards through collective bargaining.

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<sup>127</sup> Idem.

<sup>128</sup> Idem.

<sup>129</sup> Idem.

<sup>130</sup> European Agency for Safety and Health at Work (OSHA), Protecting Workers in the Online Platform Economy: An overview of regulatory and policy developments in the EU. 2017. Available at: <https://osha.europa.eu/el/publications/protecting-workers-online-platform-economy-overview-regulatory-and-policy-developments>

<sup>131</sup> Eurofound, Coronavirus highlights sick pay void for platform workers. 2020. Available at: <https://www.eurofound.europa.eu/publications/article/2020/coronavirus-highlights-sick-pay-void-for-platform-workers>

<sup>132</sup> European Trade Union Confederation, Red card for platform abuses in the Covid-19 crisis. 2020. Available at: <https://www.etuc.org/en/document/red-card-platform-abuses-covid-19-crisis>

## Action to ensure quality employment

- What are the demands of Social Platform and its members?

We see the need to strengthen work on the topic of quality employment in the planned Commission initiatives for 2019-2024 and therefore in the Social Pillar Action Plan.

Indeed, stable and open-ended contracts must remain the primary and preferred form of employment.<sup>133</sup> The Directive on Transparent and Predictable Working Conditions has somewhat improved possibilities in this regard by allowing workers with at least six months' service with the same employer, who have completed their probationary period, to request a form of employment with more predictable and secure working conditions where available and receive a reasoned written reply. However, this does not ensure sufficient transfers of non-standard workers to more secure forms of employment, as the request can simply be rejected. Significantly more action is needed here.

Indeed, while any initiatives to increase the quality of atypical forms of work are welcome, fostering the transition towards open-ended forms of employment must remain the final goal.<sup>134</sup> Employment relationships that lead to precarious working conditions must be prevented, including by prohibiting the abuse of atypical contracts.<sup>135</sup>

We also call for a full implementation of the employment pillar of the EU Strategic Framework for Roma, in a way where discrimination is combatted in both recruitment and the workplace, and diversity and inclusion are promoted.

- Why do we make these demands?

It is crucial to incorporate all these aspects into employment policies to fight in-work poverty and wage disparities, precariousness and underemployment, and to create a healthier and better-skilled workforce, especially in light of the emergence of new forms of work in the digital economy.<sup>136</sup> It is also fundamental to create inclusive labour markets where all people have access to quality employment opportunities, reasonable accommodation and the services conducive to accessing these opportunities.<sup>137</sup> In this regard, it is especially important to create measures that specifically support people experiencing long-term unemployment, people who are part of minority groups underrepresented on the labour market or overrepresented in precarious jobs or who are living in vulnerable situations.

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<sup>133</sup> Social Platform, Response to EU public consultation. Access to social protection for people in non-standard forms of employment and self-employed. 2018. Available at: [https://www.socialplatform.org/wp-content/uploads/2018/01/social\\_platform\\_public\\_consultation\\_response\\_social\\_protection\\_employment\\_january\\_2018.pdf](https://www.socialplatform.org/wp-content/uploads/2018/01/social_platform_public_consultation_response_social_protection_employment_january_2018.pdf)

<sup>134</sup> Idem.

<sup>135</sup> Idem.

<sup>136</sup> Idem.

<sup>137</sup> Idem.



- How should these demands be implemented at the EU level?

The promotion of quality employment encompasses five dimensions:<sup>138</sup>

- i) fair remuneration and adequate minimum wages;
- ii) access to adequate social protection;
- iii) career and employment security, including protection of employment rights, progression in employment and access to training and life-long learning for skills improvement;
- iv) arrangements for balancing professional and private lives, especially supporting employees with children, those with care obligations and those affected by chronic and complex diseases;
- v) health and wellbeing, including adapted employment schemes for people with disabilities and health conditions requiring workplace adaptations.

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<sup>138</sup> Idem.

## 6. Wages



*'Workers have the right to fair wages that provide for a decent standard of living.*

*Adequate minimum wages shall be ensured, in a way that provide for the satisfaction of the needs of the worker and his / her family in the light of national economic and social conditions, whilst safeguarding access to employment and incentives to seek work. In-work poverty shall be prevented.*

*All wages shall be set in a transparent and predictable way according to national practices and respecting the autonomy of the social partners.'*

### EU legal instrument on fair minimum wages

In her political guidelines and as part of the Social Pillar Action Plan, European Commission President Ursula von der Leyen committed to proposing a legal instrument to ensure that every worker in the European Union has a fair minimum wage within the first 100 days of her mandate.<sup>139</sup> According to the guidelines, this minimum wage should allow for a decent living and be set according to national traditions, through collective agreements or legal provisions. The European Commission published its proposal for a directive on adequate minimum wages on 28 October 2020.<sup>140</sup>

- What are the demands of Social Platform and its members?

Social Platform strongly supports the need for a legal framework on setting adequate minimum wages across Member States. Adequate minimum wages are key to enabling a decent standard of living and a life in dignity to workers and employees. Therefore, wage levels should be determined below which no employment relationship

<sup>139</sup> European Commission, A Union that strives for more. 2019. Available at: <https://docs.google.com/document/d/1atAFdTKyuCtqWAR5tluQPO42YLaj5TtE8NfITKT8zC8/edit?ts=5ebba085#>

<sup>140</sup> European Commission, Proposal for a Directive on adequate minimum wages in the European Union. 2020. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0682&from=EN>

can be deemed acceptable. Adequate minimum wages are also essential to protect low-wage workers and to prevent in-work poverty. In order for employment to fulfil its role of helping to protect people from poverty, it needs to fulfil a set of quality criteria. Quality jobs have decent standards on pay and other work-related benefits, fair working conditions, good health and occupational safety protection, and also provide access to lifelong learning and career prospects. It is important to note that many workers in the EU are currently not protected by adequate minimum wages, either because the existing minimum wage floors are inadequate for them to be lifted out of poverty or because there are still major gaps in the coverage of the minimum wage arrangements which are currently in place. Unfair and too low minimum wages also undermine the common EU objective of social and economic upward convergence across and within the Member States.<sup>141</sup> Furthermore, tackling in-work poverty will require increased flexibility when it comes to what kind of social welfare is compatible with paid work. For persons with disabilities, for example, disability “benefits” must be an entitlement to offset the extra cost of living with a disability. Indeed, in only a handful of Member States can persons with disabilities work without losing this welfare entirely, which heightens the risk of poverty while working.<sup>142</sup>

To ensure that such a legal instrument is effective and brings about positive change in people’s lives, we believe the following criteria are crucial:

- The minimum threshold for minimum wages should be at least 60% of the national median wage to enable people a life in dignity and build equal and inclusive societies. The 60% should be seen as a starting point and be backed up by dedicated reference budgets for minimum wages to ensure it actually is a living wage in all Member States.
- The level of the minimum wage should be regularly and automatically indexed and updated based on current costs of living, as well as current costs for accessing social protection, where individuals have to contribute via co-payments (such as in health services, long-term care, child care, personal or occupational pensions, etc.).
- Collective bargaining in Member States must be promoted and strengthened and workers’ rights to organise and bargain should in no case be interfered with. However, especially in Member States without a strong collective bargaining tradition, statutory minimum wages are essential to guarantee a life in dignity to all employees and workers. Collective bargaining agreements are often concluded sector by sector, thereby leaving non-organised sectors uncovered. Statutory minimum wages would ensure that adequate wages apply across all sectors.
- Adequate minimum wages need to be set in a non-discriminatory way and apply to all people and all contract types.
- The national minimum wage levels need to be regularly monitored and the EU should provide recommendations to Member States on raising the minimum wage levels, where needed, in the form of country-specific recommendations in the framework of the European Semester process.

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<sup>141</sup> European Anti-Poverty Network (EAPN), EAPN Position Paper on Adequate Income, 2020. Available at: <https://www.eapn.eu/eapn-position-paper-on-adequate-income/>

<sup>142</sup> European Disability Forum (EDF), Poverty and Social Exclusion of Persons with Disabilities, 2020. Available at: [https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF\\_HR\\_Report\\_final\\_tagged\\_interactive\\_v2\\_accessible.pdf](https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF_HR_Report_final_tagged_interactive_v2_accessible.pdf)

- There needs to be a positive hierarchy between minimum income and minimum wages to preserve people's incentive to work.<sup>143</sup>
  - Legal initiatives on adequate minimum wages should ensure a strong link to legal frameworks tackling the gender pay gap and legally binding pay transparency measures (more under principle 2 on 'Gender Equality') and support the creation of quality jobs by making full use of the job creation potential of social economy enterprises.
  - An increase in adequate minimum wages should moreover go hand in hand with increased funding for social service providers. Failing to provide adequate support to service providers to meet the minimum wage requirements can undermine the quality of services and the availability of staff.
- Why do we make these demands?

The principle of adequate minimum wages has been reaffirmed in numerous guiding documents, amongst others:

- The European Social Charter;
- The 2019 ILO Centenary Declaration for the Future of Work;
- The preamble of the 1919 ILO Constitution;
- ILO Convention No. 131 on fixing minimum wages.

At the moment, the majority of Member States, 21 out of 27, have statutory minimum wages.<sup>144</sup> However, most are so low that they fail to guarantee people a decent standard of living. The share of people in the European Union living at risk of poverty and social exclusion despite being employed continues to increase and has risen from 8.3% in 2010 to 9.5% in 2018.<sup>145</sup> This means that work is increasingly not a viable route out of or a protection against poverty. Moreover, different groups are disproportionately affected by in-work poverty, such as persons with disabilities, young people, women, ethnic minorities, and undocumented migrants only to name a few. One in six workers are low-wage earners and the proportion is rising. Moreover, precarious employment relationships are increasing (e.g. zero-hour contracts, bogus self-employment, forced self-employment). The rise of the gig economy and platform work has exacerbated this development, leaving people vulnerable and on low wages.<sup>146</sup> Such negative trends have a devastating effect on the wage levels in the whole labour market as well as on contributions to the national social protection system.

Adequate wages are a crucial aspect of labour standards below which no employment relationship should be acceptable. Especially in the aftermath of the COVID-19

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<sup>143</sup> A common way of defining an adequate minimum income is by using the national at-risk-of-poverty threshold (AROP), according to which people falling below 60% of the national median income are considered to be at risk of poverty. Only a minimum income that is at least at the level of the national poverty threshold can therefore be considered a good starting point for defining adequacy. See more in Social Platform's position paper on an 'EU Framework Directive on Adequate Minimum Income', 2020. Available at: <https://www.socialplatform.org/wp-content/uploads/2020/09/EUDF-Position-Paper-.pdf>

<sup>144</sup> European Commission, Disparities in minimum wages across the EU, 2020. Available at: <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20200203-2>.

<sup>145</sup> Eurostat, In-work at-risk-of-poverty rate by age and sex -EU-SILC survey, 2020. Available at: <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

<sup>146</sup> European Anti-Poverty Network (EAPN), EAPN Analysis Paper "The Future of Work - Labour market trends and their implications for risks of poverty and social exclusion", 2018. Available at: <https://www.eapn.eu/the-future-of-work-labour-market-trends-and-their-implications-for-risks-of-poverty-and-social-exclusion/>

pandemic, adequate minimum wages will be crucial in the recovery of economies and in building more resilient and fair societies. Setting a minimum level playing field across Member States would:

- reduce in-work poverty and employment precariousness;
- help reduce the gender pay (and pension) gap;
- help reduce the ethnic pay (and pension) gap;
- reduce the wage inequalities across sectors;
- stimulate consumer demand.

- How should these demands be implemented at the EU level?

Social Platform and its members welcome the proposal for a directive on adequate minimum wages and hope that it will contribute to ensuring the adequacy of minimum wages in all Member States. The overarching aim of this instrument should be to contribute to progress towards decent wages and quality jobs for all, resulting in the reduction of in-work poverty. This can best be achieved by defining, monitoring and enforcing a set of common minimum requirements - including on the coverage of the whole workforce by minimum wage arrangements, the adequacy of minimum wages and the mechanisms in place to guide their adjustments - all Member States have to comply with. This would also help addressing increased income inequalities and reversing increasing wage divergences between high and low-level wage earners in many countries. It is important to establish a positive hierarchy between adequate minimum income and a net minimum wage. Furthermore, the European Commission should use the European Semester (including the country-specific recommendations) to examine more systematically the reduction of in-work poverty, with an emphasis on gender and specific groups<sup>147</sup> and undertake action to support the phasing out and eventual removal of subminimum rates (e.g. for long-term unemployed or workers with disabilities) and of lower minimum wage rates for young workers.

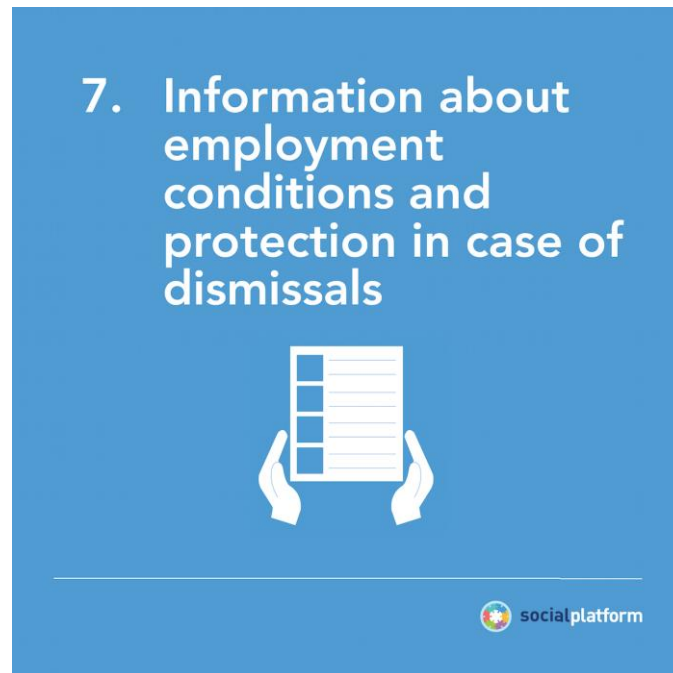
Moreover, Social Platform and its members support an EU directive to address the gender pay gap and binding pay-transparency measures in order to bridge the gaps that enhanced coordination within the European Semester has thus far been unable to address (more under principle 2).

Social Platform regrets that civil society organisations have not been involved in the ongoing consultation process. As organised civil society and recognised partners with the EU institutions, we represent the voices of people traditionally underrepresented in EU decision-making and have needed expertise in the living and working of people conditions on the ground. Indeed, key civil society stakeholders in the community and social economy greatly contribute to making the Social Pillar a reality.

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<sup>147</sup> European Anti-Poverty Network (EAPN), EAPN Assessment of the 2020 Country-specific Recommendations, 2020. Available at: <https://www.eapn.eu/eapn-assessment-of-the-2020-country-specific-recommendations-position-paper/>; European Anti-Poverty Network (EAPN), Putting Social Rights and Poverty Reduction at the heart of EU's COVID-19 Response - EAPN's Assessment of the 2020 Country Reports with proposals for Country-specific Recommendations, 2020. Available at: <https://www.eapn.eu/putting-social-rights-and-poverty-reduction-at-the-heart-of-eus-covid-19-response-eapns-assessment/>

## **7. Information about employment conditions and protection in case of dismissals**



*'Workers have the right to be informed in writing at the start of employment about their rights and obligations resulting from the employment relationship, including on probation period.'*

*'Prior to any dismissal, workers have the right to be informed of the reasons and be granted a reasonable period of notice. They have the right to access to effective and impartial dispute resolution and, in case of unjustified dismissal, a right to redress, including adequate compensation.'*

### Improve information on employment conditions and protections of non-standard workers, including in case of dismissals

- What are the demands of Social Platform and its members?

As highlighted above, there is a need to improve employment conditions and protections of workers, including in case of dismissals, especially for non-standard workers. Measures included by the European Commission in its political guidelines for 2019-2024 to improve the labour conditions for platform workers could contribute to the implementation of this principle. While the EU Directive on Transparent and Predictable Working Conditions, adopted in 2019, has ensured some progress with regards to the implementation of this process, more comprehensive action is needed, especially to protect non-standard workers in case of dismissals.

As an example, often Roma people do not have adequate information about their employment rights and therefore are not able to claim and enforce them. We therefore call for a full implementation of the employment pillar of the EU Strategic Framework for Roma, to ensure this.



- Why do we make these demands?

As highlighted above, non-standard workers are at increased risk of being subject to working conditions that can have negative impacts on their physical and psychosocial health. It is therefore particularly important for this group that information about working conditions is made available and is transparent. In addition, as highlighted above, non-standard workers have less protections in case of dismissals due to insurance systems, especially for self-employed workers, often being less favourable with regards to coverage of different risks.

