


List of complaints and state of procedure

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No. 82/2012 *Comité européen d'action spécialisée pour l'Enfant et la Famille dans leur milieu de vie* (EUROCEF) v. France

The complaint was registered on 4 April 2012. It concerns the suspension of family allowances in cases of truancy, in application of the laws of 28 September 2010 and 24 March 2011. The complainant organisation alleges that France does not comply with its obligations under Articles 16 (right to appropriate social, legal and economic protection for the family) and 30 (right to protection against poverty and social exclusion), taken alone or in combination with Article E (non discrimination) of the European Social Charter (Revised).

[Case Document no. 1, Complaint registered at the Secretariat on 4 April 2012](#)

No. 81/2012 *Action européenne des handicapés* (AEH) v. Greece

The complaint was registered on 3 April 2012. It concerns the problems regarding access of autistic children and adolescents to education and access of young adults with autism to vocational training. The complainant organisation alleges that France does not comply with its obligations under Articles 10 (right to vocational training), 15 (right of persons with disabilities to independence, social integration and participation in the life of the community), taken alone or in combination with Article E (non discrimination) of the European Social Charter (Revised).

[Case Document no. 1, Complaint registered at the Secretariat on 3 April 2012](#) *(French only)*

No. 80/2012 Pensioner's Union of the Agricultural Bank of Greece (ATE) v. Greece

The complaint was registered on 2 January 2012. It concerns recent legislation in Greece which impose a reduction of pensions primarily in the public sector. The complainant organisation alleges that these laws are in violation of Articles 12§3 (Right to social security) and 31§1 (Right to housing) of the 1961 Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 2 January 2012](#)

[Case Document no. 2, Observations of the Government on the admissibility](#)

No. 79/2012 Panhellenic Federation of pensioners of the public electricity corporation (POS-DEI) v. Greece

The complaint was registered on 2 January 2012. It concerns recent legislation in Greece which impose a reduction of pensions primarily in the public sector. The complainant organisation alleges that these laws are in violation of Articles 12§3 (Right to social security) and 31§1 (Right to housing) of the 1961 Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 2 January 2012](#)

[Case Document no. 2, Observations of the Government on the admissibility](#)

No. 78/2012 Pensioners' Union of the Athens-Piraeus Electric Railways (I.S.A.P.) v. Greece

The complaint was registered on 2 January 2012. It concerns recent legislation in Greece which impose a reduction of pensions primarily in the public sector. The complainant organisation alleges

that these laws are in violation of Articles 12§3 (Right to social security) and 31§1 (Right to housing) of the 1961 Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 2 January 2012](#)

[Case Document no. 2, Observations of the Government on the admissibility](#)

No. 77/2012 Panhellenic Federation of Public Service Pensioners v. Greece

The complaint was registered on 2 January 2012. It concerns recent legislation in Greece which impose a reduction of pensions primarily in the public sector. The complainant organisation alleges that these laws are in violation of Articles 12§3 (Right to social security) and 31§1 (Right to housing) of the 1961 Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 2 January 2012](#)

[Case Document no. 2, Observations of the Government on the admissibility](#)

No. 76/2012 Federation of employed pensioners of Greece ((IKA –ETAM) v. Greece

The complaint was registered on 2 January 2012. The complainant trade union alleges that recent legislation passed in Greece (Law No. 3845 of 6 May 2010, Law No. 3847 of 11 May 2010, Law No. 3863 of 15 July 2010, Law No. 3865 of 21 July 2010, Law No.3896 of 1 July 2011 and Law No. 4024 of 27 October 2011) impose a reduction in pension schemes, both in the private and public sectors, and are in violation of Articles 12§3 (Right to social security) and 31§1 (Right to housing) of the 1961 Charter.


[Case Document no. 1, Complaint registered at the Secretariat on 2 January 2012](#)

[Case Document no. 2, Observations of the Government on the admissibility](#)

No. 75/2011 *International Federation of Human Rights (FIDH) v. Belgium*

The complaint was registered on 13 December 2011. It concerns the situation of highly dependent disabled adults in need of reception facilities and accommodation, and their relatives. The complainant organisation alleges that Belgium has not taken adequate measures to comply with Articles 13 (right to social and medical assistance), 14 (right to benefit from social welfare services), 15 (the right of persons with disabilities), 16 (right to appropriate social, legal and economic protection for the family), taken alone or in combination with Article E (non discrimination) of the European Social Charter (Revised).

[Case Document no. 1, Complaint registered at the Secretariat on 13 December 2011](#)

 The European Committee of Social Rights declared the complaint **admissible** on 22 March 2012.

