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From: Presidency
To: Permanent Representatives Committee

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Subject: Proposal for an Interinstitutional Proclamation on the European Pillar of
Social Rights
- State of play and guidance for future work

I. INTRODUCTION

On 15 June, Ministers held a first informal debate on the European Pillar of Social Rights (EPSR) (based on document 9327/17). There was general support for the objectives and principles within the European Pillar of Social Rights and the Commission proposal was considered as a strong basis for future work. There was general agreement that the process leading to the signature of the central political element, i.e. the 'Interinstitutional Proclamation', should be steered at the political level by the Ministers of Employment and Social Affairs (EPSCO Council), coordinated and prepared by Coreper 1, while keeping the European Parliament closely associated to the process.

In that session, the then incoming Estonian Presidency announced its intention to avoid any redrafting of the principles and to work towards an endorsement of the Proclamation at the EPSCO Council in October.

II. EUROPEAN PARLIAMENT

The European Parliament is currently reflecting on its approach in relation to the suggested 'Interinstitutional Proclamation'. A decision on clarifying the handling of the Proclamation and nominating the representative of the European Parliament in the interinstitutional process is expected in September.

III. CONSIDERATIONS CONCERNING THE DRAFT PROCLAMATION

Following the discussion in EPSCO of 15 June, delegations have requested the following clarifications:

- (1) The 'Proclamation' is to be understood as a political commitment and does not create any binding rights or obligations. The rights and principles are only enforceable, to the extent they have been implemented at EU, national, regional or local level through binding measures or social partner agreements.
- (2) The preamble of the draft 'Proclamation' suggests that the Pillar is primarily conceived for euro area Member States but applicable to all Member States wishing to be part of it. It also indicates that the agreement should be reached between the European Parliament, the Council and the Commission, thus rendering it applicable to all Member States.
- (3) The Proclamation does not modify the powers of the Union as laid down in the Treaties. It is also necessary for the principle of conferral of powers to be clearly respected, even in a document of a political nature such as the Proclamation.
- (4) The implementation of the rights and principles contained in the Pillar will be pursued in full respect of the principles of subsidiarity and proportionality.
- (5) The role and the autonomy of the social partners in setting social standards at national and European level requires a full recognition.

- (6) The renewed process of convergence towards better living and working outcomes will need to take into account different socio-economic environments and the diversity of national circumstances.

Some of these clarifications could be addressed in the Preamble of the Proclamation.

Against this background, the Presidency submits the following draft planning for consideration by Coreper:

- On **11 July**, *Coreper I* will discuss the clarifications requested by the delegations.
- Following preparation in Coreper 1, the *EPSCO* Council on **23 October** will possibly agree on an endorsement of the Proclamation on behalf of the Council.
- Finally, before the end of the year, the signing of the text of the Proclamation is foreseen by the three institutions.

IV. CONCLUSION

In this context, delegations are invited to voice their views in relation to the considerations described above and to the proposed roadmap, and to express any further considerations they might have.