- How should these demands be implemented at the EU level?

As highlighted above, more comprehensive EU action on improving not only information about, but also rights with regards to employment conditions and protections in case of dismissals, especially for non-standard workers is necessary. Any action undertaken need to look particularly at groups who are especially at risk in this context, such as Roma.

## 8. Social dialogue and involvement of workers



*'The social partners shall be consulted on the design and implementation of economic, employment and social policies according to national practices. They shall be encouraged to negotiate and conclude collective agreements in matters relevant to them, while respecting their autonomy and the right to collective action. Where appropriate, agreements concluded between the social partners shall be implemented at the level of the Union and its Member States.'*

*Workers or their representatives have the right to be informed and consulted in good time on matters relevant to them, in particular on the transfer, restructuring and merger of undertakings and on collective redundancies.*

*Support for increased capacity of social partners to promote social dialogue shall be encouraged.'*

### Strengthening of social dialogue

- What are the demands of Social Platform and its members?

Bipartite and tripartite social dialogue should be strengthened at EU, national and sectoral level to build a fairer and more social Europe for its workers.

We also call for a better recognition of the social economy enterprises as possible alternative forms of businesses that promote the full involvement of workers who actively participate in setting their policies and decision-making within the Social Economy Action Plan.

- Why do we make these demands?

“Well-functioning social dialogue is a key tool in shaping working conditions, involving a variety of actors at various levels. It balances the interests of workers and employers and contributes to both economic competitiveness and social cohesion.”<sup>148</sup> However,

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<sup>148</sup> Eurofound, Social dialogue. 2020. Available at: <https://www.eurofound.europa.eu/topic/social-dialogue>

as Eurofound highlights, in recent years issues related to democracy, the quality of work, social justice, and new models for labour relations have been challenging traditional industrial relations and social dialogue systems.<sup>149</sup>

In addition, the recent COVID-19 pandemic has led to significant challenges for employers and workers. Therefore, social partners at EU, national and sectoral levels must be fully involved in the design, adoption, implementation and monitoring of measures to tackle the impact of the COVID-19 pandemic to ensure that they correspond to the situation their constituencies face. This is especially crucial, as several Member States have in the context of the pandemic declared states of emergency and taken measures in their framework that have violated fundamental labour and social rights of workers in disproportionate ways and have restricted the autonomy of the social partners. As the European Trade Union Confederation (ETUC) highlighted, “this Covid-19 crisis should not be used, even temporarily, to dismantle human rights and social rights, in particular trade union and workers’ rights. On the contrary, the COVID-19 crisis is a brutal reminder of the importance of ensuring lasting progress with respect to social rights enjoyment and it is in these times that workers and citizens throughout Europe need more social rights and support, not less!”<sup>150</sup> Despite their flexibility and viability as economic and social partners, social enterprises have been impacted by the pandemic, unable to stop because of their social mission, yet suffering economic consequences.<sup>151</sup>

- How should these demands be implemented at the EU level?

We support the European Trade Union Confederation (ETUC) in its arguments for enhanced legislation, policies, agreements and funding for capacity-building to reinforce bipartite and tripartite social dialogue at all relevant levels.<sup>152</sup> We equally agree with ETUC’s call for a partnership for collective bargaining that should lead to Council recommendations and possibly a Framework directive to strengthen and build stronger and autonomous national collective bargaining and workers’ and trade union rights in all EU Member States.<sup>153</sup>

In addition, the EU should also encourage the participative principles and practices used by the social economy.

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<sup>149</sup> Idem.

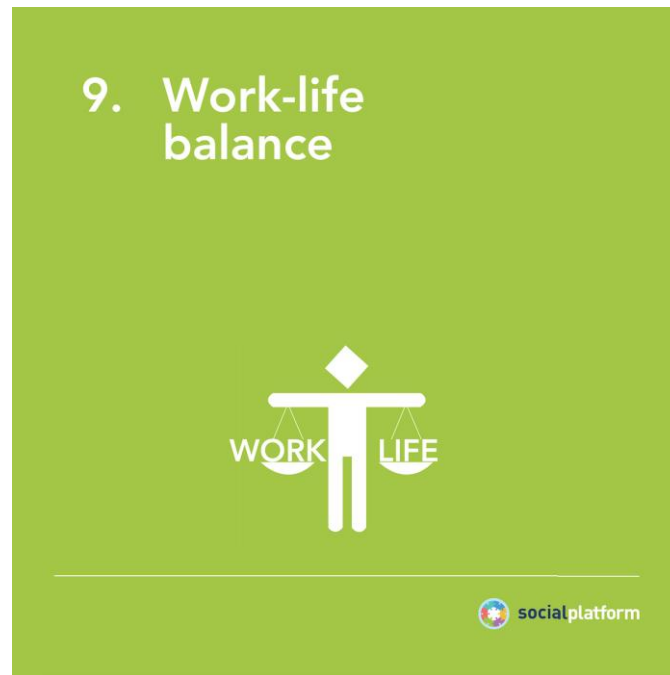
<sup>150</sup> European Trade Union Confederation, Letter to Croatian Government on suspension of labour and social rights. 2020. Available at: <https://www.etuc.org/en/document/letter-croatian-government-suspension-labour-social-rights>

<sup>151</sup> RREUSE urges immediate Government support for Social Enterprises: Breaking point for the Environment and Local Jobs. 2020. Available at: <https://www.rreuse.org/government-support-urgently-needed-for-social-enterprises-breaking-point-for-the-environment-and-local-jobs/>

<sup>152</sup> European Trade Union Confederation (ETUC), ETUC Manifesto 2019-2023. 2019. Available at: <https://www.etuc.org/sites/default/files/publication/file/2019-06/CES-14e%20Congre%E2%95%A0%C3%87s-Manifesto%20EN.pdf>

<sup>153</sup> Idem.

## 9. Work-life balance



*'Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services. Women and men shall have equal access to special leaves of absence in order to fulfil their caring responsibilities and be encouraged to use them in a balanced way.'*

### Work-Life Balance Directive

In her political guidelines, European Commission president Ursula von der Leyen committed to the full implementation of the Work-Life-Balance Directive, which entered into force on 1st of August 2019.

- What are the demands of Social Platform and its members?

As one of the first legally binding deliverables under the Social Pillar, the Work-Life-Balance Directive<sup>154</sup> sets minimum standards for Member States regarding paternity leave, parental leave, carers leave, and the right to request flexible work arrangements in order to encourage men and women to take an equal share in family-related responsibilities.

Social Platform supports the European Commission's quest for the full implementation of the Directive and encourages Member States to go beyond the minimum requirements established in the directive when transposing it into national law. Social Platform furthermore calls for following up on the Commission communication accompanying the proposal for the Work-Life Balance Directive<sup>155</sup> about the upscaling

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<sup>154</sup> Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019L1158>

<sup>155</sup> European Commission, Communication COM(2017)252 final, 'An initiative to support work-life balance for working parents and carers. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1494930128433&uri=CELEX:52017DC0252>

of early childcare and education as well as long-term care with the help of EU funds and action.

- Why do we make these demands?

Women continue to face a disproportionate burden when it comes to family and care-related responsibilities in the EU. 9 out of 10 mothers provided care for their children in 2016, compared to 6 out of 10 fathers.<sup>156</sup> Furthermore, while fathers spend an average of about 20 hours a week on caregiving, the number is twice as high for mothers.<sup>157</sup> Moreover, women of working age are 18% less likely to have a full time job compared to men – this is an inequality that does not only hinder women’s career progression, but also costs the EU 370 billion each year.<sup>158</sup> Work-life balance has continued to decrease in the past half-decade for workers of all ages: about one in five report difficulties balancing their employment with family responsibilities.<sup>159</sup> Conflicts in balancing work and life have been associated with higher levels of absenteeism and burnout, which have a significant weight on the costs of mental ill-health.<sup>160</sup>

With an ambitious implementation, the Work-Life Balance Directive has the potential to help families in better balancing family and care responsibilities with work and to contribute to achieving gender equality (see also principle 2). The COVID-19 pandemic has only increased the already existing burden of care responsibilities of women and amplified existing inequalities.

- How should these demands be implemented at the EU level?

The country-specific situation of Member States should be monitored in the Social Scoreboard and within the European Semester progress, including through strong country-specific recommendations and concrete EU-wide targets and benchmarks. This must also include disaggregated data to take into account the needs of specific and vulnerable groups.

Moreover, the European Commission should:

- provide overall guidance on adequate pay levels for the different types of leave contained in the Directive as well as the space for the sharing of good practices and peer learning amongst Member States;
- contribute to increasing people’s awareness of the new rights contained in the Directive to encourage better take-up;
- make full use of its competence to launch infringement procedures against Member States who do not correctly or fully transpose and implement the Directive.

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<sup>156</sup> Eurofound, Progress in paternity and parental leave for fathers – Are baby steps enough?, 2018. Available at: <https://www.eurofound.europa.eu/publications/blog/progress-in-paternity-and-parental-leave-for-fathers-are-baby-steps-enough>

<sup>157</sup> European Commission, Work-Life Balance for all: what are the benefits?, 2018. Available at: <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8172&furtherPubs=yes>

<sup>158</sup> Idem.

<sup>159</sup> Eurofound, European Quality of Life Survey 2016. Available at: <https://www.eurofound.europa.eu/surveys/european-quality-of-life-surveys/european-quality-of-life-survey-2016>

<sup>160</sup> European Commission and Organisation for Economic Co-operation and Development (OECD), Health at Glance: Europe. 2018. Available at: <https://www.oecd.org/health/health-at-a-glance-europe-23056088.htm>.

Despite welcoming the Directive overall, it falls short of expectations in certain aspects. Indeed, it fails to set adequate minimum levels of pay for all the different types of leave and is additionally rather limiting in defining who qualifies for the different leave types.

Minimum implementation of the Work-Life Balance Directive provides for:

- 10 days of paternity leave;
- 4 months of parental leave, of which 2 months are non-transferable between parents;
- 5 days of carers leave each year;
- The right to request flexible working arrangements for working parents and working carers;
- Recognition that families can take different forms with reference to 'equivalent second parent'.

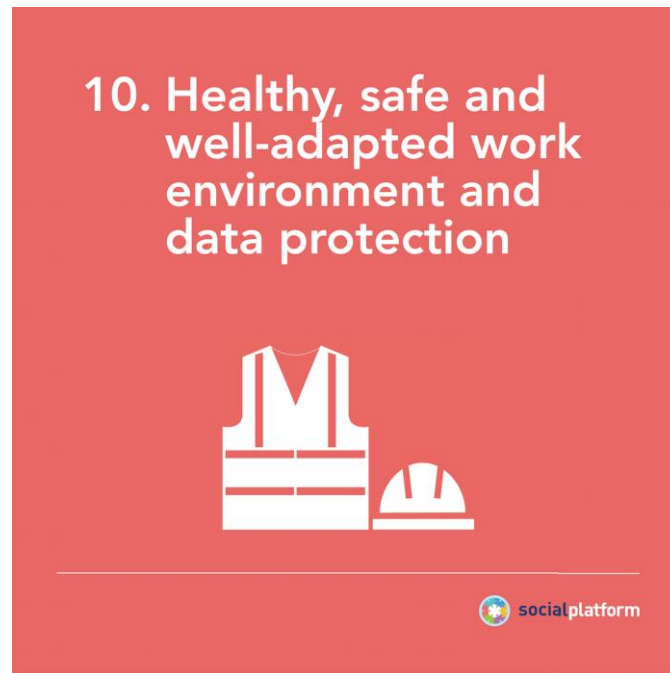
Social Platform therefore encourages Member States to be ambitious when it comes to national implementation and to go beyond the minimum standards set in the Directive by ensuring the following aspects:

- Encouraging going beyond the minimum standards for the length of leaves set in the Directive, especially in the field of paternity leave and carers' leave;
- Providing for adequate remuneration levels for all types of leave to avoid a non-take-up. Men will only take up more care responsibilities if the financial burden is not too high on the family. Social Platform fully supports the European Parliament's proposal for a 78% threshold for the income replacement rate;
- Widening the definition of a relative to other categories such as grandparents and siblings. Keeping the definition narrow increases the risk of informal and unpaid care work;
- Providing accessible and affordable services in relation to childcare and services for older persons, especially in rural areas and for marginalised communities, such as Roma, and persons with disabilities;
- Fully acknowledging the diversity of families and ensuring non-discriminatory access to the different types of leave;
- Ensuring that the types of leaves are made available to all types of workers, independent of employment status or type of employment;
- Ensuring that the right to flexible working arrangements is made accessible to all people with caring responsibilities and that the duration of flexible working arrangements corresponds to the needs of the carer and not the needs of the employer;
- Promoting the use of EU funding programmes to support innovation and upward reforms;
- Ensuring persisting gender stereotypes are dismantled to ensure that more men pick up their fair share of unpaid work at home;
- Ensuring that the gender perspective is fully integrated in COVID-19 pandemic recovery measures;
- Providing fiscal incentives for companies that provide easier access to childcare services for their employees;
- Providing Member States with the space for the exchange of good practices and peer learning;
- Undertaking research to better understand the impact of the minimum standards in the Directive, as well as going beyond, including its links to poverty and social exclusion, employment, child development, gender equality, etc.;



- Using EU funds for the development of quality early childhood education and care and long-term care, as well as for services supporting informal carers (day care and respite care, peer counselling, training, etc.);
- Making use of infringement procedures if the provisions in the Directive are not complied with.

## **10. Healthy, safe and well-adapted work environment and data protection**



*'Workers have the right to a high level of protection of their health and safety at work.'*

*Workers have the right to a working environment adapted to their professional needs and which enables them to prolong their participation in the labour market.'*

*Workers have the right to have their personal data protected in the employment context.'*

### Ensure occupational health and safety of all workers

- What are the demands of Social Platform and its members?

Due to the ongoing COVID-19 pandemic, the EU should undertake tailored action to support Member States and employers, including through its various funding schemes, in ensuring the occupational safety and health of all workers.

Due to ageing in the labour market and the corresponding needs for increased employability, the occupational health and safety framework should be reviewed to strengthen the aspects of health prevention and promotion, and fight against existing psycho-social risks as well as new emerging risks. Staff who may identify as vulnerable or with a temporary or long-term health condition must be fully protected in all aspects of their work environment, and be given greater flexibility and support to ensure the workplace is fully accessible (including remote arrangements, where appropriate).

- Why do we make these demands?

As the European Agency for Health and Safety at Work (OSHA) highlights, it is crucial to provide a safe and healthy working environment for all workers: those remaining in

or returning to their usual workplaces as well as those continuing to telework,<sup>161</sup> both with regards to workers' physical as well as mental health. In the context of the COVID-19 pandemic, there is a strong risk of people being exposed to SARS-CoV-2 when going to their usual workplace, especially if necessary measures are not or not properly put in place. Therefore, it is crucial to provide employers with all the necessary support, including financial support, to carry out risk assessments and set appropriate measures that implement existing guidance for the workplace created by OSHA.<sup>162</sup>

At the same time, workers, and especially parents or informal carers, teleworking over an extended period of time while having to ensure childcare or informal care of a relative experience increased stress and poor mental health due to the difficulty of balancing work and family life.

- How should these demands be implemented at the EU level?

While it is the Member States who are primarily responsible for the health of their residents, the EU has the capacity to support Member States and employers in implementing existing guidance and creating the necessary measures to protect workers' physical and mental health. The EU has a strong role in setting minimum standards for occupational health and safety since the adoption of Directive 89/391.

Next to the work the EU is already undertaking to coordinate with Member States in the area of health<sup>163</sup> and employment,<sup>164</sup> it should ensure that Member States can use appropriate EU funds to support employers in this undertaking.

#### Stronger inclusion of psycho-social and new and emerging risks in the next Strategic Framework on Health and Safety at Work

- What are the demands of Social Platform and its members?

We call for stronger inclusion of psychosocial as well as new emerging risks in the next Strategic Framework on Health and Safety at Work following the current framework that is expiring in 2020. This must include specific guidance on COVID-19-related occupational risks and ways for employers to manage these risks.

- Why do we make these demands?

As highlighted above, the COVID-19 pandemic has had a significant impact on people's psychosocial and mental health as well as physical health risks, including in relation to work. Therefore, guidance needs to be continuously updated accordingly to support employers in managing these risks and protecting their staff's health.