No. 74/2011 *Fellesforbundet for Sjøfolk (FFFS) v. Norway*

The complaint was registered on 27 September 2011. It concerns the compulsory retirement of seamen in Norway. The complainant trade union considers that the upper age limit of 62 years in the Norwegian Seamen's Act in reality implies an unjustified work ban and is thus a discriminatory withdrawal of seamen's rights to work as seamen, in breach of Articles 1 §§ 1 and 2 (Right to work) and **24** (Right to protection in case of dismissal), read alone or in conjunction with Article E (non discrimination) of the Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 27 September 2011](#) / [Norwegian version](#)

[Case Document no. 2, Observations by the government on the admissibility](#)

[Case Document no.3, Response to the government's observations on the admissibility](#)

[Case Document no. 4, Further response by the government on the admissibility](#)

No. 73/2011 *Syndicat de Défense des Fonctionnaires v. France*


The complaint was registered on 19 July 2011. It concerns the situation of so-called " redeployed" civil servants, employed by France Télécom and La Poste, who have remained at the grades of the former Post and Telecommunications service. The complainant trade union alleges failure to acknowledge discrimination, breach of the right to information, denial of the right to career development and of the right to social security for this category of employee within the above-

mentioned companies, in violation of Articles 2 (the right to just conditions of work), 12 (the right to social security), 20 (right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex) and E (non discrimination) of the Revised Social Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 19 July 2011](#)

[Case document no. 2, Observations by the Government on the merits \(*français uniquement*\)](#)

[Case document no. 3, Response to the Government's submissions on the merits \(*français uniquement*\)](#)


 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2011.

No. 72/2011 International Federation for Human Rights (FIDH) v. Greece

The complaint was registered on 8 July 2011. It concerns the effects of massive environmental pollution on the health of persons living near the Asopos river and in proximity to the industrial zone of Inofyta, located 50 km north of Athens. The complainant organisation alleges that the State has not taken adequate measures to eliminate or reduce these dangerous effects and to ensure the right to health protection, in violation of Article 11 (right to health) of the Social Charter.

[Case Document no. 1, Complaint registered at the Secretariat on 8 July 2011](#)

[Case Document no. 2, Observations by the government on the admissibility](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2011.

No. 71/2011 Association of Care Giving Relatives and Friends v. Finland


The complaint was registered on 6 July 2011. The complainant organisation alleges that by failing to lay down rules with regard to the cost of caring for the elderly in municipal nursing homes, Finland is in breach of provisions of Articles 13 (right to social and medical assistance), 14 (right to benefit from social welfare services), 16 (right to appropriate social, legal and economic protection for the family) and 23 (right of elderly persons to social protection) of the Revised Social Charter.

[Case Document no.1, Complaint registered at the Secretariat on 6 July 2011](#)

[Case Document no. 2, Observations by the government on the admissibility](#)

[Case Document no. 3, Submissions by the government on the merits](#)

[Case Document no. 4, Response to the government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2011.

No. 70/2011 Association of Care Giving Relatives and Friends v. Finland


The complaint was registered on 6 July 2011. It concerns the situation of family and friend caregivers in Finland. The complainant organisation alleges that the system of financial support for family and friend caregivers is not equal, as it varies according to their place of residence in Finland. The complainant organisation invokes Article 23 (right of elderly persons to social protection) of the Revised Social Charter).

[Case Document no. 1, Complaint registered at the Secretariat on 6 July 2011](#)

[Case Document no. 2, Observations by the government on the admissibility](#)

[Case Document no. 3, Submissions by the government on the merits](#)

[Case Document no. 4, Response to the government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2011.


No. 69/2011 Defence for Children International (DCI) v. Belgium

The complaint was registered on 21 June 2011. The complainant organisation alleges that foreign children living accompanied or not, either as illegal residents or asylum seekers in Belgium, are currently excluded from social assistance in breach of Articles 7§10 (Special protection against

physical and moral dangers), 11 (right to health), 13 (right to social and medical assistance), 16 (right to appropriate social, legal and economic protection for the family), 17 (right of children and young persons to appropriate social, legal and economic protection) and 30 (right to protection against poverty and social exclusion) alone or read in conjunction with Article E (non-discrimination) of the European Social Charter (revised).

[Case document no. 1, Complaint registered at the Secretariat on 21 June 2011](#)

[Case document no. 2, Observations by the government on the admissibility \(French only\)](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2011.