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<sup>161</sup> European Agency for Health and Safety at Work (OSHA), Healthy workplaces stop the pandemic. Available at: <https://osha.europa.eu/en/themes/covid-19-resources-workplace>

<sup>162</sup> See here: [https://oshwiki.eu/wiki/COVID-19:\\_Back\\_to\\_the\\_workplace\\_-\\_Adapting\\_workplaces\\_and\\_protecting\\_workers](https://oshwiki.eu/wiki/COVID-19:_Back_to_the_workplace_-_Adapting_workplaces_and_protecting_workers) and here: [https://oshwiki.eu/wiki/COVID-19:\\_guidance\\_for\\_the\\_workplace](https://oshwiki.eu/wiki/COVID-19:_guidance_for_the_workplace)

<sup>163</sup> For more information of the EU's actions in the area of health related the COVID-19 pandemic, see: [https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/public-health\\_en](https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/public-health_en)

<sup>164</sup> For more information on the EU's actions in the area of jobs and the economy related to the COVID-19 pandemic, see: [https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/jobs-and-economy-during-coronavirus-pandemic\\_en#coronavirusresponseinvestmentinitiative](https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/jobs-and-economy-during-coronavirus-pandemic_en#coronavirusresponseinvestmentinitiative)

- How should these demands be implemented at the EU level?

Reflection on binding commitments regarding psychosocial risks at work is necessary for those Member States that have not developed such commitments yet, using the experience of Member States that already have. Furthermore, research and campaigns on the impact of the COVID-19 pandemic and its mitigation measures on health and safety at work are important.

## **Chapter III: Social protection and inclusion**

### **11. Childcare and support to children**



*'Children have the right to affordable early childhood education and care of good quality.'*

*'Children have the right to protection from poverty. Children from disadvantaged backgrounds have the right to specific measures to enhance equal opportunities.'*

#### **European Child Guarantee**

- What are the demands of Social Platform and its members?

In its political guidelines for 2019-2024, the European Commission foresees the adoption of the European Child Guarantee. The stakeholder consultation on the Roadmap for a new initiative on ensuring basic services for all children in need in Europe ran until beginning of October 2020. The European Child Guarantee is expected to support Member States in strengthening social services that will support those children in most vulnerable situations.

The EU Alliance for Investing in Children has been calling for a European Child Guarantee that will combine both financial resources and a policy framework in the form of Council Recommendation.<sup>165</sup> In its Roadmap description for the upcoming Child Guarantee,<sup>166</sup> the European Commission states that the Child Guarantee will be launched in the shape of a Council Recommendation with an implementation framework. Member States will be required to develop Multiannual National Strategies

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<sup>165</sup> Alliance 4 Investing in Children. Proposal for a Council Recommendation on the Child Guarantee for the wellbeing of all children across the EU. 2020. Available at: <http://www.alliance4investinginchildren.eu/proposal-for-a-council-recommendation-on-the-child-guarantee-for-the-wellbeing-of-all-children-across-the-eu/>

<sup>166</sup> European Commission. Basic services for children in need - European Child Guarantee. Available at: <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12565-European-Child-Guarantee>

and Child Guarantee Action Plans. Although these are important elements for the successful implementation of the Child Guarantee, the European Commission should also establish a monitoring and reporting framework that will feed into the Social Pillar Action Plan and the European Semester. A European target for child poverty reduction aligned with the targets of SDG1 to alleviate extreme poverty and to half child poverty by 2030 should be also set and introduced as part of Principle 11 of the Social Pillar. The Child Guarantee national strategies and action plans should be monitored against this target.

- Why do we make these demands?

Children are at higher risk of poverty and social exclusion than the general population (24.3% versus 21.9%).<sup>167</sup> In 2018, 110 million people across Europe were at risk of poverty, of whom 23 million were children.<sup>168</sup> This was well before the COVID-19 pandemic. The pandemic has contributed and will continue contributing to growing socio-economic inequalities across the EU, exacerbating already existing inequalities. Indeed, children from disadvantaged backgrounds or in vulnerable situations, such as Roma children, children in migration, children with disabilities, children living in institutional care, and children of single-parent or large families are especially at risk,<sup>169</sup> which the crisis is bound to exacerbate. For instance, children with disabilities have an increased likelihood of living in poor households, as do children living in households with persons with disabilities.<sup>170</sup> Every third Roma child (30%) lives in households where someone went to bed hungry, and only about half (53%) of young Roma children are enrolled in early childhood education and care programmes.<sup>171</sup> Children of single-parent families (in its majority mothers), are among the most vulnerable social groups in society. Research moreover shows that single motherhood is related with poor health, stress, joblessness, problems in coping with the work-life balance, poverty, homelessness, social exclusion, e.g., therefore directing impacting the whole family and the society as “women tend to be mainly responsible for the purchase of basic goods and are key for the sustenance of the household”.<sup>172</sup>

Based on EQLS 2016, 77% people are caring for and/or educating their children (under 18) every day. Affordable and good-quality childcare services are an important precondition for improving the balancing of professional, family and personal life,

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<sup>167</sup> Eurochild, A strong social Europe must target child poverty. 2020. Available at: [https://www.eurochild.org/news/news-details/article/a-strong-social-europe-must-target-child-poverty/?no\\_cache=1](https://www.eurochild.org/news/news-details/article/a-strong-social-europe-must-target-child-poverty/?no_cache=1)

<sup>168</sup> EU Alliance for investing in children, Call for Action for a comprehensive, sustainable Europe 2030 strategy with a strong social dimension. 2020. Available at: <http://www.alliance4investinginchildren.eu/call-for-action-for-a-comprehensive-sustainable-europe-2030-strategy-with-a-strong-social-dimension/>

<sup>169</sup> Idem.

<sup>170</sup> European Disability Forum. A strong social Europe for just transitions. Implementing the EU Pillar of Social Rights. 2020. Available at: <http://www.edf-feph.org/social-pillar>

<sup>171</sup> European Union Agency for Fundamental Rights, Second European Union Minorities and Discrimination Survey Roma. 2017. Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2016-eu-minorities-survey-roma-selected-findings\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf)

<sup>172</sup> European Parliament Opinion of the of the Committee on Women's Rights and Gender Equality on reducing inequalities with a special focus on in-work poverty. 2019. Available at: [https://www.europarl.europa.eu/doceo/document/FEMM-AD-650376\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/FEMM-AD-650376_EN.pdf)



encouraging women's participation in the labour market and promoting gender equality.<sup>173</sup>

Services for children often face staffing limitations, with a lack of sufficiently trained professionals that can support children with specific needs, as well as a low retention and recruitment rate. Childcare, in particular for children with disabilities, is in many countries divided between the Health, Education, and Social Inclusion Ministries, leading to a lack of ownership and leadership in developing a comprehensive legal and financial framework. During the COVID-19 pandemic, most countries in Europe did not provide a specific framework on how services for children with disabilities should operate, leaving the services often with lower funding and the children without the support needed.

Moreover, the closure of thousands of social services across Europe due to implemented social distancing measures during the COVID-19 pandemic significantly impacted the living conditions of millions of children, their caregivers and families.<sup>174</sup> Especially now, greater social investment in areas such as inclusive services, including healthcare, early childhood development and education are crucial.<sup>175</sup>

- How should these demands be implemented at the EU level?

The Child Guarantee must be sufficiently resourced to ensure that children in vulnerable situations have access to key social rights. This includes adequate resources for childcare and early intervention services, going beyond the discussion on minimum income. To enable this, it must encompass not only financial resources but also a policy framework that will guide EU and national investments and development of related policies.<sup>176</sup> Child poverty is a multidimensional phenomenon which needs an integrated approach. Hence, the EU Alliance for investing in Children has been calling for the European Child Guarantee to build on the 2013 Recommendation on Investing in Children<sup>177</sup>, which is based on three pillars:

1. Access to adequate resources;
2. Access to affordable quality services;
3. Children's right to participate.

By following this approach, Member States would look at child poverty reduction in a holistic way, supporting both parents in their caregiving role and children in accessing services important for their wellbeing. Generally, the participation of children from vulnerable groups in society deserves more public attention. Children facing deep poverty and/or social exclusion do not enjoy their right to participate in society because they have lower opportunities to do so. They need to be empowered and should be

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<sup>173</sup> Social Services Europe. Improving work-life balance through enabling social services: From service provision to decent policies. 2018. Available at: [https://www.easped.eu/sites/default/files/sites/default/files/Publications2018/5.5.3\\_sse\\_study\\_worklife\\_balance\\_-\\_report.pdf](https://www.easped.eu/sites/default/files/sites/default/files/Publications2018/5.5.3_sse_study_worklife_balance_-_report.pdf)

<sup>174</sup> Idem.

<sup>175</sup> Eurochild, A strong social Europe must target child poverty. 2020. Available at: [https://www.eurochild.org/news/news-details/article/a-strong-social-europe-must-target-child-poverty/?no\\_cache=1](https://www.eurochild.org/news/news-details/article/a-strong-social-europe-must-target-child-poverty/?no_cache=1)

<sup>176</sup> EU Alliance for investing in children, Call for Action for a comprehensive, sustainable Europe 2030 strategy with a strong social dimension. 2020. Available at: <http://www.alliance4investinginchildren.eu/call-for-action-for-a-comprehensive-sustainable-europe-2030-strategy-with-a-strong-social-dimension/>

<sup>177</sup> See: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32013H0112>

provided with equal opportunities to ensure their participation. Finally, Member States should also ensure that children participate in decision-making processes, such as the development of Child Guarantee strategies and action plans.

To ensure investment from the European Social Fund+ and other EU funds to tackle child poverty, the European Commission proposed in its updated ESF+ proposal that Member States spend 5% of their ESF+ resources towards this objective. In addition, in its Roadmap description for the Child Guarantee, the European Commission foresees that the Child Guarantee will be also supported by other EU funds, such as the European Regional Development Fund, the Asylum Migration Fund, the Erasmus Plus and more.

It is crucial that the European Child Guarantee is adopted at the beginning of 2021 to ensure that actions are in line with the next Multiannual Financial Framework (MFF) and the national funding programmes for the concerned EU funds. Other relevant EU funds and national resources should be also used strategically and in line with the Child Guarantee Action Plans.

#### Investment from the European Social Fund+ to improve the quality and accessibility of early childhood education and care systems

- What are the demands of Social Platform and its members?

We welcome the European Commission's intention to ensure sufficient investment from the European Social Fund+ to improve the quality and accessibility of early childhood education and care systems. Significant investment is needed to ensure quality early childhood education and care for all children.

- Why do we make these demands?

While in the EU-28 in 2017, 95.4% of children aged between four and the compulsory starting age for primary education were in early childhood education,<sup>178</sup> 65.7% of children under the age of 3 were not in any formal childcare in the same year.<sup>179</sup> High quality early childhood education and care can lay the foundations for later success in life in terms of education, well-being, employability, and social integration.<sup>180</sup> This is especially valid for children in vulnerable situations.<sup>181</sup> However, it is especially these children who are disproportionately likely to miss out on formal early childhood education and care.<sup>182</sup>

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<sup>178</sup> Eurostat. Early childhood and primary education statistics. 2019. Available at:

[https://ec.europa.eu/eurostat/statistics-explained/index.php/Early\\_childhood\\_and\\_primary\\_education\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php/Early_childhood_and_primary_education_statistics)

<sup>179</sup> Eurostat. Formal childcare by duration and age group. Children cared for as a percentage of all children in the same age group. 2019. Available at:

<https://ec.europa.eu/eurostat/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=tps00185&language=en>

<sup>180</sup> European Commission Staff Working document accompanying the document Proposal for a Council recommendation on High Quality Early Childhood Education and Care Systems. 2018. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018SC0173&from=EN>

<sup>181</sup> Idem.

<sup>182</sup> OECD Policy Brief. Who uses childcare? Inequalities in the use of formal early childhood education and care among very young children. 2016. Available at: [http://www.oecd.org/els/family/Who\\_uses\\_childcare-Backgrounder\\_inequalities\\_formal\\_ECEC.pdf](http://www.oecd.org/els/family/Who_uses_childcare-Backgrounder_inequalities_formal_ECEC.pdf)

- How should these demands be implemented at the EU level?

Accessibility, availability, and affordability of quality early childhood development care should be improved, including by setting up binding indicators and measurable targets for guaranteeing equal access to such services for children in vulnerable situations.

### EU strategy for a more effective fight against child sexual abuse

- What are the demands of Social Platform and its members?

In its political guidelines for 2019-2024, the European Commission foresees an EU strategy for a more effective fight against child sexual abuse. We feel that the most effective strategies to ensure that children are protected from sexual abuse will understand it in a holistic way that also seeks to protect children from other often comorbid types of abuse as well, including neglect, verbal and physical abuse, abuse involving social exclusion, discrimination, ethnic segregation, and racially motivated abuse. These and other aspects of child abuse aspects should be contained in a larger strategy that aims at fighting all types of abuse that children are experiencing.

- Why do we make these demands?

Violence against children in the EU remains high<sup>183</sup> and types of violence are diverse. Certain groups of children are more at risk, including neglected children or children without appropriate care, children living in extreme material deprivation, children suffering from discrimination including Roma children, children with disabilities, children of parents in prison or in residential care, children who go missing or who are abducted by a parent, child victims of trafficking, etc.<sup>184</sup>

More specifically with regards to child sexual abuse, studies suggest that between 10 and 20% of children in Europe are sexually assaulted during their childhood and these numbers are not decreasing.<sup>185</sup> An interplay of various family-related, socioeconomic and structural factors can make children more vulnerable or resilient to trafficking and child sexual abuse.<sup>186</sup>

Family-related factors are the key group of both risk and resilience factors related to the trafficking of children: for instance, a stable structure of the family unit paired with a good, trust-based relationship between a parent and a child is the most powerful resilience factor, while a situation of family breakdown or dysfunctional families can constitute a risk factor.<sup>187</sup> With regards to socioeconomic factors, social exclusion and marginalisation, especially when paired with lack of employment opportunities and material deprivation is a key risk factor.<sup>188</sup> A key structural factor is a general culture

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<sup>183</sup> European Commission, Violence against children. Available at: [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/violence-against-children\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/rights-child/violence-against-children_en)

<sup>184</sup> Idem.

<sup>185</sup> European Commission, Child sexual abuse. Available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/child-sexual-abuse\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/child-sexual-abuse_en)

<sup>186</sup> European Commission, Study on high-risk groups for trafficking in human beings. Final Report. 2015.

Available at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/study\\_on\\_children\\_as\\_high\\_risk\\_groups\\_of\\_trafficking\\_in\\_human\\_beings\\_0.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/study_on_children_as_high_risk_groups_of_trafficking_in_human_beings_0.pdf)

<sup>187</sup> Idem.

<sup>188</sup> Idem.

and tendency in society to discriminate against women and children, and to tolerate violence and exploitation.<sup>189</sup>

Efforts to contain the COVID-19 pandemic through lockdowns and social distancing measures are exposing children to increased risk of violence, including verbal and physical domestic abuse, maltreatment, gender-based violence and sexual abuse.<sup>190</sup> Indeed, lockdowns, restrictions of movement, loss of income, overcrowding, isolation and increased levels of stress increase the risk of children experiencing and observing abuse at home, especially if they already live in dysfunctional or violent family situations.<sup>191</sup> At the same time, both adults and children spend more time online. Indeed, adults who are teleworking might be less able to spend time with their children and allow greater unsupervised internet access, which increases their risk of exposure to cyberbullying and sexual exploitation.<sup>192</sup> At the same time, the European Union Agency for Law Enforcement Cooperation detected increased online activity by people seeking child sexual abuse material since the beginning of the pandemic.<sup>193</sup>

- How should these demands be implemented at the EU level?

In 2014, UNICEF published a report entitled “Ending Violence Against Children: Six Strategies for Action provides evidence of effective programmes to address violence against children drawn from UNICEF’s decades of experience and informed by key partners.”<sup>194</sup> As the title highlights, the report contains six strategies<sup>195</sup> that should inform the upcoming EU strategy whose scope should be extended to look at all types of child abuse:

1. Supporting parents, caregivers and families;
2. Helping children and adolescents manage risks and challenges;
3. Changing attitudes and social norms that encourage violence and discrimination;
4. Promoting and providing support services for children;
5. Implementing laws and policies that protect children;
6. Carrying out data collection and research.

Moreover, at an EU level, it could be useful for the European Union Agency for Law Enforcement Cooperation to engage in exchanges of good practices between law enforcement agencies with regards to tackling violence against children in general.

With regards to child sexual abuse, the European Commission study on high-risk

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<sup>189</sup> Idem.

<sup>190</sup> UN special representative of the Secretary-General on violence against children, Violence against children: A hidden crisis of the COVID-19 pandemic. Available at: <https://violenceagainstchildren.un.org/news/violence-against-children-hidden-crisis-covid-19-pandemic>

<sup>191</sup> Idem.

<sup>192</sup> Idem.