No. 68/2011 European Council of Police Trade Unions (CESP) v. France

The complaint was registered on 18 May 2011. The complainant organisation alleges that the new regulations concerning working conditions for police officers, as from 1 April 2008, removing payment for overtime worked or compensatory time off (Decree No. 2000-194 of 3 March 2000 modified by Decree No. 2008-340 of 15 April 2008, General Rules of Application of the National Police of 6 June 2006 modified by ministerial Decree NOR IOCC0804409A of 15 April 2008 and Directive NOR INTC0800092C of 17 April 2008), is in breach of Article 4 § 2 (right to a fair remuneration) of the Revised Charter.

[Case document no. 1, Complaint registered at the Secretariat on 18 May 2011](#)

[Case document no. 2, Submissions by the government on the merits](#)

[Case document no. 3, Response from CESP to the submissions of the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 13 September 2011.


No. 67/2011 *Médecins du Monde - International* v. France

The complaint was registered on 19 April 2011. According to the complainant organisation the rights of Roma living in France with regard to housing, education for their children, social protection and health care are not respected, in breach of Articles 11 (right to health), 13 (right to social and medical assistance), 16 (right to appropriate social, legal and economic protection for the family), 17 (right of children and young persons to appropriate social, legal and economic protection), 19§8 (guarantees concerning expulsion), 30 (right to protection against poverty and social exclusion) and 31 (right to housing) of the Revised European Social Charter, read alone or in conjunction with the non discrimination clause in Article E.

[Case document no. 1, Complaint registered at the Secretariat on 19 April 2011](#)

[Case document no. 2, Submissions by the Government on the merits](#)

[Case document no. 3, Response to the submissions of the Government on the merits \(French only\)](#)

 The European Committee of Social Rights declared the complaint **admissible** on 13 September 2011.

No. 66/2011 General Federation of employees of the national electric power corporation (GENOP-DEI) / Confederation of Greek Civil Servants' Trade Unions (ADEDY) v. Greece

The complaint was registered on 21 February 2011. According to the complainant trade unions the measures relating to remuneration and working conditions contained in Act No. 3899/2010 of 17 December 2010 are in violation of Articles 1 (right to work) , 4 (right to a fair remuneration), 7 (the right of children and young persons to protection), 10 (right to vocational training), and 12 (right to social security) of the European Social Charter.

[Case document no. 1, Complaint registered at the Secretariat on 21 February 2011](#)

[Case document no. 2, Observations by the Government on the admissibility](#)


[Case document no. 3, Response to the observations of the Government on admissibility](#)

[Case document no. 4, Additional written statements in support of the complaint](#)

[Case document no. 5, Submissions of the Government on the merits](#)

[Case document no. 6, Response to the submissions of the Government on the merits](#)

[Case document no. 7, Additional submissions of the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 30 June 2011.

No. 65/2011 General Federation of employees of the national electric power corporation (GENOP-DEI) / Confederation of Greek Civil Servants' Trade Unions (ADEDY) v. Greece

The complaint was registered on 21 February 2011. According to the complainant trade unions the measures relating to remuneration and working conditions contained in Act No. 3899/2010 of 17 December 2010 are in violation of Article 4 (right to a fair remuneration) of the European Social Charter and Article 3 of the Additional Protocol of 1988 (right to take part in the determination and improvement of the working conditions and working environment).

[Case document no. 1, Complaint registered at the Secretariat on 21 February 2011](#)


[Case document no. 2, Observations of the Government on the admissibility](#)

[Case document no. 3, Response to the Observations of the Government on the admissibility](#)

[Case document no. 4, Additional written statements in support of the complaint](#)

[Case document no. 5, Submissions of the Government on the merits](#)

[Case document no. 6, Response to the submissions of the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 30 June 2011.

No. 64/2011 European Roma and Travellers Forum (ERTF) v. France

The complaint was registered on 28 January 2011. According to the complainant organisation the French Government continues to forcibly evict Roma without providing suitable alternative accommodation and that Roma in France continue to suffer discrimination in access to housing, in violation of Articles 16 (right of the family to social, legal and economic protection), 19§8 (guarantees concerning expulsion), 30 (right to protection against poverty and social exclusion) and 31 (right to housing) of the Revised European Social Charter, read alone or in conjunction with the non discrimination clause in Article E.

[Case document no. 1, Complaint registered at the Secretariat on 28 January 2011](#)

[Case document no. 2, Submissions by the Government on the merits](#)

[Case document no. 3, Response from ERTF to the written submissions of the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 11 May 2011.

No. 63/2010 Centre on Housing Rights and Evictions (COHRE) v. France


The complaint was registered on 15 November 2010. It concerns the eviction and expulsion of Roma from their homes and from France during the summer of 2010. The complainant organisation alleges that such evictions and expulsions amount to violations of Article 31 (right to housing) and Article 19§8 (guarantees concerning expulsion) of the Revised Charter. The complainant organisation also argues that the facts at stake constitute discrimination (Article E) in the enjoyment of the above mentioned rights.