<sup>193</sup> Council of Europe, Webinar: Online child sexual exploitation and abuse in times of the COVID-19 pandemic. 2020. Available at: <https://www.coe.int/en/web/children/-/online-child-sexual-exploitation-and-abuse-in-times-of-the-covid-19-pandemic>

<sup>194</sup> UNICEF, Ending Violence Against Children: Six Strategies for Action provides evidence of effective programmes to address violence against children drawn from UNICEF’s decades of experience, and informed by key partners. 2014. Available at:

[https://www.unicef.org/publications/files/Ending\\_Violence\\_Against\\_Children\\_Six\\_strategies\\_for\\_action\\_EN\\_9\\_Oct\\_2014.pdf](https://www.unicef.org/publications/files/Ending_Violence_Against_Children_Six_strategies_for_action_EN_9_Oct_2014.pdf)

<sup>195</sup> Idem.

groups for trafficking in human beings<sup>196</sup> makes the following recommendations:

- Related to structural and institutional factors
  - Information, sensitization and training for police officers, judicial authorities and other relevant stakeholders;
  - Reinforce interinstitutional cooperation and networks;
  - Provide appropriate reception and care for trafficked children;
  - Promote a culture of change in societal attitudes towards violence, exploitation and discrimination towards children and women and address demand that fosters exploitation.
- Related to family factors
  - Support vulnerable families;
  - Ensure the timely removal of children from highly dysfunctional families only when deemed in the best interests of the child;
- Related to socioeconomic factors
  - Provide support to marginalized communities;
  - Zero tolerance on violence against women and children.

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<sup>196</sup> European Commission, Study on high-risk groups for trafficking in human beings. Final Report. 2015. Available at: [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/study\\_on\\_children\\_as\\_high\\_risk\\_groups\\_of\\_trafficking\\_in\\_human\\_beings\\_0.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/study_on_children_as_high_risk_groups_of_trafficking_in_human_beings_0.pdf)

## 12. Social protection



*‘Regardless of the type and duration of their employment relationship, workers, and, under comparable conditions, the self-employed, have the right to adequate social protection.’*

In its political guidelines, the European Commission foresees several initiatives and objectives that have the potential to contribute to increasing social protection, such as its proposed Directive on Adequate Minimum Wages (see above). The Council Recommendation on Access to Social Protection, while an important step, remains a non-binding measure.

In addition, several objectives listed in the political guidelines remain quite abstract, such as the objective to do more to fight poverty. While the Child Guarantee and the Youth Guarantee could contribute to this, the European Commission does not foresee comprehensive action on reducing poverty and ensuring social protection for all. Therefore, the Social Pillar Action Plan should be more ambitious with regards to its objectives in these fields.

### Improved social protection

- What are the demands of Social Platform and its members?

We call for a EU rights-based anti-poverty strategy that is based on the integrated active inclusion approach<sup>197</sup> (combining the right to quality employment, services and social protection) to support people to access training, quality jobs and ensure their participation and access to minimum income.<sup>198</sup> The EU should furthermore adopt an ambitious poverty-reduction target for all Member States in line with the Sustainable

<sup>197</sup> European Anti-Poverty Network (EAPN), EAPN Position Paper “Inclusive Labour Markets – Building pathway approaches to quality employment”. 2017. Available at: <https://www.eapn.eu/inclusive-labour-markets-quality-employment-eapn-position-paper/>

<sup>198</sup> European Anti-Poverty Network (EAPN), Political declaration 2019. Available at: <https://www.eapn.eu/wp-content/uploads/2019/09/EAPN-EAPN-Political-Declaration-2019-3846.pdf>



Development Goals (50% reduction) and commit to ending extreme poverty (including homelessness) by 2030.<sup>199</sup> Part of this strategy should be the EU Framework Directive on Universal and Non-discriminatory Access to Adequate Social Protection for all Types of Work that Social Platform and its members have been calling for.<sup>200</sup>

In the meantime, the Council Recommendation on Access to Social Protection must be ambitiously implemented, ensuring the extension of mandatory and effective coverage and the adequacy of benefits for all workers, regardless of employment status and type of employment relationship. Social protection benefits should also “always prevent those covered by social protection from falling into poverty”, as stipulated in its article 11. This means that social protection benefits should be poverty-proof. Where and if this is not the case - as for example entitlements were only built up on the basis of part-time work throughout the whole or a large part of the working career or due to employment/self-employment with very low pay/income for many years - the minimum income benefit in all Member States should achieve a level above the “poverty threshold” (EU-level AROP indicator).<sup>201</sup> This should be monitored on a regular basis through the European Semester process to ensure coherence with macroeconomic reform recommendations and support for financing of social protection that ensures its adequacy.<sup>202</sup>

- Why do we make these demands?

Social protection improves the well-being of individuals, families, communities and societies by ensuring better distribution of and access to goods and resources and by playing an important role in protecting people from various risks (such as poverty and social exclusion, precariousness, unemployment, disability, etc.).<sup>203</sup> It also provides supported pathways into employment and inclusive labour markets, as part of an active inclusion approach putting in place individualised and rights-based support. It is an inherent part of the European social model. The Treaty on the Functioning of the European Union also includes a guarantee of ensuring adequate social protection of the Union when defining and implementing policies (Article 9).<sup>204</sup> The Treaty on the European Union includes the objective of reaching a ‘high level of protection’ (Article 3).

However, in the last decades, we have seen increasing levels of inequalities and concentration of wealth, opportunities and influence across Europe. These developments accelerated due to the 2008 financial crisis and austerity measures

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<sup>199</sup> Idem. The general EU-level poverty-reduction objective should be combined with an additional target to eradicate extreme poverty, again in line with SDG 1. Robust indicators need to be developed for this area, too, including a concrete measurement of homelessness, covering the widest measure of homelessness covered by the ETHOS framework (see FEANTSA, [www.feantsa.org](http://www.feantsa.org)).

<sup>200</sup> Social Platform, Response to EU public consultation. Access to social protection for people in non-standard forms of employment and self-employed. 2018. Available at: [https://www.socialplatform.org/wp-content/uploads/2018/01/social\\_platform\\_public\\_consultation\\_response\\_social\\_protection\\_employment\\_january\\_2018.pdf](https://www.socialplatform.org/wp-content/uploads/2018/01/social_platform_public_consultation_response_social_protection_employment_january_2018.pdf)

<sup>201</sup> European Anti-Poverty Network (EAPN). EAPN input to EC consultation for an action plan to implement the EPSR. 2020. Available at: <https://www.eapn.eu/wp-content/uploads/2020/06/EAPN-EAPN-Proposals-on-Action-Plan-to-implement-the-EPSR-4514.pdf>

<sup>202</sup> Idem.

<sup>203</sup> European Commission, Social Protection. Available at: <https://ec.europa.eu/social/main.jsp?langId=en&catId=1063>

<sup>204</sup> „In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health.”

adopted in its wake.<sup>205</sup> The EU is far from reaching its poverty reduction objective that aimed at lifting at least 20 million people out of the risk of poverty or social exclusion by 2020 compared to the year 2008. While some progress had been made at EU level in recent years with the adoption of the Council recommendation on Access to Social Protection, this remains widely insufficient - both based on its ambition as well as the chosen voluntary legal instrument.

The socio-economic impact of COVID-19 highlights the urgent need to guarantee social protection to all regardless of employment status. While official poverty and social exclusion statistics are generally only available in the 2nd year after the reference date and therefore will not be available for some time, we can expect the number of persons at risk of poverty and social exclusion to have increased significantly in the context of the COVID-19 pandemic. We can expect persistent higher numbers of people experiencing poverty and social exclusion, also very likely for the coming years. While the pandemic has been affecting everyone, those already experiencing poverty, unemployed people, informal workers and other workers with atypical or otherwise insecure working conditions, seasonal workers and self-employed people have been among those who were hit the hardest. Aspects such as people's physical and mental health (age, the existence of chronic diseases, disabilities or dependency) and, especially, in their socioeconomic situation have been a determining factor in how much they were impacted by the pandemic.<sup>206</sup> In the framework of a questionnaire, 25 national civil society networks advocating for the rights of people experiencing poverty and social exclusion also considered front-line workers to be among the most affected groups by the pandemic.<sup>207</sup>

Therefore, urgent, coordinated and ambitious action by the EU and the Member States is needed and more important than ever to adequately protect all people across Europe, with a focus on people experiencing or at risk of poverty and social exclusion as well as groups in vulnerable situations.<sup>208</sup>

- How should these demands be implemented at the EU level?

The Council Recommendation on Access to Social Protection needs to be implemented prioritizing the extension of mandatory and effective coverage, and adequacy of benefits to all workers (employed and self-employed) as a main priority. For Social Platform and its members, key areas that will need to be monitored include 1) coverage and adequacy, particularly issues of duration and level of social protection benefits, regardless of employment status, 2) the guarantee of effective minimum protection for all workers (giving priority to groups in vulnerable situations, people in precarious jobs including zero-hour and low-hour contracts, involuntary part-time

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<sup>205</sup> European Economic and Social Committee, Lessons learned for avoiding the severity of austerity policies in the EU. 2018. Available at : <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/lessons-learned-avoiding-severity-austerity-policies-eu>

<sup>206</sup> European Anti-Poverty Network (EAPN). The impact of COVID-19 on people experiencing poverty and social vulnerability. Rebuilding Europe with a social heart. 2020. Available at: [https://www.eapn.eu/wp-content/uploads/2020/07/EAPN-EAPN\\_REPORT\\_IMPACT\\_COVID19-4549.pdf](https://www.eapn.eu/wp-content/uploads/2020/07/EAPN-EAPN_REPORT_IMPACT_COVID19-4549.pdf)

<sup>207</sup> Idem.

<sup>208</sup> European Anti-Poverty Network (EAPN), Statement on Covid-19. 2020. Available at: <https://www.eapn.eu/eapn-statement-on-covid-19/>; European Anti-Poverty Network (EAPN), EAPN Report "The impact of Covid-19 on people experiencing poverty and vulnerability. Rebuilding Europe with a Social Heart". 2020. Available at: <https://www.eapn.eu/the-impact-of-covid-19-on-people-experiencing-poverty-and-vulnerability-eapn-report/>

work, temporary work and bogus self-employment and 3) access to training for all workers, particularly those in low paid and more precarious jobs.<sup>209</sup>

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<sup>209</sup> European Anti-Poverty Network (EAPN). EAPN input to EC consultation for an action plan to implement the EPSR. 2020. Available at: <https://www.eapn.eu/wp-content/uploads/2020/06/EAPN-EAPN-Proposals-on-Action-Plan-to-implement-the-EPSR-4514.pdf>

### 13. Unemployment benefits



*'The unemployed have the right to adequate activation support from public employment services to (re)integrate in the labour market and adequate unemployment benefits of reasonable duration, in line with their contributions and national eligibility rules. Such benefits shall not constitute a disincentive for a quick return to employment.'*

#### Permanent European Unemployment Benefit Reinsurance Scheme

- What are the demands of Social Platform and its members?

The European Commission political guidelines foresee the proposal of the European Unemployment Benefit Reinsurance Scheme. In light of the employment impact of the pandemic, SURE, the European instrument for temporary support to mitigate unemployment risks in an emergency was introduced in the first half of 2020. It is very positive that the launch and adoption of this scheme has been fast-tracked to support short-time work measures in the current context of the COVID-19 pandemic. As the European Trade Union Confederation (ETUC) highlighted, it is also crucial to ensure that these measures are taken in all Member States and that support is consistently provided to all groups of workers, including self-employed and platform workers, in all sectors and for companies of all sizes.<sup>210</sup> However, as the title of SURE mentions, this is a temporary measure which will need to be turned into or replaced by a permanent unemployment reinsurance scheme to make true on the European Commission's promise.

Generally, all workers should automatically have access to unemployment benefits when losing their job. When the right to unemployment benefits ends, people should immediately have access to minimum income.

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<sup>210</sup> ETUC, ETUC on SURE & short-time work. 2020. Available at: <https://www.etuc.org/en/pressrelease/etuc-sure-short-time-work>

- Why do we make these demands?

The COVID-19 pandemic had a considerable impact on employment. While increases in unemployment have turned out to be relatively small compared to the decline in economic activity (both in the euro area as well as in the EU overall) due to measures taken across the EU, there was a historic decline in the number of hours worked in the first quarter of 2020 and job insecurity has been high.<sup>211</sup> While it fell from 15% in April to 10% in July, concerns remained widespread for respondents on fixed and short-term contracts especially.<sup>212</sup> With significantly increasing numbers of new SARS-CoV-2 infections across Europe as well as new and more restrictive confinement measures being implemented in Autumn 2020, the employment situation is likely to continue to worsen.

- How should these demands be implemented at the EU level?

Rising unemployment will continue to entail a significant financial impact on national social security systems. It is crucial that they are being sufficiently invested in, both through SURE as well as other financial initiatives to ensure the adequacy of benefits as well as sufficient coverage and avoid overly strict eligibility criteria for accessing benefits.

#### Action to improve the adequacy of unemployment benefits, coverage of beneficiaries and duration of payments

- What are the demands of Social Platform and its members?

In general, the Member States, supported and encouraged by the EU, should strengthen their efforts to improve the adequacy of unemployment benefits, coverage of beneficiaries and duration of payments to ensure a life in dignity. During the 2008 economic crisis and the austerity measures adopted in its wake, these rights were significantly eroded, including by reducing eligibility and coverage, the duration of benefit payments as well as their amount.<sup>213</sup> The 2008 Recommendation for the Active Inclusion of Those Furthest from the Labour Market<sup>214</sup> urged Member States to create and implement an integrated, comprehensive strategy, based on three strands:

- adequate income support;
- access to quality services;
- inclusive labour markets.

However, much more action is needed across the EU to make all of these objectives, including adequate income support in case of unemployment, a reality. Ensuring decent income levels for job seekers and for those who cannot access employment, through unemployment benefits or other forms of social protection is crucial to keep

<sup>211</sup> European Central Bank, A preliminary assessment of the impact of the COVID-19 pandemic on the euro area labour market. 2020. Available at: [https://www.ecb.europa.eu/pub/economic-bulletin/focus/2020/html/ecb.ebbox202005\\_05~b5f2cced98.en.html](https://www.ecb.europa.eu/pub/economic-bulletin/focus/2020/html/ecb.ebbox202005_05~b5f2cced98.en.html)

<sup>212</sup> Eurofound., Working during COVID-19. 2020. Available at: <https://www.eurofound.europa.eu/Working-during-COVID-19>

<sup>213</sup> European Anti-Poverty Network (EAPN). Inclusive labour markets. Building pathway approaches to quality employment. 2017. Available at: <https://www.eapn.eu/wp-content/uploads/2017/02/EAPN-2017-EAPN-Position-Inclusive-Labour-Markets-1006.pdf>

<sup>214</sup> European Commission Recommendation of 3 October 2008 on the active inclusion of people excluded from the labour market. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008H0867>

people socially included in society, which is also a precondition for their inclusion in employment.<sup>215</sup>

- Why do we make these demands?

Most labour market policies across Europe involve the lowering of unemployment benefits and reduction in coverage over time, with the overarching priority being to get people off unemployment benefits.<sup>216</sup> Income support, including unemployment benefits, mainly seems to be seen as a tool to get people back to work, rather than a tool to ensure a human right to live in dignity.<sup>217</sup> Indeed, usually unemployment benefits gradually decline as unemployment persists. In many Member States, unemployment benefits are limited to 6 months, followed by ‘unemployment assistance’, which is often equivalent to minimum income or even lower.<sup>218</sup> This often forces people to accept any kind of job, including those that they are overqualified for or jobs of poor quality, leading to a “revolving door” between poor jobs and often inadequate benefits, which affects people’s physical and mental health and overall wellbeing.<sup>219</sup> Specific provisions are needed to ensure that those who work in the informal economy and/or seasonal jobs, including abroad, are also entitled to income support, particularly during the pandemic and in its aftermath.

Ensuring appropriate unemployment benefits is especially crucial in the current context of the COVID-19 pandemic, as described above.

- How should these demands be implemented at the EU level?

Our member organisation, the European Anti-Poverty Network (EAPN) in 2017 published a number of recommendations for the EU level,<sup>220</sup> some of which we would like to pick up and put into the current context: The EU should mainstream the full implementation of Active Inclusion principles into a post-2020 Strategy, and monitor it through explicit integration in the European Semester process. It should also ensure that the Social Pillar actively supports quality, inclusive labour markets, through new legal frameworks and effective benchmarking, defending employment and social rights and social standards, including with regards to unemployment benefits.

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<sup>215</sup> Social Platform. Position paper on employment. How to make labour markets inclusive. 2014. Available at: [https://www.socialplatform.org/wp-content/uploads/2014/06/20140327\\_SocialPlatform\\_PositionPaper\\_Employment.pdf](https://www.socialplatform.org/wp-content/uploads/2014/06/20140327_SocialPlatform_PositionPaper_Employment.pdf)

<sup>216</sup> European Anti-Poverty Network (EAPN). Inclusive labour markets. Building pathway approaches to quality employment. 2017. Available at: <https://www.eapn.eu/wp-content/uploads/2017/02/EAPN-2017-EAPN-Position-Inclusive-Labour-Markets-1006.pdf>

<sup>217</sup> Idem.

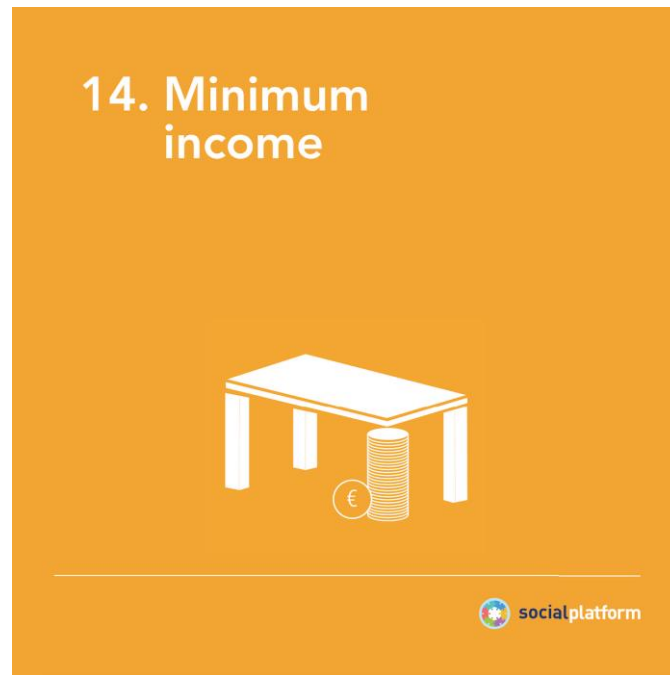
<sup>218</sup> Idem.

<sup>219</sup> Idem.

<sup>220</sup> Idem.



## 14. Minimum income



*'Everyone lacking sufficient resources has the right to adequate minimum income benefits ensuring a life in dignity at all stages of life, and effective access to enabling goods and services. For those who can work, minimum income benefits should be combined with incentives to (re)integrate into the labour market.'*

### EU action on adequate minimum income

In the past 30 years, the EU has built a policy framework to tackle poverty and social exclusion and emphasised the importance of adequate minimum income support. Key milestones include, amongst others, the 1992 Council Recommendation on common criteria concerning sufficient resources and social assistance in social protection systems and the 2008 European Commission Recommendation on active inclusion.

New impetus was given to the EU's social agenda in November 2017 when the Council of the EU, the European Parliament and the European Commission jointly proclaimed the European Pillar of Social Rights. The topic of adequate minimum income is also of central importance during the German Presidency of the European Council (July-December 2020) and Council conclusions on this topic have been adopted in October 2020.

- What are the demands of Social Platform and its members?

Social Platform calls for the adoption of a legally binding EU Framework Directive on Adequate Minimum Income to set minimum standards across the EU for calculating adequate income support schemes and to improve the living and working conditions of millions of people currently experiencing poverty or social exclusion.

Minimum income schemes should implement a human and social rights-based approach and be based on the following three criteria:

## **1. Adequacy:**

Adequate minimum income schemes ensure people a life in dignity throughout the life cycle. A common way of defining adequacy is by using the national at-risk-of-poverty thresholds (AROP), according to which people falling below 60% of the national median income are considered to be at risk of poverty. Only a minimum income that is at least at the level of the national poverty threshold can therefore be considered a good starting point for defining adequacy, which at the moment is only the case in two Member States.<sup>221</sup> It is important to note, however, that the 60% threshold of the national median income needs to be contextualised by reference budgets and the actual costs of goods and services in each country, region, household composition and according to household income needs (such as health or care needs). Indeed, the threshold will in some Member States (and even across their regions), be insufficient to lift people out of poverty.

Additional important aspects in relation to adequacy are:

- The need to set common methodologies for adequate, accessible and enabling minimum income schemes at EU level to achieve a level playing field, while respecting the principle of subsidiarity and acknowledging the differences of national social security systems and respecting the competence of Member States to define their design.
- The support of necessary resources for minimum income schemes to be set at minimum 60% of the national median income and to be combined with affordable quality services on the one hand and a comprehensive labour market inclusion approach for those who can work on the other hand.
- The need for adequate minimum income schemes to be regularly evaluated and compared to the actual costs of living for different household types and across different regions and updated, when needed. Updating references includes the national median/mean income or proportion of it (e.g. national relative poverty line), national living standards (price levels of essential goods and services) and national minimum wage developments.
- The support to Member States in the realisation of adequate minimum income schemes, including through relevant EU-wide indicators (e.g. in the Social Scoreboard) and benchmarks and though monitoring their effective implementation through key EU processes such as the European Semester. The focus should be on increasing the adequacy of benefits and reducing the high level of non-take up.

## **2. Access:**

Adequate minimum income needs to be accessible to everyone in need and be available as long as needed. Different types of barriers hinder people's equal access to minimum income, such as the non-existence of statutory schemes, unawareness of rights, burdensome administrative procedures, conditionalities restricting the coverage or duration of benefits, sanctions resulting in benefit cuts, discriminatory provisions excluding certain groups and stigmatisation by the wider population. In fact, it is reported that an average of 40% of people entitled to social benefits do not claim

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<sup>221</sup> European Commission, Joint Employment Report 2020, 2019. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1578392632182&uri=CELEX%3A52019DC0653>

them.<sup>222</sup> This means that social benefits often fail to reach those most in need, thereby generating increased societal costs as people fall further into hardship and deprivation. Minimum income should be understood as a long-term strategy of social investment, generating social and economic returns over time.

Additional important aspects in relation to access are:

- A rights-based approach ensuring that everyone in the EU has the right to the resources and social assistance needed to lead a life compatible with human dignity. Adequate minimum income must be rooted in legislation and be accessible to everyone in need.
- The need for adequate minimum income schemes to be catered to the specific needs of individuals and groups in vulnerable situations to ensure their non-discriminatory access and taking account of the reality of intersecting inequalities. A simple mainstreaming approach in policy-making risks not reaching out to those most in need and leaving people behind.
- The need to grant benefits proactively to tackle the high non-take-up and to ensure that the transition to other types of benefits happens without delay.
- The avoidance of negative conditionality for total or partial cuts in adequate minimum income support.
- Putting in place programmes that ensure that benefits are accessible to population groups experiencing difficulties, such as not knowing how to read or write, not having an ID card, not having a fixed address or a bank account, not being able to apply online etc.
- The availability of effective adjudication by independent bodies as well as the right to appeal.

### **3. Enabling Aspects:**

People should have the right to adequate minimum income support along with access to services to ensure their life in dignity. This entitlement needs to be based on legislation and enforceable for everyone in need. Moreover, adequate minimum income needs to be rooted in an active inclusion strategy and have people's empowerment, participation, and well-being at its core. Next to guaranteeing an adequate minimum income in line with a life in dignity, other crucial elements of an active inclusion strategy are an individualised approach, the non-discriminatory access to quality and affordable services and the promotion of labour market integration and quality employment for those who are able to work.<sup>223</sup>

Additional important aspects in relation to enabling aspects are:

- The need for adequate minimum income schemes to be shaped in combination with a comprehensive and personalised active inclusion approach promoting labour market integration and quality employment for those who can work.
- The non-discriminatory access to supporting quality social and health services. Special attention needs to be paid to the territorial availability, the accessibility, and the affordability of services.

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<sup>222</sup> Eurofound, Dubois H. & Ludwinek A., Access to benefits, reducing non-take up. 2015. Available at: [https://www.eurofound.europa.eu/sites/default/files/ef\\_publication/field\\_ef\\_document/ef1536en.pdf](https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1536en.pdf)

<sup>223</sup> European Commission, Commission Recommendation on the active inclusion of people excluded from the labour market (notified under document number C(2008) 5737). 2008. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32008H0867&from=EN>

- Complementary outreach measures to tackle the high non-take-up of benefits, fight the stigma associated with benefit take-up and support for dealing with administrative requirements needs to be provided.
  - The engagement with civil society and with individuals affected by poverty in developing, implementing, and monitoring adequate minimum income schemes.
- Why do we make these demands?

In 2018, more than 109 million people in the EU were living at risk of poverty or social exclusion.<sup>224</sup> This amounts to 21.7% of its population – approximately one in five people. Adequate minimum income plays a key role in preventing poverty and in reducing the depth of poverty. It forms the basis on which high-quality social protection systems should be built and is key to enabling peoples’ full participation in society. Adequate minimum income schemes are a key social right, essential for people who need them and indispensable for more equal societies and to ensure social cohesion. They allow people to live in dignity and ensure they can remain active in society, helping them reconnect to the world of work. Adequate minimum income benefits in addition ensure access to other key social rights for minimum income beneficiaries, e.g. decent housing, education, affordable health, rather than just being a “condition” or an “instrument” to get them into work. It is important to establish a positive hierarchy between adequate minimum income and a net minimum wage to provide positive incentives to work.<sup>225</sup>

With the recent COVID-19 pandemic, the EU is facing an unprecedented challenge and just as with every crisis and as highlighted above, people in the most vulnerable situations are hit the hardest. The full magnitude of the pandemic’s socio-economic consequences will only be felt in the years to come. At the same time, social protection systems differ greatly from one Member State to another, and so does their capacity to cope with such a crisis. Coordinated EU action is therefore more crucial than ever to promote social and economic upward convergence within the European Union.

Therefore, Social Platform and its members call for an EU Framework Directive on Adequate Minimum Income to lay the foundation of a basic social safety net allowing everyone a life in dignity, while at the same time reducing poverty and inequalities through fostering upward social convergence and mitigating the immediate and long-term socio-economic impact of the COVID-19 pandemic.

- How should these demands be implemented at the EU level?

In accordance with Article 153(1)(h) of the Treaty on the Functioning of the European Union (TFEU), the Union can support and complement the activities of Member States in the area of the “integration of persons excluded from the labour market”. In

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<sup>224</sup> Eurostat, Downward trend in the share of persons at risk of poverty or social exclusion in the EU. But still around 109 million people in this situation. 2019. Available at: <https://ec.europa.eu/eurostat/documents/2995521/10163468/3-16102019-CP-EN.pdf/edc3178f-ae3e-9973-f147-b839ee522578>

<sup>225</sup> European Anti-Poverty Network (EAPN). EAPN input to EC consultation for an action plan to implement the EPSR. 2020. Available at: <https://www.eapn.eu/wp-content/uploads/2020/06/EAPN-EAPN-Proposals-on-Action-Plan-to-implement-the-EPSR-4514.pdf>; European Anti-Poverty Network (EAPN), EAPN Position Paper on Adequate Income. 2020. Available at: <https://www.eapn.eu/eapn-position-paper-on-adequate-income/>

accordance with Article 153(2)(b) TFEU, minimum requirements by means of directives may be adopted. Article 153 TFEU may therefore be the natural legal base for an EU Framework Directive on Adequate Minimum Income.

Country-specific recommendations in the European Semester process should trigger concrete policy action by the European Commission when minimum income benefits fall far too short of adequacy, e.g. by flagging this up as “critical developments” in the Joint Employment Report.<sup>226</sup>

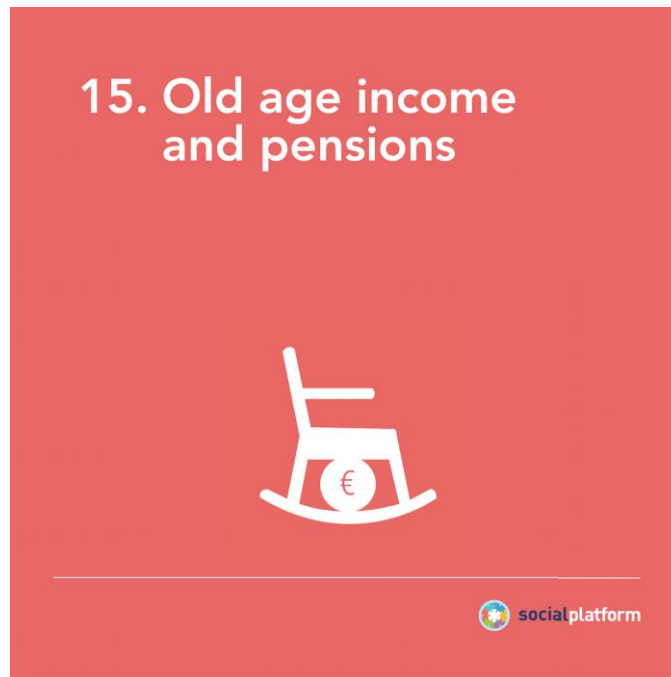
Progress should also be made on agreeing on common EU definitions of adequacy, coverage and enabling support, as well as a common EU-wide framework and methodology on reference budgets to check the adequacy of national minimum income schemes.<sup>227</sup>

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<sup>226</sup> Idem.

<sup>227</sup> Idem.

## 15. Old age income and pensions



*'Workers and the self-employed in retirement have the right to a pension commensurate to their contributions and ensuring an adequate income. Women and men shall have equal opportunities to acquire pension rights.'*

*Everyone in old age has the right to resources that ensure living in dignity.'*

Pensions are largely not addressed in the European Commission political guidelines, except for in the framework of the Gender Equality Strategy - and there only as part of a long-term objective of closing the gender pension gap rather than by focussing specifically on poverty and social exclusion of older women today. While the gender pay and pension gap remains a serious issue (see principle 3), much more targeted action is needed and should be included in the Social Pillar Action Plan to ensure adequate pensions that allow people to live in dignity. The European Commission published a report on the impact of demographic change<sup>228</sup> and the Social Protection Committee is planning an update of the regular Pension Adequacy Report in 2021.<sup>229</sup> While these are encouraging first steps, the EU should do more to support Member States in ensuring old age income and pension adequacy for all.

### Ensure pension adequacy

- What are the demands of Social Platform and its members?

The EU should encourage Member States, through the various tools and processes at its disposal, to ensure pension adequacy, measured in comparison to the disposable income older persons need to have to ensure a dignified standard of living,

<sup>228</sup> European Commission, European Commission Report on the Impact of Demographic Change. 2020. Available at: [https://ec.europa.eu/info/sites/info/files/demography\\_report\\_2020\\_n.pdf](https://ec.europa.eu/info/sites/info/files/demography_report_2020_n.pdf)

<sup>229</sup> Social Protection Work Programme 2020. Available at: <http://ec.europa.eu/social/BlobServlet?docId=22313&langId=en>



not just to be above the poverty threshold.<sup>230</sup> This should not only cover the cost of standard items of consumption of usual households, but also the changed age-specific expenditure patterns in older age, allocating for example a higher budget to mobility, housing (especially when housing needs to be adapted to support independence), health, and long-term care needs.

- Why do we make these demands?

In 2018, 18.4% of people above 65 were at-risk-of-poverty or severely materially deprived and poverty rates for this group have been slightly increasing compared to previous years.<sup>231</sup> In addition, some groups of older people, such as older women living alone, the 'oldest old' and people with disabilities or health problems are much less protected from poverty.<sup>232</sup> Older Roma are also disproportionately in a significantly difficult income situation, given low employment rates and overrepresentation in precarious, low-paid work or atypical employment, which gives access to no or only poor pension entitlements. Pensions are often looked at purely as an expenditure rather than considering their important social function, which is to protect from old-age poverty and ensure a life in dignity.<sup>233</sup> It is therefore crucial to look at what people need to live a dignified life to ensure that pensions are adequate.

- How should these demands be implemented at the EU level?

Instruments such as baskets of goods and services should be developed at national level for both young retirees and the 'oldest old' persons to properly assess if their pension is adequate to cover the goods and services they need to live in dignity.<sup>234</sup> This should include the rising costs of housing as well as public transportation, which is crucial for older people to stay socially connected, and is particularly an issue in rural areas.<sup>235</sup> It also needs to take into consideration the high cost of long-term care, which is often paid privately and exceeds even average pension levels by far.<sup>236</sup> In addition to better assessing the needs of seniors, these instruments would also enable decision-makers to better assess the impact of decisions taken in other areas, such as cuts in reimbursement of health and long-term care, and free or subsidised public transport for example.<sup>237</sup> The EU could put together recommendations on these baskets of goods and services to support Member States in developing proper assessments of pension adequacy. This can be part of the Pension Adequacy Report exercise.