[Case document no. 1, Complaint registered at the Secretariat on 15 November 2010](#)

[Case document no. 2, Written submissions of the Government on the merits](#)

[Case document no. 3, Response by COHRE to the written submissions of the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 25 January 2011.

 The European Committee of Social Rights concluded that there was a **violation** of Article E in conjunction with Articles 31§2 and 19§8 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 13 July 2011.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2011)8** on 9 November 2011.


No. 62/2010 International Federation of Human Rights (FIDH) v. Belgium

The complaint was registered on 30 septembre 2010. The complainant organisation alleges a violation of rights related to housing for Travellers under the European Social Charter. The complaint concerns the insufficiency of stopping places, problems stemming from the non recognition of caravans as a home; lack of respect of the required conditions when carrying out evictions, lack of a global and coordinated policy to combat poverty and social exclusion of Travellers, among other issues. These allegations concern Article 16 (the right of the family to social, legal and economic protection) and 30 (right to protection against poverty and social exclusion) of the Revised European Social Charter as well as the non discrimination clause (Article E).

[Case document no. 1, Complaint registered at the Secretariat on 30 September 2010](#)

[Case document no. 2, Written submissions of the Government on the merits](#)

[Case document no. 3, Response to the written submissions of the Government on the merits](#)
(French only)

 The European Committee of Social Rights declared the complaint **admissible** on 1 December 2010.

No. 61/2010 European Roma Rights Centre (ERRC) v. Portugal


The complaint was registered on 23 April 2010. The complainant organisation pleads a violation of Articles 16 (the right of the family to social, legal and economic protection), 30 (right to protection against poverty and social exclusion) and 31 (right to housing), read alone or in conjunction with Article E (non discrimination) of the Revised Charter. The ERRC maintains that the sum of housing-related injustices in Portugal (including problems of access to social housing, substandard quality of housing, lack of access to basic utilities, residential segregation of Romani communities and other systemic violations of the right to housing) violates these provisions.


[Case document no. 1, Complaint registered at the Secretariat on 23 April 2010](#)

[Case document no. 2, Observations of the Government on the admissibility](#)

[Case document no. 3, Written submissions of the Government on the merits](#)

[Case document no. 4, Response by ERRC to the written submissions of the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 17 September 2010.

 The European Committee of Social Rights concluded that there was a **violation** of Articles 16, 30 and 31§1, read alone or in conjunction with Article E, of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 1 July 2011.

No. 60/2010 European Council of Police Trade Unions (CESP) v. Portugal


The complaint registered on 18 March 2010, relates to Article 4§§1 and 2 (right to adequate remuneration and right to increased rate of remuneration for overtime work), Article 6§§1 and 2 (right to collective bargaining: joint consultation and machinery for voluntary negotiations) and Article 22 (right to take part in the determination and improvement of the working conditions and working environment) of the Revised European Social Charter. The CESP claims that that Portuguese legislation does not allow the the investigative personnel of the Criminal Police to receive compensation for overtime work. The CESP also contends that the Portuguese state refuses to negotiate on this matter with national trade unions.

[Case document no. 1, Complaint registered at the Secretariat on 18 March 2010](#)

[Case document no. 2, Written submissions by the Government on the merits](#)

[Case document no. 3, Response by CESP to the Government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 22 June 2010.

 The European Committee of Social Rights concluded that there was a **violation** of Article 4§2 and that there was **no violation** of Article 6§§1 and 2 and Article 22 of the Revised Charter, and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 17 October 2011.

No. 59/2009 European Trade Union Confederation (ETUC)/ *Centrale Générale des Syndicats Libéraux de Belgique* (CGSLB)/ *Confédération des Syndicats chrétiens de Belgique* (CSC)/ *Fédération Générale du Travail de Belgique* (FGTB) v. Belgium

The complaint was registered on 22 June 2009. The complainant organisations allege that the situation in Belgium is not in conformity with the rights laid down in Article 6§4 (right to strike) of the Revised Charter. They believe that judicial intervention in social conflicts in Belgium, in particular concerning restrictions imposed on the action of picket line, violate this provision.

[Case document no. 1, Complaint registered at the Secretariat on 22 June 2009](#)

[Case document no. 2, Observations of the government on admissibility \(French only\)](#)

[Case document no. 3, Written submissions of the government on the merits](#)

[Case document no. 4, Observations of the *Organisation internationale des employeurs \(OIE\)*](#)

[Case document no. 5, Observations from Finland](#)

[Case document no. 6, Response from ETUC, CGSLB, CSC and FGTB to the written submissions of the government on the merits](#)



The European Committee of Social Rights declared the complaint **admissible** on 8 December 2009.



The European Committee of Social Rights concluded that there was a **violation** of Article 6§4 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 16 September 2011.

[CM](#)

[Website](#)

The Committee of Ministers **adopted Resolution CM/ResChS(2012)3** on 4 April 2011.

No. 58/2009 Centre on Housing Rights and Evictions (COHRE) v. Italy

The complaint was registered on 29 May 2009. The complainant organisation pleads a violation of Articles 16 (the right of the family to social, legal and economic protection), 19 (right of migrant workers and their families to protection and assistance), 30 (right to protection against poverty and social exclusion) and 31 (right to housing), read alone or in conjunction with Article E (non discrimination) of the Revised Charter. The complainant organisation alleges that the recent so-called emergency security measures and racist and xenophobic discourse have resulted in unlawful campaigns and evictions leading to homelessness and expulsions, disproportionately targeting Roma and Sinti.

[Case document no. 1, Complaint registered at the Secretariat on 29 May 2009](#)

[Case document no. 2, Observations of the government on admissibility \(French only\)](#)

[Case document no. 3, Written submissions of the government on the merits](#)

[Case document no. 4, Response from COHRE to the written submissions of the government on the merits](#)



The European Committee of Social Rights declared the complaint **admissible** on 8 December 2009.



The European Committee of Social Rights concluded that there was a **violation** of Articles 16, 19, 30 and 31 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 6 July 2010.

[CM](#)

[Website](#)

The Committee of Ministers **adopted Resolution CM/ResChS(2010)8** on 21 October 2010.


No. 57/2009 European Council of Police Trade Unions (CESP) v. France


The complaint was registered on 7 May 2009. The CESP claims that the new regulations introduced by the French government on 27 February 2008 (Decree No. 2008-199 modifying Article 3 of Decree No. 2000-194 of 3 March 2000), laying down the conditions for the granting of a payment for extra services to operational members of the national police force, are in breach of Article 4§2 (right to a fair remuneration) of the Revised Charter, because it establishes - regardless of the grade and step - a fixed compensation system.

[Case document no. 1, Complaint registered at the Secretariat on 7 May 2009](#)

[Case document no. 2, Submissions by the Government on the merits and responses to the Committee's questions](#)

[Case document no. 3, Reply from CESP to the Government's submissions on the merits \(French only\)](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 September 2009.

 The European Committee of Social Rights concluded that there was a **violation** of Article 4§2 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 3 December 2010.


No. 56/2009 *Confédération Française de l'Encadrement (CFE-CGC) v. France*


The complaint, registered on 4 May 2009, relates to Articles 1 (the right to work), 2 (the right to just conditions of work), 3 (the right to safe and healthy working conditions), 4 (right to a fair remuneration), 20 (right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex), and 27 (right of workers with family responsibilities to equal opportunities and equal treatment), read alone or in conjunction with Article E (non discrimination), of the Revised Charter. The CFE-CGC claims that the new regulations on working time introduced in France on 20 August 2008 (Act N°2008-789) violate these provisions.

[Case document no. 1, Complaint registered at the Secretariat on 4 May 2009](#)

[Case document no. 2, Written submissions by the government on the merits \(French only\)](#)

[Case document no. 3, Observations of the government of Finland](#)

 The European Committee of Social Rights declared the complaint **admissible** on 29 June 2009.

 The European Committee of Social Rights concluded that there was a **violation** of Articles 2§1 and 4§2 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 13 September 2010.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2011)5** on 6 April 2011.


No. 55/2009 *Confédération Générale du Travail (CGT) v. France*


The complaint, lodged on 21 January 2009, relates to Articles 2 (the right to just conditions of work) and 4 (the right to a fair remuneration). The CGT (*Confédération Générale du Travail*) claims that the new regulations on working time introduced in France on 20 August 2008 (Act n° 2008-789) violates these provisions).

[Case Document no. 1, Complaint registered at the Secretariat on 21 January 2009](#)

[Case Document no. 2, Written submissions by the government on the merits](#)

[Case Document no. 3, Response of the CGT to the government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 30 March 2009.

 The European Committee of Social Rights concluded that there was a **violation** of Articles 2§1, 2§5 and 4§2 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 13 September 2010.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2011)4** on 6 April 2011.