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<sup>230</sup> AGE Platform Europe. Pension adequacy in a changing society - EU conference. 2018. Available at: <https://www.age-platform.eu/policy-work/news/pension-adequacy-changing-society-eu-conference>

<sup>231</sup> Eurostat. At risk of poverty or social exclusion rate for elderly (65+). 2018. Available at: <https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tespm090&plugin=1>

<sup>232</sup> AGE Platform Europe. Poverty and social exclusion of older people: where are we? 2019. Available at: <https://www.age-platform.eu/policy-work/news/poverty-and-social-exclusion-older-people-where-are-we>

<sup>233</sup> AGE Platform Europe. AGE highlights older persons' concerns on poverty & exclusion to EU Presidency & Commission officials. 2019. Available at: <https://www.age-platform.eu/policy-work/news/age-highlights-older-persons-concerns-poverty-exclusion-eu-presidency-commission>

<sup>234</sup> AGE Platform Europe. Pension adequacy in a changing society - EU conference. 2018. Available at: <https://www.age-platform.eu/policy-work/news/pension-adequacy-changing-society-eu-conference>

<sup>235</sup> AGE Platform Europe. AGE highlights older persons' concerns on poverty & exclusion to EU Presidency & Commission officials. 2019. Available at: <https://www.age-platform.eu/policy-work/news/age-highlights-older-persons-concerns-poverty-exclusion-eu-presidency-commission>

<sup>236</sup> Idem.

<sup>237</sup> AGE Platform Europe. Pension adequacy in a changing society - EU conference. 2018. Available at: <https://www.age-platform.eu/policy-work/news/pension-adequacy-changing-society-eu-conference>

The EU should more coherently include the question of pension adequacy in the European Semester. The first Member States with insufficient pensions have been receiving recommendations in the 2019 cycle. This should be the case more often as they are not the only ones with adequacy challenges. When assessing the adequacy of pension reforms as part of the European Semester, the Commission should require a gender impact assessment - especially changes to the ways survivors' pensions are calculated and changes to minimum pensions often have a strong impact on older women. Finally, the adequacy of indexation mechanisms, which often mean that pension values are eroding over time as people grow older, should be included in the assessments of pension systems.

In addition, the EU should undertake work to ensure that the indicators measuring poverty adequately measure it related to older people. Especially the indicator on material deprivation is not fit to assess the situation of the 'oldest old' or older people with health issues.<sup>238</sup> This indicator consists of a list of items considered to correspond to basic needs, but in older age, costs for health and long-term care and access to services are just as critical as other items on the list.<sup>239</sup> A revision of indicators is needed to ensure that it also includes items that might be more relevant for specific population groups, including older people.

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<sup>238</sup> AGE Platform Europe. Poverty and social exclusion of older people: where are we? 2019. Available at: <https://www.age-platform.eu/policy-work/news/poverty-and-social-exclusion-older-people-where-are-we>

<sup>239</sup> Idem.

## 16. Health care



*'Everyone has the right to timely access to affordable, preventive and curative health care of good quality.'*

### Ambitious investment in Europe's healthcare services, healthcare workers, & reduction of health inequalities

Except for the European Plan to Fight Cancer and the EU4Health program 2021-2027, the European Commission's political guidelines do not foresee significant initiatives in the field of health. Other exceptions are a few short references to the importance of healthcare and prevention, antimicrobial resistance, affordable medicines, and vaccination in other thematic initiatives, such as the European Child Guarantee, the EU Vaccination Strategy,<sup>240</sup> and in relation to environmental measures that also protect human health, such as a zero pollution ambition for Europe.

However, the COVID-19 pandemic has brought the need to significantly invest into public health care and prevention across Europe to the forefront, revealing the fragility of Member States' health care and prevention systems and the impact of significant underinvestment and inequalities in the sector.<sup>241</sup>

- What are the demands of Social Platform and its members?

There is urgency to significantly invest in Europe's health care services and equip them with ample resources to cope with the ongoing COVID-19 pandemic and build their capacity to tackle cross-border public health threats. This is especially crucial as

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<sup>240</sup> Communication from the Commission, 17.6.2020 COM(2020) 245

<sup>241</sup> European Public Health Alliance. EPHA supports international calls from over 40 million health professionals in support of a healthy recovery. 2020. Available at: <https://epha.org/epha-supports-international-calls-from-over-40-million-health-professionals-in-support-of-a-healthy-recovery/>

in recent years, austerity measures stalled investment in the health workforce, triggered recruitment freezes and significantly reduced the number of health jobs.<sup>242</sup>

We need to tackle these workforce development issues and have in place appropriate and improved funding frameworks for health, care and social support workers. Workers in this sector are essential for delivering services and ensuring the rights of service users. We need to address the issues of workforce shortages in the sector, its attractiveness to young professionals, the training of workforce and working conditions in these sectors.

It is positive that Member States' governments have been pledging significant amounts of money to mitigating the socio-economic impact of the COVID-19 pandemic and to enhancing the responsiveness of health care systems. It is crucial that this level of solidarity and appreciation of health care workers is increased and sustained beyond the crisis.<sup>243</sup> However, while we welcomed that the European Commission's proposal for the new EU4Health programme made in spring foresaw to invest €9.4 billion in strengthening healthcare systems, the significant reduction of the amount allocated to the programme as a result of the July 2020 Extraordinary European Council is a source of serious concern.

In the last few years, mental health has been increasingly recognised as crucial for the well-being and respect of human rights of every individual, and vital for cohesive, wealthy, and inclusive societies. The recent COVID-19 pandemic crisis and measures that had to be taken to face it have only made it clearer that action to improve mental health and the lives of all people, but especially of those in vulnerable situations, is urgently needed.

The response to this health crisis must be a holistic one, comprising both physical and mental health. It must involve all stakeholders, including policy makers, NGOs and international organisations such as the World Health Organisation. The response should also aim at protecting groups in vulnerable situations and address, at all levels, the major social determinants for the greater vulnerability to poor health that members of various groups in vulnerable situations face.<sup>244</sup>

It must be ensured that health care services are available, affordable, accessible and of quality for all who need them, for as long as they are required. It is also paramount that services are person-centred and enable patients to meet their medical needs. Above all, it is necessary to ensure that human rights are upheld in all Member States in their national responses to the pandemic: access to health care must not be compromised by discrimination on any grounds.

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<sup>242</sup> European Public Health Alliance. Will investment in our health workforce continue beyond COVID-19? 2020. Available at: <https://epha.org/will-investment-in-our-health-workforce-continue-beyond-covid-19/>

<sup>243</sup> Idem.

<sup>244</sup> European Public Health Alliance. Lessening the impact of COVID-19 on vulnerable groups. 2020. Available at: <https://epha.org/lessening-the-impact-of-covid-19-on-vulnerable-groups/>

Preventive health and health promotion should be upscaled and efforts should be made to make them inclusive, accessible, and affordable for all. The EU should fully commit to the WHO Decade on Healthy Ageing.<sup>245</sup>

We also need a better integration between health, long-term care and social services. All need to be more centred around user's needs and preferences.

Finally, it is crucial to mainstream health equity as a key objective throughout EU climate, economy, agriculture, environment, and social policies<sup>246</sup> as well as the MFF and Next Generation EU to reduce health inequalities.

- Why do we make these demands?

As we highlighted above, the COVID-19 pandemic has brought the need to significantly invest into health care and mental health services across Europe to the forefront, revealing the fragility of Member States' health care systems and the impact of significant underinvestment and inequalities in the sector.<sup>247</sup> Indeed, the pandemic has had a disproportionate effect on vulnerable groups and magnified the inequalities they face. Due to existing socio-economic inequalities, many members of these groups are more likely to have pre-existing medical conditions that increase their risk of contracting SARS-CoV-2 and make them more vulnerable to more severe forms of COVID-19.

In addition, the same socio-economic inequalities often lead to living conditions that make it difficult for people in vulnerable situations to follow social distancing guidelines and protect themselves from the virus. Homeless people have been unable to follow national social distancing rules by staying at home and have lost access to various social support services during the confinement periods. Prisoners have been unable to physically distance and refugees had to stay confined in overcrowded shelters.

LGBTI people have significantly lower health outcomes due to stigma and discrimination, biases held by healthcare providers, and lower socio-economic status, often linked with lower access to comprehensive health insurance, and are therefore more vulnerable. Furthermore, past experience of discrimination, stigma, gatekeeping, misgendering, and non-consented procedures can deter LGBTI people from seeking medical care, leading to later entry into medical systems or no entry at all. During the COVID-19 pandemic, access to HIV medication and services has become much more restricted, and life-saving transition-related medical care for trans people has been deemed non-urgent and therefore postponed or cancelled. Intersex people are also impacted by lockdowns or travel restrictions which limit their access to specialised healthcare.

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<sup>245</sup> WHO, Full Proposal, Decade of Healthy Ageing 2020-2030. Available at: [https://www.who.int/docs/default-source/decade-of-healthy-ageing/final-decade-proposal/decade-proposal-final-apr2020-en.pdf?sfvrsn=b4b75ebc\\_5](https://www.who.int/docs/default-source/decade-of-healthy-ageing/final-decade-proposal/decade-proposal-final-apr2020-en.pdf?sfvrsn=b4b75ebc_5)

<sup>246</sup> European Public Health Alliance. 2020 – a crucial year for action on health inequality. 2020. Available at: <https://epha.org/2020-a-crucial-year-for-action-on-health-inequality/>

<sup>247</sup> European Public Health Alliance. EPHA supports international calls from over 40 million health professionals in support of a healthy recovery. 2020. Available at: <https://epha.org/epha-supports-international-calls-from-over-40-million-health-professionals-in-support-of-a-healthy-recovery/>

Roma experience significant health inequalities, arising from compounding social determinants, such as inadequate housing, lack of sanitation, poor nutrition, hard physical labour in unsuitable conditions, as well as reduced access to both healthcare and long-term care services, and also medicines. The life expectancy of Roma across Europe is 10 to 15 years lower than that of the majority population.<sup>248</sup> The COVID-19 pandemic has laid this situation bare. The public health infrastructure in many Member States do not cover specific local communities, with the nearest clinic (not to mention hospital) often located far away. Private clinics are often prohibitively expensive for people on low incomes, and various administrative obstacles (such as lack of an ID card or a legal address) are impediments to obtaining insurance. Moreover, certain groups like Roma were unable to access social or economic support and have lost access to support services that were suspended during the confinement periods.<sup>249</sup>

Due to the introduction or increase of co-payments for treatment and medicines, many Member State's health systems have become less universal and created financial barriers to access to quality health care and prevention. Due to poor working conditions and low wages, many health care workers have also left the sector, leading to many health care settings being significantly understaffed.<sup>250</sup> Especially in rural areas, medical practitioners have left towards larger cities and created 'medical deserts'.

Universal Health Coverage has been introduced in public health systems in many Member States offering access to essential health care such as primary, specialist and hospital care. Nonetheless, the strong link between health systems and social protection, including employment benefits, is still prevalent across Member States. As a result, health care and prevention become less accessible for certain socio-economic groups, such as inactive people, the unemployed, undocumented people, migrants and ethnic minorities, seasonal workers, the self-employed, and workers in the informal economy.

Indeed, in 2018, in some Member States, between 5% and 20% of the population did not have health coverage, which remains a major obstacle to enjoying equal and timely access to essential health care and prevention services.<sup>251</sup> Lower health coverage may lead to frequent out-of-pocket payments and create financial hardship for households at risk of or experiencing poverty. Moreover, high user charges paid by patients, especially those suffering from chronic and mental diseases, which require long-term medical treatment is an additional factor increasing individuals' vulnerability both to ill-health and poverty. Affordability of health care and prevention, including frequent out-of-pocket payments is, therefore, a persistent issue with direct impact on the sustainability of public health systems, widening inequalities between population groups across Europe.

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<sup>248</sup> European Environmental Bureau, ERGO Network, Environmental Justice - Pushed to the wastelands: Environmental racism against Roma communities in Central and Eastern Europe. 2020. Available at: <https://mk0eeborgicuyptuf7e.kinstacdn.com/wp-content/uploads/2020/04/Pushed-to-the-Wastelands.pdf>

<sup>249</sup> European Public Health Alliance. EPHA supports international calls from over 40 million health professionals in support of a healthy recovery. 2020. Available at: <https://epha.org/epha-supports-international-calls-from-over-40-million-health-professionals-in-support-of-a-healthy-recovery/>

<sup>250</sup> European Environmental Bureau, ERGO Network, Environmental Justice - Pushed to the wastelands: Environmental racism against Roma communities in Central and Eastern Europe. 2020. Available at: <https://mk0eeborgicuyptuf7e.kinstacdn.com/wp-content/uploads/2020/04/Pushed-to-the-Wastelands.pdf>

<sup>251</sup> European Commission, Inequalities in access to healthcare - A study of national policies. 2018. Available at: <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8152&furtherPubs=yes>



- How should these demands be implemented at the EU level?

The following actions are crucial:

- Promoting universal health coverage and making it more accessible for people in vulnerable situations;<sup>252</sup>
- Increasing public investment in health systems to make them more inclusive, accessible and affordable for all;
- Building capacity and preparedness of public health systems to tackle cross-border threats;
- Strengthening Europe's health workforce through quality training, good working conditions and mobility (ESF+);
- Promoting cross-country and inter-sectoral cooperation, including between national competent authorities, to improve the accessibility and affordability of health care and prevention with a focus on groups in vulnerable situations;
- Ensuring that needed additional funding for SARS-CoV-2-related research & development does not take away from funding for research in other key areas in the health field;
- Fully implementing the health pillar of the EU Strategic Framework for Roma, in a way that ensures non-discriminatory, equal access to health and long-term care, by condemning all forms of discrimination and exclusion from health care services and by supporting anti-bias training and awareness raising of medical staff.

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<sup>252</sup> Often, UHC requires people to fulfil some administrative conditions (e.g. having a permanent address) making it inaccessible for homeless persons, migrants (especially undocumented migrants) and stateless persons for instance.

## 17. Inclusion of people with disabilities



*'People with disabilities have the right to income support that ensures living in dignity, services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.'*

### A stronger European Disability Strategy 2020-2030 & transversal mainstreaming of disability issues in all EU strategies and policies

- What are the demands of Social Platform and its members?

The European Commission's political guidelines do not refer at all to planned measures related to improving the rights of persons with disabilities. However, the European Disability Strategy 2010-2020 is coming to an end and its follow-up strategy is planned to be published by the European Commission in 2021. It is crucial that the strategy is not only continued, but strengthened to contain ambitious goals to implement the United Nations Convention on the Rights of Persons with Disabilities (CRPD).<sup>253</sup> Indeed, the 2021-2030 European Disability Rights agenda should fully implement all articles of the CRPD as well as the SDGs and the principles of the Social Pillar.<sup>254</sup>

One of the issues that the Action Plan must urgently address is the coverage of persons with disabilities in the Social Scoreboard. Indeed, disability currently remains absent from the scoreboard. With one of the Social Pillar's 20 principles focusing on the inclusion of persons with disabilities and people with disabilities being impacted by measures taken in all other policy areas, it must be ensured that the impact of policy-

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<sup>253</sup> European Disability Forum. European Disability Strategy 2010-2020 and its follow up. Available at: <http://www.edf-fehp.org/disability-strategy-europe-2020>

<sup>254</sup> Idem.

making on persons with disabilities can be measured.<sup>255</sup> It is therefore crucial for the action plan to address how the Social Scoreboard will be updated to address these shortcomings.

One of the main aims of Principle 17 includes facilitating integration in the labour market for persons with disabilities. This something that was greatly underdeveloped in the European Communication “A Strong Social Europe For Just Transitions”,<sup>256</sup> which contained only a short reference to the European Disability Strategy 2020-2030.

In addition to being addressed through ambitious measures in the upcoming Disability Strategy, the objective of increasing employment for persons with disabilities must be mainstreamed into other actions, such as the Youth Guarantee, the Updated Skills Agenda and the Just Transition Fund.

This Commission Communication<sup>257</sup> focuses on tackling the unemployment of young people through its renewed Youth Guarantee. However, the unemployment figures for persons with disabilities are staggering, and will have only worsened due to the COVID-19 pandemic.

Therefore, in the same vein as the Youth Guarantee, we would like to see a commitment to a Disability Rights Guarantee. This should represent a joint commitment by Member States to ensure that all persons with disabilities who voluntarily declare themselves able and willing to enter the labour market, receive a good quality offer of employment, a traineeship, an apprenticeship or vocational training, support for becoming an entrepreneur or for preparing placement exams for the public sector. The offer should be relevant to the person’s level of education, qualifications and, to the greatest extent possible, desired area of work.