No. 54/2008 *European Council of Police Trade Unions (CESP) v. France*

The CESP (European Council of Police Trade Unions) claims that the new regulations introduced by the French Government on 15 April 2008 (General Regulations on Employment in the National Police Service and General Instruction on the organisation of working hours in the National Police Service) are in breach of Article 2§1 on the grounds that it is impossible to ascertain whether daily and weekly police working hours are reasonable because such working hours are not recorded. The CESP also contends that the flat, ie non-increased, rate of remuneration for overtime work provided for in the new regulations of 17 April 2008 (the General Regulations on the National Police Service and Instruction NOR INTC0800092c) infringes Article 4§2 (because the rate of remuneration for overtime work, where the latter is taken into consideration, is based on a rate below the hourly rate for police officers, and where compensation is available in the form of rest periods, such compensation is ineffective).

[Case Document no. 1, Complaint registered at the Secretariat on 3 December 2008](#)

[Case Document no. 2, Written submissions from the government on the merits](#)

[Case Document no. 3, Response of the CESP to the government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 17 February 2009.

 The European Committee of Social Rights concluded that there was no violation of Articles 2§1 and 4§2 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 3 December 2010.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2011)1** on 19 January 2011.

No. 53/2008 European Federation of National Organisations working with the Homeless (FEANTSA) v. Slovenia


The complaint was registered on 28 August 2008. The complainant organisation pleads a violation of Articles 31 (right to housing) and 16 (the right of the family to social, legal and economic protection), read alone or in conjunction with Article E (non discrimination) of the Revised Charter. In support of its request, the complainant organisation alleges that a vulnerable group of persons occupying denationalised flats in the Republic of Slovenia have been deprived of their occupancy titles and subjected to eviction. As the persons concerned were denied access to alternative housing in the long term, they have now become homeless. These measures have also resulted in housing problems for the families of the evicted persons.


[Case Document no. 1, Complaint registered at the Secretariat on 25 August 2008.](#)

[Case Document no. 2, Submissions of the government on the merits](#)

[Case Document no. 3, Response from FEANTSA to the government's submissions on the merits](#)

[Case Document no. 4, Response from the government to FEANTSA's response](#)

 The European Committee of Social Rights declared the complaint **admissible** on 2 December 2008.

 The European Committee of Social Rights concluded that there was a **violation** of Article 31 of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 29 September 2009.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2011)7** on 15 June 2011.

No. 52/2008 Centre on Housing Rights and Evictions (COHRE) v. Croatia

The complaint was registered on 25 August 2008. The complainant organisation pleads a violation of Article 16 of the Charter (the right of the family to social, legal and economic protection), read alone or in conjunction with Article E (non discrimination) of the Charter, on the grounds that the ethnic Serb population displaced during the war in Croatia has been subjected to discriminatory treatment as the families have not been allowed to reoccupy their former dwellings prior to the conflict, nor have they been granted financial compensation for the loss of their homes.


[Case Document no. 1, Complaint registered at the Secretariat on 25 August 2008.](#)


[Case Document no. 2, Observations of the Government on admissibility](#)

[Case Document no. 3, Response to observations of the Government of Croatia on admissibility](#)

[Case Document no. 4, Written submissions by the Government on the merits](#)

[Case Document no. 5, Response by COHRE to the Government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 30 March 2009.

 The European Committee of Social Rights concluded that there was a **violation** of Article 16 read in the light of the non-discrimination clause of the Preamble to the Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 7 July 2010.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2011)6** on 5 May 2011.

No. 51/2008 European Roma Rights Centre (ERRC) v. France


The complaint was registered on 17 April 2008. The complainant organisation pleads a violation of Articles 16 (right of the family to social, legal and economic protection), 19 (right of migrant workers and their families to protection and assistance), 30 (right to protection against poverty and social exclusion) and 31 (right to housing), read alone or in conjunction with Article E (non-discrimination), on the grounds that Travellers in France are victims of injustice with regard to access to housing, inter alia social exclusion, forced eviction as well as residential segregation, substandard housing conditions and lack of security. Furthermore, France has failed to take measures to address the deplorable living conditions of Romani migrants from other Council of Europe member states.

[Case Document no. 1, Complaint registered at the Secretariat on 17 April 2008.](#)

[Case Document no. 2, Written submissions from the government on the merits](#)

[Case Document no. 3, Response from ERRC to the government's submissions on the merits](#)

[Case Document no. 4, Further response by the government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 23 September 2008.

The European Committee of Social Rights concluded that there was a violation of Articles 31§§1 and 2, Article E taken in conjunction with Article 31, Article 16 and Article E in conjunction with Article 16, Article 30 and Article E taken in conjunction with Article 30 and Article 19§4c of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 October 2009.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2010)5** on 30 June 2010.

No. 50/2008 *Confédération française démocratique du travail* (CFDT) v. France


The complaint was registered on 1 April 2008. It is alleged that the rules governing the integration of civilians working for the French forces based in Germany into the French administration, following the dissolution of these forces are not in conformity with the rights laid down in Articles 4 (right to a fair remuneration), 12 (right to social security), 18 (right to engage in a gainful occupation in the territory of other Parties) and 19 (right of migrant workers and their families to protection and assistance) alone or read in conjunction with Article E (non-discrimination) of the European Social Charter (revised).

[Case Document no. 1, Complaint registered at the Secretariat on 1 April 2008](#)

[Case Document no. 2, Observations from the government on admissibility](#)

[Case Document no. 3, Written submissions from the government on the merits](#)

[Case Document no. 4, Response from the CFDT to the government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 23 September 2008.

The European Committee of Social Rights concluded that there was no violation of Articles 4, 12, 18 and 19 in conjunction with Article E and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 29 September 2009.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2009)8** on 9 December 2009.

No. 49/2008 International Centre for the Legal Protection of Human Rights (INTERIGHTS) v. Greece

The complaint was registered on 28 March 2008. It is alleged that the Greek Government continues to forcibly evict Roma without providing suitable alternative accommodation. It also alleges that the Roma in Greece continue to suffer discrimination in access to housing in violation of Article 16 of the European Social Charter (Right of the family to social, legal and economic protection) alone or in conjunction with the non discrimination clause in the Preamble.

[Case document no. 1, Complaint registered at the Secretariat on 28 March 2008](#)


[Case document no. 2, Observations of the government on the admissibility](#)

[Case document no. 3, Response from INTERIGHTS to the government on the admissibility](#)

[Case document no. 4, Written submissions by the government on the merits](#)

[Case document no. 5, Response from INTERIGHTS to the government's submissions on the merits](#)



[Case document no. 6, Further observations from the government on the merits](#)

-  The European Committee of Social Rights declared the complaint **admissible** on 23 September 2008.
-  The European Committee of Social Rights concluded that there was a violation of Article 16 of the European Social Charter (revised) and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 25 January 2010.
- [CM Website](#) The Committee of Ministers adopted **adopted Resolution CM/ResChS(2011)1** on 6 July 2011.

No. 48/2008 European Roma Rights Centre (ERRC) v. Bulgaria

The complaint registered on 28 March 2008 relates to Article 13§1 (the right to social and medical assistance) alone or in conjunction with Article E (non discrimination) of the Revised European Social Charter. It is alleged that Bulgarian legislation as from 01/01/2008 will no longer ensure the right to adequate social assistance to unemployed persons without adequate resources. This will notably affect Roma and women.

- [Case Document no. 1, Complaint registered at the Secretariat on 28 March](#)
- [Case Document no. 2, Written submissions from the Government on the merits](#)
- [Case Document no. 3, Response of the ERRC to the submission by the government on the merits](#)
- [Case Document no. 4, Letter from the European Roma Rights Centre concerning new legislation in Bulgaria](#)

-  The European Committee of Social Rights declared the complaint **admissible** on 2 June 2008.
-  The European Committee of Social Rights concluded that there was a violation of Article 13§1 of the European Social Charter (revised), and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 31 March 2009.
- [CM Website](#) The Committee of Ministers adopted **adopted Resolution CM/ResChS(2010) 2** on 31 March 2010.

No. 47/2008, Defence for Children International v. The Netherlands

The complaint was registered on 4 February 2008. It is alleged that Dutch legislation deprives children residing illegally in The Netherlands of the right to housing (Article 31) and consequently of a series of additional rights laid down in Articles 11 (right to health), 13 (right to social and medical assistance), 16 (right to appropriate social, legal and economic protection for the family), 17 (right of children and young persons to appropriate social, legal and economic protection) and 30 (right to protection against poverty and social exclusion) alone or read in conjunction with Article E (non-discrimination) of the European Social Charter (revised).

- [Case document no. 1, Complaint registered at the Secretariat on 4 February 2008](#)
- [Case document no. 2, Observations of the government on the admissibility](#)
- [Case document no. 3, Response by the DCI to the Observations of the Government on admissibility](#)
- [Case document no. 4, Observations of the government on the merits](#)
- [Case document no. 5, Response from DCI to the Government's submissions on the merits](#)

-  The European Committee of Social Rights declared the complaint **admissible** on 23 September 2008.
-  The European Committee of Social Rights concluded that there was a violation of Articles 31§2 and 17§1.c of the European Social Charter (revised), and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 27 October 2009.
- [CM Website](#) The Committee of Ministers adopted **adopted Resolution CM/ResChS(2010)6** on 7 July 2010.