Principle 17 also establishes the right to receive income support and the ability to live in dignity. To incentivise participation in this scheme, and to avoid the risk of in-work poverty faced by persons with disabilities in the EU, the Disability Rights Guarantee (and indeed all other EU initiatives for fostering employment) must be open to persons with disabilities receiving disability allowance. This must also be compatible with the continued eligibility to receive this financial support once a placement has been found. This will be necessary to offset the extra cost of living of persons with disabilities, which studies have found to exceed 20.000 Euros a year per person with a disability in Sweden, Denmark and the Netherlands, and almost as much in a number of other Member States.<sup>258</sup> In addition to mainstreaming this priority in relevant EU initiatives, we would also like to see specific guidelines produced at an EU level on the need for compatibility more generally between paid work and entitlement for “disability benefits.”

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<sup>255</sup> European Disability Forum A strong social Europe for just transitions. Implementing the EU Pillar of Social Rights. 2020. Available at: <http://www.edf-feph.org/social-pillar>

<sup>256</sup> European Commission Communication, A Strong Social Europe For Just Transitions. 2020. Available at: <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:52020DC0014>

<sup>257</sup> Idem.

<sup>258</sup> European Disability Forum, Poverty and Social Exclusion of Persons with Disabilities. European Human Rights Report Issue 4. 2020. Available at: [https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF\\_HR\\_Report\\_final\\_tagged\\_interactive\\_v2\\_accessible.pdf](https://mcusercontent.com/865a5bbea1086c57a41cc876d/files/ad60807b-a923-4a7e-ac84-559c4a5212a8/EDF_HR_Report_final_tagged_interactive_v2_accessible.pdf)

We also call on the Commission to prepare clear EU guidelines to support effective transposition of Article 5 of Directive 2000/78/EC on non-discrimination in employment. These guidelines should outline what different forms reasonable accommodation might take in line with an individual's needs. They should explain clearly minimum standards for what measures employers are responsible for providing, as well as outlining what support Member States and regions should be offering to employers in this process.

Additionally, while the upcoming 2021-2030 Disability Rights Strategy will be a key part of implementing principle 17 of the Social Pillar and strengthening the rights of persons with disabilities, it is important that disability-specific measures are not limited solely to this strategy. Indeed, disability is a transversal issue and therefore must be reflected and mainstreamed clearly in other strategies foreseen during the 2019-2024 legislature<sup>259</sup> as well as the content of the Social Pillar Action Plan with regards to other principles. There is potential for the needs of persons with disabilities to be mainstreamed across the actions already proposed in the Social Pillar Action Plan.

- Why do we make these demands?

Persons with disabilities face a variety of barriers to equal opportunities and participation in all areas of life. Education and training systems are generally not sufficiently inclusive to provide persons with disabilities with equal opportunities for academic success. Indeed, as highlighted above, persons with disabilities in the EU are shown to be on average 10.1 percentage points more likely to be early school leavers than the general population<sup>260</sup> and 10.5 percentage points less likely to complete tertiary education.<sup>261</sup> Next to discrimination and lack of reasonable accommodation in the labour market as well as other barriers, this contributes to a significant employment gap between people with and without disabilities (50.8% of persons with disabilities are employed, compared to 74.8% of persons without disabilities).<sup>262</sup>

On average, lower educational attainment and difficulties accessing quality employment, lead, in combination with often significant higher living costs for persons with disabilities, to higher levels of poverty and social exclusion among persons with disabilities. Indeed, in 2018, about 28.7% of the EU population with a disability (aged 16 or over) was at risk of poverty or social exclusion, compared to 19.2% of those without disabilities.<sup>263</sup> In addition, persons with disabilities face significant and various barriers to accessing all kinds of public and private services, including but not limited to the built environment (including housing), transport services, information and communication technologies, health and care, including long-term care services, cultural activities, which limit their opportunities for full inclusion in society.

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<sup>259</sup> Idem.

<sup>260</sup> Based on respondents aged 18-24. EU SILC 2017

<sup>261</sup> Based on respondents aged 30-39. EU SILC 2017

<sup>262</sup> European Disability Forum. Employment. Available at: <http://www.edf-feph.org/employment>

<sup>263</sup> Eurostat. Disability: higher risk of poverty or social exclusion. 2019. Available at: <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20191029-2>

- How should these demands be implemented at the EU level?

In addition to the measures described above, it is crucial that the adoption of the European Accessibility Act is followed by a smooth and ambitious implementation at national level, ensuring the principles of the Act are well understood and that Member States initiate the needed steps align their accessibility legislation.

Further commitment by the EU institutions to strengthening social services, including for persons with disabilities is important. The EU needs to take urgent action and invest in social services. Alongside national and regional authorities, the EU must demonstrate real commitment and ensure its policies actually reach social service providers across the continent. Disability and the services delivering support in this field must be included in the development, implementation and monitoring of policies and programmes in the Recovery plan for Europe.

Finally, the internal structure of the EU institutions, regarding the way they work on disability, must be reformed. Social Platform Members working on disability issues are calling for the establishment of a “CRPD Unit” in the European Commission. This would be a Unit responsible for the implementation of the UN Convention on the Rights of Persons with Disabilities. The Unit should be placed in the EU Directorate General for Justice and Consumers, under the supervision of the EU Commissioner for Equality. This Unit should ensure high-level leadership, commitment, and overall coordination of the implementation of the CRPD across all services and institutions. Social Platform Members working on disability issues are also calling for disability rights services to be established in all departments of all EU Institutions, with the role of ensuring all EU policies uphold the rights of persons with disabilities. The services should be coordinated by an interinstitutional coordination mechanism between the Commission, the Parliament, and the Council.

## 18. Long-term care



*'Everyone has the right to affordable long-term care services of good quality, in particular home-care and community-based services.'*

### A strategic and coordinated approach to long-term care

The European Commission's published a Report on the Impact of Demographic Change<sup>264</sup> this year and is planning a Green Paper on Aging in 2021.

- What are the demands of Social Platform and its members?

While the overall responsibility for long-term care services lies with Member States, Social Platform calls for a strategic and coordinated approach to long-term care to address the rising demand for care provision, the inadequate working conditions of care workers and the decline in their numbers, to ensure the highest quality of services provided and to reduce the overreliance on informal long-term care and the overburdening of informal and family carers.

We also see an urgent need for better coordination between long-term care, healthcare and public health authorities. COVID-19 has exposed the degree to which has not happened, especially in the beginning of the pandemic, in terms of COVID-19-infected patients being discharged into care homes, the prioritisation of healthcare facilities over LTCFs in terms of personal protective equipment and staffing - just to name a few examples.

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<sup>264</sup> European Commission, The Impact of Demographic Change, 2020. Available at: [https://ec.europa.eu/info/files/report-impact-demographic-change-reader-friendly-version-0\\_en](https://ec.europa.eu/info/files/report-impact-demographic-change-reader-friendly-version-0_en)



- Why do we make these demands?

Increasing life expectancy across Europe, coupled with persistently low birth rates, an older population, stagnating healthy life expectancy, smaller households and more mobility within the European Union are some of the main causes for the severe strain on long-term care systems in the EU.

Challenges of the long-term care sector specifically entail a lack of access to long-term care provision for people in need. Indeed, despite national differences, all Member States are facing the challenge of insufficient availability and adequacy of residential care for older people.<sup>265</sup> At the same time, home care services and community-based care represent the biggest challenge in terms of effective access, as they are underdeveloped. In many Member States<sup>266</sup> Another challenge relates to the quality of long-term care provision. Indeed, due to the ageing population, the demand for long-term care services will increase substantially and rapidly, creating even more tension between the demand and the quality of care.<sup>267</sup> Moreover, there are challenges with regards to the employment situation of carers and the quality of jobs in the care sector. The attractiveness of the sector is low, as it often is associated with poor working conditions with high levels of strain, high workloads, insufficient training, lack of decent rest time and in some cases lack of support and autonomy and high psychosocial risks.<sup>268</sup> At the same time, jobs in the sector involve low levels of income, which leads to shortages of qualified professionals.<sup>269</sup>

Another major concern is the informal care sector. In Europe, 80% of all care is provided by informal carers – i.e. people providing usually unpaid care to someone with a chronic disease, disability or any other long-lasting health or care need, outside of a professional or formal framework.<sup>270</sup> The insufficient and often unavailable and/or unaffordable provision of long-term care often forces mainly women to provide informal care for family members, thereby hindering their labour market participation.<sup>271</sup> Moreover, most Member States lack measures, such as provision of information, advice and guidance, training and counselling as well as emotional support, secure and flexible working arrangements for employed informal carers. Provision of adequate care leaves or systems to ensure respite to support family carers is also often lacking. Moreover, most Member States do not provide skills validation and upskilling to informal carers to provide them with the opportunity of becoming long-term care professionals, if they so desire.<sup>272</sup>

On top of that, all Member States face strain with regards to the financial sustainability of long-term care systems and access to long-term care, given the cost of care for persons in need often surpass average pensions.<sup>273</sup>

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<sup>265</sup> European Commission, Challenges in long-term care in Europe. A study of national policies 2018. 2018. Available at: <https://ec.europa.eu/social/BlobServlet?docId=20225&langId=en>

<sup>266</sup> Idem.

<sup>267</sup> Idem.

<sup>268</sup> Idem.

<sup>269</sup> Idem.

<sup>270</sup> Eurocarers, What do informal carers need? Towards a fair and rights-based deal. Available at: [https://eurocarers.org/wp-content/uploads/2018/09/Eurocarers-Needs\\_final.pdf](https://eurocarers.org/wp-content/uploads/2018/09/Eurocarers-Needs_final.pdf)

<sup>271</sup> European Commission, Challenges in long-term care in Europe. A study of national policies 2018. 2018. Available at: <https://ec.europa.eu/social/BlobServlet?docId=20225&langId=en>

<sup>272</sup> Idem.

<sup>273</sup> Idem.

The COVID-19 pandemic has had dire consequences for long-term and residential care facilities across Europe.<sup>274</sup> Indeed, Europe's over-reliance on care homes as opposed to community-based care led to higher risk of infection, which caused the high number of fatalities due to COVID-19 in retirement and long-term care facilities (LTCFs).<sup>275</sup> The pandemic made clear how traditional-outdated support models are not only detrimental for the wellbeing of older persons and their enjoyment of human rights, but how they also became dangerous places which expose staff and residents alike to infectious risk. Improving access to quality community-based services is therefore especially crucial in this context.<sup>276</sup> The reduction of services in residential and home care during lock-down periods and the severe distancing measures, which led to increased social isolation and loneliness, including for palliative care beneficiaries close to the end of their lives, underline how overlooked, understaffed and insufficiently resourced long-term care systems are. It also demonstrates how they are not up to the promise of providing dignity and independence as guaranteed by the EU Charter of Fundamental Rights (Article 25). Years of underinvestment have made support services financially unsustainable. There is a need to act now to invest in these services to ensure they are operational and can provide quality care for all who need it.

Many providers and users of long-term care services were left without the necessary person protective equipment (PPE) and safety protocols, which contributed to thousands of preventable deaths and infections.<sup>277</sup> Even more importantly, according to the European Centre for Disease Prevention and Control (ECDC), one factor that contributed to the spread of COVID-19 within and between LTCFs relates to staff working while infectious, including symptomatic, pre-symptomatic, and asymptomatic cases.<sup>278</sup> Other contributing factors have been staff working in more than one facility, lack of training and testing and testing being limited to symptomatic individuals.<sup>279</sup>

According to the World Health Organisation (WHO), in May, over 40% of total confirmed COVID-19 deaths occur in LTCFs, and in some cases, this is closer to 60%.<sup>280</sup> However, these numbers clearly do not reflect the reality, as most Member States were forced to specifically exclude deaths in long-term care services from official COVID-19 statistics as they were inexcusably unable to collect reliable data due to a lack of surveillance systems in place before the pandemic. Indeed, the majority of European countries did not have surveillance systems for LTCFs in place before the pandemic – i.e. systems able to systematically and consistently monitor

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<sup>274</sup> AGE Platform Europe. A call for the EU Parliament to investigate the tragic impact of COVID-19 on long-term care across the European Union. 2020. Available at: <https://www.age-platform.eu/press-releases/call-eu-parliament-investigate-tragic-impact-covid-19-long-term-care-across-european>

<sup>275</sup> AGE Platform Europe. COVID-19 and care for older people: The urgent wake-up call of the Council of Europe's Human Rights Commissioner. 2020. Available at: <https://www.age-platform.eu/press-releases/covid-19-and-care-older-people-urgent-wake-call-council-europe-human-rights>

<sup>276</sup> Idem.

<sup>277</sup> AGE Platform Europe. A call for the EU Parliament to investigate the tragic impact of COVID-19 on long-term care across the European Union. 2020. Available at: <https://www.age-platform.eu/press-releases/call-eu-parliament-investigate-tragic-impact-covid-19-long-term-care-across-european>

<sup>278</sup> ECDC, Surveillance of COVID-19 at long-term care facilities in the EU/EEA. 2020. Available at: <https://www.ecdc.europa.eu/sites/default/files/documents/covid-19-long-term-care-facilities-surveillance-guidance.pdf>

<sup>279</sup> Idem.

<sup>280</sup> WHO, New WHO/Europe guidance shows more can be done to protect people in need of long-term care during the COVID-19 pandemic. 2020. Available at: <https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/news/news/2020/5/new-who-europe-guidance-shows-more-can-be-done-to-protect-people-in-need-of-long-term-care-during-the-covid-19-pandemic>

respiratory diseases and provide timely reporting at local or national level to inform interventions.<sup>281</sup> As a result of these institutional failures, which severely hampered early containment efforts, most Member States will never be able to provide even a reliable estimate of the impact of COVID-19 on residents of LTCFs in the first waves of the pandemic.

The pandemic also significantly worsened the situation of informal and family carers. Indeed, due to the prevalence and demographics of both informal care and chronic diseases, many informal carers - who are main providers of care to people with chronic conditions and often are part of the most-at-risk age group themselves - have been in a particularly vulnerable situation.<sup>282</sup> Additionally, the strict confinement measures put in place across Member States for several months and the risk of the healthcare system capacity being exceeded have further exacerbated carers' isolation and deprived them from many of the tools usually at their disposal to ensure a better balance between their social, professional and caregiving responsibilities,<sup>283</sup> worsening the impact on their physical and mental health. Moreover, in addition to providing informal care for an elderly relative, many informal care providers also had to provide care for children during the confinement periods.

- How should these demands be implemented at the EU level?

Several initiatives have been taken in the last years at EU level to encourage harmonisation across Member States, such as:

- The exchange of good practices and national policy reforms in the field of long-term care;
- Guiding principles for active aging and solidarity between generations (2012);
- Council conclusions on healthy and dignified aging (2009), on dignified aging (2010), healthy aging across the lifecycle (2012) and on improving the wellbeing of older persons in the era of digitalisation (202);
- The Voluntary European Quality Framework for Social Services,<sup>284</sup> which defines 9 quality criteria for social services (1. respect for users' rights, 2. participation and empowerment, 3. Accessibility of services, 4. person-centred services, 5. comprehensive services, 6. continuous services, 7. Outcome-oriented services, 8. availability of services and 9. Affordability of services);
- The EU itself ratified the UN Convention on the Rights of Persons with Disabilities and is thus bound to respect the rights contained therein.

However, considering the above challenges, significantly more measures at EU and especially at national level are needed to ensure the availability, accessibility and quality of long-term care services, both residential and community-based, to all who need them, while ensuring adequate working conditions and pay for providers of long-term care as well as adequate support for informal carers.

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<sup>281</sup> ECDC, Surveillance of COVID-19 at long-term care facilities in the EU/EEA. 2020. Available at: <https://www.ecdc.europa.eu/sites/default/files/documents/covid-19-long-term-care-facilities-surveillance-guidance.pdf>

<sup>282</sup> Eurocarers. Can Europe afford to leave informal carers on their own at the forefront of the coronavirus battle? 2020. Available at: <https://eurocarers.org/can-europe-afford-to-leave-informal-carers-on-their-own-at-the-forefront-of-the-coronavirus-battle/>

<sup>283</sup> Idem.

<sup>284</sup> Social Protection Committee, A Voluntary European Quality Framework for Social Services, 2018. Available at: <https://ec.europa.eu/social/BlobServlet?docId=6140&langId=en>

When talking about long-term care services, the following aspects are of crucial importance:

- Applying a human rights-based approach to long-term care services. Living a life in dignity is a human right. Investments in long-term care services should not be seen as cost or burden, but as necessity to enable that people can live a life in dignity;
- The individual needs of people receiving long-term care services need to be at the core of service provision. People should not be seen as mere service recipients, but as full participants in designing, evaluating and improving the care they receive;
- Improving the working conditions in the long-term care sector, including the support for informal and family carers;
- Ensuring that long-term care is amongst the key priorities of future funding instruments;
- Introducing effective monitoring mechanisms of long-term care provision with concrete indicators and targets, which allow for benchmarking;
- Enacting and enforcing surveillance systems to monitor the spread of COVID-19 in LTCFs as recommended by the European Centre for Disease Prevention and Control;<sup>285</sup>
- Effectively addressing the common challenges in relation to access, affordability and quality of long-term care in the upcoming EU Green Paper on Ageing.

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<sup>285</sup> European Centre for Disease Prevention and Control, Surveillance of COVID-19 at Long-Term Care Facilities in the EU/EEA. Available at: <https://www.ecdc.europa.eu/en/publications-data/surveillance-COVID-19-long-term-care-facilities-EU-EEA>

## 19. Housing and assistance for the homeless



*Access to social housing or housing assistance of good quality shall be provided for those in need.*

*Vulnerable people have the right to appropriate assistance and protection against forced eviction.*

*Adequate shelter and services shall be provided to the homeless in order to promote their social inclusion.'*

Neither the European Commission political guidelines nor its work programme for 2020 foresee any specific action on the availability, affordability and accessibility of housing, including social housing or the fight against homelessness that would support the implementation of principle 19 of the Social Pillar.

### European Platform on Homelessness

- What are the demands of Social Platform and its members?

Despite this gap, Commissioner Schmit has publicly announced his intention to launch a new policy initiative on homelessness as part of the Social Pillar Action Plan. We strongly welcome this proposal and call on the Commission to launch a European Platform on Homelessness in 2021, which establishes a shared goal of ending homelessness in the EU and supports Member States to make substantive progress by 2030. Actions led by the Commission under the Platform should include the monitoring of homelessness and homelessness policies, support to develop national homelessness strategies, the provision of mutual learning and transnational exchange, the scaling up of good practices like Housing First, and building capacity to mobilise the EU budget to end homelessness.<sup>286</sup> The COVID-19 pandemic has made homelessness an urgent public health and social priority. The Commission can and

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<sup>286</sup> Housing Europe, Housing crisis still on! An EU Action Plan for affordable housing is needed. 2019. Available at: <http://www.housingeurope.eu/resource-1327/housing-crisis-still-on-an-eu-action-plan-for-affordable-housing-is-needed>

should work with Member States to make it a turning point in the fight against homelessness.

The importance of social housing to fight housing exclusion should be reaffirmed. The COVID-19 pandemic has exacerbated the gap between the supply of and demand for social housing. We therefore call on the European Commission to use the European Semester and the general escape clause of the Stability and Growth Pact to urge Member States to invest in social housing and expand the percentage of social rental housing.

- Why do we make these demands?

Europe is still experiencing a housing crisis that has already been identified in previous years.<sup>287</sup> Accessing and sustaining decent and affordable accommodation is primarily a challenge for people with low incomes, but an expanding proportion of people are affected by the lack of affordable housing, especially in cities.<sup>288</sup>

Housing cost overburden is a significant concern. In 2018, 10.4% of the EU-27 population lived in households that spent 40% or more of their equivalised disposable income on housing,<sup>289</sup> with significant national differences reaching from 1.7% in Malta to 39.5% in Greece.<sup>290</sup> 3.3% of households are in arrears on their rent or mortgage repayments.<sup>291</sup>

Housing quality is also alarming. Indeed, in 2018, 17.1% of the EU population lived in overcrowded dwellings, with the highest national rate reaching 46.3% (Romania).<sup>292</sup> Across the EU-27 as a whole, 4.3% of the population suffered from severe housing deprivation, with three EU countries in which at least 1 in 10 people of the population faced severe housing deprivation.<sup>293</sup> 13.9% of households lived in damp conditions in the same year.<sup>294</sup> 14.9% of households lived in housing situation situated in a particularly polluted area.<sup>295</sup> Energy poverty is also of concern, with 7.3% of households experiencing difficulty in maintaining adequate temperatures in 2018.<sup>296</sup>

Energy poverty is also of concern, with 7.8% of people facing difficulties in maintaining adequate temperatures in housing.<sup>297</sup>

The number of homeless persons in Europe is unknown. The European Federation of National Organisations working with the Homeless (FEANTSA)<sup>298</sup> estimates that at

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<sup>287</sup> Housing Europe, The State of Housing in the EU 2019. Decoding the new housing reality. 20129. Available at: <http://www.housingeurope.eu/resource-1323/the-state-of-housing-in-the-eu-2019>

<sup>288</sup> Idem.

<sup>289</sup> FEANTSA, Fifth Overview of Housing Exclusion in Europe 2020. 2020. Available at:

[https://www.feantsa.org/public/user/Resources/resources/Rapport\\_Europe\\_2020\\_GB.pdf](https://www.feantsa.org/public/user/Resources/resources/Rapport_Europe_2020_GB.pdf)

<sup>290</sup> Eurostat, Housing statistics. 2020. Available at: [https://ec.europa.eu/eurostat/statistics-explained/index.php/Housing\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php/Housing_statistics)

<sup>291</sup> FEANTSA, Fifth Overview of Housing Exclusion in Europe 2020. 2020. Available at:

[https://www.feantsa.org/public/user/Resources/resources/Rapport\\_Europe\\_2020\\_GB.pdf](https://www.feantsa.org/public/user/Resources/resources/Rapport_Europe_2020_GB.pdf)

<sup>292</sup> Idem.

<sup>293</sup> Idem.

<sup>294</sup> Idem.

<sup>295</sup> Idem.

<sup>296</sup> Idem.

<sup>297</sup> Foundation Abbé Pierre & FEANTSA, Fourth overview of housing exclusion in Europe. 2019. Available at:

[https://www.feantsa.org/download/oheeu\\_2019\\_eng\\_web5120646087993915253.pdf](https://www.feantsa.org/download/oheeu_2019_eng_web5120646087993915253.pdf)

<sup>298</sup> <https://www.feantsa.org/en>



least 700.000 people sleep rough or in accommodations for homeless people on any night in the European Union. This has increased by 70% in the last decade.<sup>299</sup>

All these numbers are bound to be higher for certain groups in vulnerable situations. For example, Roma are especially affected by severe housing deprivation. Indeed, a high share of Roma still have no regular access to basic sanitation or live in overcrowded conditions.<sup>300</sup> Moreover, a third of the Roma surveyed by the Fundamental Rights Agency continue to live in housing that has no tap water inside the house; 38% do not have a toilet, shower or bathroom inside their home - in stark contrast to the general population average recorded by Eurostat.<sup>301</sup>

While official statistics are not available yet, levels of housing exclusion and homelessness are likely to increase in 2020 due to the COVID-19 pandemic. With unemployment levels rapidly increasing, more households are or will be facing difficulties paying their rent or mortgages or will be unable to do so.

At the same time, homeless persons have been even more vulnerable during this pandemic. They are not able to self-isolate, socially distance, stay at home or practice increased hygiene and are therefore at high risk of infection.<sup>302</sup> In addition, they are disproportionately affected by poor health and disability, which increases their risk of becoming seriously ill and dying, if they contract COVID-19.<sup>303</sup> Furthermore, they experience multiple barriers to accessing healthcare and public health information. Moreover, provision of key social services to homeless people, same as to other disadvantaged groups, was cut down significantly during the lockdowns in various Member States to respect social distancing rules, making these populations even more vulnerable and in more urgent need of support.<sup>304</sup>

- How should these demands be implemented at the EU level?

There are several initiatives that can help implement principle 19. With regards to funding:

- A clear incentive from the European Commission towards Member States and regions so that they include the fight against housing exclusion as well as investment in social housing in their priorities for the European Structural Funds (including the Just Transition Fund) and the national recovery plans;
- A reduction of the co-financing requirements (for EIB loans and European Structural and Investment Funds) for housing-related projects;
- A specific portal or platform to get easier access to centrally managed EU funds and EIB products (for instance InvestEU).

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<sup>299</sup> FEANTSA, FAQ. How many people are homeless in the European Union? Available at:

<https://www.feantsa.org/en/about-us/faq#:~:text=2..night%20in%20the%20European%20Union>.

<sup>300</sup> Fundamental Rights Agency (FRA). A persisting concern: anti-Gypsyism as a barrier to Roma inclusion. 2018.

Available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2018-anti-gypsyism-barrier-roma-inclusion\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-anti-gypsyism-barrier-roma-inclusion_en.pdf)

<sup>301</sup> Idem.

<sup>302</sup> FEANTSA, COVID-19: "Staying Home" Not an Option for People Experiencing Homelessness. 2020.

Available at: <https://www.feantsa.org/en/news/2020/03/18/covid19-staying-home-not-an-option-for-people-experiencing-homelessness>

<sup>303</sup> Idem.

<sup>304</sup> Idem.

European Structural and Investment Funds, especially the European Regional Development Fund (ERDF) and European Social Fund+ (ESF+) have great potential to address the housing and homelessness crisis by focusing investments on housing needs, particularly for the most disadvantaged groups.<sup>305</sup> Investment in affordable housing and tackling homelessness is an essential element of the recovery from the COVID-19 pandemic. However, these funds do not seem to be fully utilized with many opportunities remaining untapped.<sup>306</sup> Additionally, delays in implementation and limited progress in the provision of adequate and affordable housing are common challenges.<sup>307</sup>

Finally, we call for the full implementation of the housing pillar of the EU Strategic Framework for Roma Equality and Inclusion. This can be achieved through a comprehensive set of measures that tackle inadequate, overcrowded housing conditions and lack of access to basic utilities in Roma communities, and which defines segregation as illegal in housing, in conformity with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

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<sup>305</sup> FEANTSA, The EU Roma Framework beyond 2020. A homelessness service providers perspective. 2019. Available at: [https://ec.europa.eu/info/sites/info/files/feantsa\\_the-eu-roma-framework-beyond\\_0.pdf](https://ec.europa.eu/info/sites/info/files/feantsa_the-eu-roma-framework-beyond_0.pdf)

<sup>306</sup> Idem.

<sup>307</sup> Idem.

## 20. Access to essential services



*'Everyone has the right to access essential services of good quality, including water, sanitation, energy, transport, financial services and digital communications. Support for access to such services shall be available for those in need.'*

Essential services are crucial to ensure people's full participation and social inclusion in society and in the labour market. They are also of key importance to guarantee people a life in human dignity and free from poverty.

As essential services are key to the European Social Model, different initiatives are spread across different policy areas. This contribution will therefore mainly focus on the availability, affordability, accessibility, and quality of essential services more in general.

- What are the demands of Social Platform and its members?

Despite their key importance, essential services are not always available, affordable, or of quality. Therefore, Social Platform calls for strong and targeted EU action to promote the availability, accessibility, affordability, and quality of essential services throughout Europe, with a particular focus on groups in vulnerable positions and remote areas.

Social Platform also calls for a better recognition of social services as essential services.

- Why do we make these demands?

The 2008 financial crisis and structural reforms put pressure on the financing and delivery of essential services in both the public and non-for-profit private sectors. This situation is expected to deteriorate further during and in the aftermath of the COVID-

19 pandemic. Especially in this context, comprehensive and integrated EU action is more crucial than ever, as the provision of essential services is heavily impacted by national social distancing rules, leading often to the interruption of the provision of certain key services.

Essential services are a prerequisite for people's full participation and inclusion in society. Sanitation, water, and energy for example are necessary for a life in human dignity. The availability, affordability and accessibility of public transport is essential for ensuring people's social and cultural participation in society as well as access to the labour market, education, health care, etc.

Yet, many people in Europe have no or limited access to essential services. The right to affordable, clean energy for example is a key challenge, with rising energy poverty affecting more than 50 million people. 1 in 10 people cannot heat their home properly and 1 in 5 people cannot properly cool them in summer.<sup>308</sup>

Vulnerable groups, such as the Roma, face multiple obstacles in accessing basic utilities, such as energy or sanitation, as they are either too expensive, or the infrastructure is not available to deliver such services to their homes. Transport links with Roma settlements, particularly the informal ones that spring up in the context of institutional neglect, are often poor or non-existent, and the cost is prohibitive. In some Member States, a significant number of Roma lack identity papers. This is partly due to, as well as results in, a lack of a legal address, which in turn significantly hinders many in accessing both public and private essential services. Concrete examples include the inability to access financial services such as a bank account, or to register for health insurance or social services. Similar challenges and barriers to essential services exist for other groups in vulnerable positions, such as persons with disabilities and older persons for example.

- How should these demands be implemented at EU level?

Access to essential services has not yet been addressed in a comprehensive way at an EU level. Member States are responsible for regulating the provision of essential services at national, regional, and local levels. EU level initiatives have thus far primarily focused on cross-border sectoral legislation and initiatives, such as in the field of electricity, transport and telecommunication for example.

We consider the following aspects of key importance for the provision of essential services:

- Accessibility: essential services need to be designed universally and be available to all people. Targeted measures are needed to ensure the non-discriminatory access to essential services for different groups in vulnerable situations.
- Availability: essential services need to be available to everyone, without discriminatory or territorial limitations or limitations relating to online-only service provision for example.

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<sup>308</sup> Right to Energy Coalition, A Green New Deal for All? 2019. Available at: <https://righttoenergy.org/2019/11/28/a-green-new-deal-for-all/>

- Affordability: essential services ensure a person's life in dignity and need to be affordable for everyone. For people without sufficient financial means, these services need to be provided by the state.
- Quality: essential services need to be of quality to ensure people's full inclusions and participation in society.

The social dimension of the European Semester process needs to be strengthened, including through country-specific recommendations to Member States to ensure universal access to accessible, affordable, quality services in all areas.

Data collection on the availability, accessibility, affordability, and quality of essential services must be strengthened.

Social priorities with regards to essential services must be mainstreamed in relevant current and upcoming initiatives and measures at the European level. For example, the EU and all its Member States are a party to the CRPD, and any future actions need to ensure that persons with disabilities have the right to access services on an equal basis to others. Furthermore, accessibility and affordability of energy must be a key focus in the European Green Deal and Just Transition to fight energy poverty.

### **3. Inclusion of all thematic policy actions and legislative initiatives into an overarching post-2020 strategic framework**

As highlighted above, we welcome the planned Social Pillar Action Plan as a roadmap to comprehensively and ambitiously implementing the Social Pillar. We also welcome the variety of planned policy and legal initiatives we addressed in chapter 2 that will help implement parts of the Social Pillar. However, an effective implementation will depend on the coherence of its role within the overarching strategies that are being developed by the EU.

In 2019, European Commission President Ursula von der Leyen announced that the European Green Deal would also be the EU's new Growth Strategy. While we very much welcome the EU's commitment to taking action on climate change, the proposed European Green Deal's social dimension is very much insufficient. Currently, the main social dimension of the proposal aims at ensuring a just transition, focusing mainly on regions, sectors and workers who will have to make the largest changes to achieve the EU's significant transitions towards becoming climate-neutral by 2050. While this is important, it is equally crucial to ensure more fair and inclusive societies. This involves paying particular attention to the groups of people in the most vulnerable situations, who have already been left behind or are at risk of poverty and social exclusion, and will be especially vulnerable to the changes needed to achieve this transition. It must be ensured that they do not bear its costs.

If the European Green Deal indeed is to be the EU's next Growth Strategy, it must also be a Social Deal that is framed within an overarching balanced economic, environmental, and social sustainability project. It must also build on the objectives of the Europe 2020 Strategy and ensure that macroeconomic policy explicitly supports and invests in social protection and social rights.

The green and social objectives of the EU's growth strategy must be rooted as much in the EU's economic and socio-economic governance frameworks as the macroeconomic objectives of the Stability and Growth Pact. This must be taken into account in the framework of the European Semester process and the EU's upcoming economic governance review.

However, in our view, a proper coherent, comprehensive, and ambitious social and sustainable long-term strategy post-2020 is indispensable to ensuring a holistic approach to reaching the EU's objectives for the next decade, going beyond the current institutional mandate until 2024. Such a strategy should aim at fostering inclusive and sustainable development and must integrate all the different proposed initiatives and priorities: the United Nations SDGs and obligations stemming from international human rights law, a European Green Deal that is truly inclusive, the European Pillar of Social Rights and its Action Plan as well as all other policy and legal initiatives foreseen by the European Commission. This strategy also needs measurable objectives and targets using a variety of indicators disaggregated by various key characteristics that build on the Europe 2020 Strategy and that are taken seriously.



## 4. Acknowledgements

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- European Association for the Education of Adults (EAEA)
- European Association of Service Providers for Persons with Disabilities (EASPD)
- European Federation of National Organisations Working with the Homeless (FEANTSA)
- European Disability Forum (EDF)
- European Public Health Alliance (EPHA)
- European Roma Grassroots Organisations (ERGO) Network
- European Network of Social Integration Entreprises (ENSIE)
- European Youth Forum
- ILGA Europe
- Make Mothers Matter (MMM)
- Mental Health Europe (MHE)
- RREUSE
- Save the Children
- SOLIDAR