No. 46/2007, European Roma Rights Centre (ERRC) v. Bulgaria

The complaint registered on 22 October 2007 relates to Article 11 (right to health) and Article 13 (right to social and medical assistance) alone or in conjunction with Article E (non-discrimination) of the Revised European Social Charter. It is alleged that legislation excludes a large number of Roma persons from health insurance coverage, that government policies do not adequately address the specific health risks affecting Romani communities, and that there is widespread discriminatory practices on the part of health care practitioners against Roma in the provision of health services.


[Case document no. 1, Complaint registered at the Secretariat on 23 October 2007](#)

[Case document no. 2, Observations by the European Trade Union Confederation \(ETUC\)](#)

[Case document no. 3, Observations from the Government on the merits](#)

[Case document no. 4 Response of the ERRC to the Government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 5 February 2008.

 The European Committee of Social Rights concluded that there was a violation of Article 11§§1, 2 and 3, in conjunction with Article E, and of Article 13§1, and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 3 December 2008.

[CM Website](#) The Committee of Ministers adopted **adopted Resolution CM/ResChS(2010)1** on 31 March 2010.

No. 45/2007, International Centre for the Legal Protection of Human Rights (INTERIGHTS) v. Croatia

The complaint registered on 12 October 2007 relates to Article 11 (right to health), Article 16 (right of the family to social, legal and economic protection) and Article 17 (right of children and young persons to social, legal and economic protection) of the European Social Charter. It is alleged that Croatian schools do not provide comprehensive or adequate sexual and reproductive health education for children and young people.

[Case document no. 1, Complaint registered at the Secretariat on 10 October 2007](#)

[Case document no. 2, Additional information from INTERIGHTS](#)

[Case document no. 3, Observations of the Government on admissibility](#)

[Case document no. 4, Response from INTERIGHTS to the Government's observations](#)

[Case document no 5, Letter from the Government on the written submissions to the merits](#)


[Case document no. 6, Response from INTERIGHTS to the Government's observations on the merits](#)

[Case document no. 7, Response from INTERIGHTS to the questions of the Committee](#)

[Case document no. 8, Response from the Government to the questions of the Committee](#)

[Case document no. 9, Additional information from INTERIGHTS](#)

 The European Committee of Social Rights declared the complaint **admissible** on 1 April 2008.

 The European Committee of Social Rights concluded that there was a violation of Article 11§2 of the European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 9 April 2009.

[CM Website](#) The Committee of Ministers adopted Resolution Res (2009)7 on 21 October 2009.

No. 44/2007, International Helsinki Federation for Human Rights (IHF) v. Bulgaria

The complaint registered on 8 August 2007 relates to Article 13§1 (the right to social and medical assistance) alone or in conjunction with Article E (non discrimination) of the Revised European Social Charter. It is alleged that Bulgarian legislation as from 01/01/2008 will no longer ensure the right to adequate social assistance to unemployed persons without adequate resources. This will notably affect Roma and women.


[Case document no. 1, Complaint registered at the Secretariat on 8 August 2007](#)

[Case document no. 2, Observations by the government on the admissibility](#)

[Case document no. 3, Observations from the European Trade Union Confederation on the complaint \(French version only\)](#)

 The European Committee of Social Rights declared the complaint **admissible** on 3 December

2007.

 On 5 March 2008, as a result of the insolvency proceedings of the complainant organisation which now lacks the capacity to take part in further proceedings in respect of this complaint, the European Committee of Social Rights **decided to strike out the case** from the list of complaints .

No. 43/2007, *Sindicato dos Magistrados do Ministério Público (SMMP) v. Portugal*


The complaint registered on 17 April 2007 relates to Article 12§1, 2, 3 (the right to social security) of the Revised European Social Charter. It is alleged that staff of the Public Prosecutor's Office in Portugal are excluded from the Social Welfare Service of the Ministry of Justice (Legislative Decree No. 212/2005 of 9 December 2005)


[Case document no. 1, Complaint registered at the Secretariat on 17 April 2007](#)

[Case document no. 2, Letter from the Government on the admissibility](#)

[Case document no. 3, Written submissions from the Government](#)

[Case document no. 4, Response of the SMMP to the government's written submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 16 October 2007.

 The European Committee of Social Rights concluded that there was no violation of Article 12§3 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 9 December 2008.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2009)2** on 21 January 2009.

No. 42/2007, *International Federation of Human Rights (FIDH) v. Ireland*

The complaint registered on 26 February 2007 relates to Article 23 (the right of elderly persons to social protection) read in conjunction with Article E (non-discrimination) and to Article 12§4 (the right to social security) of the Revised European Social Charter. It is alleged that the situation constitutes a discrimination against persons in receipt of Irish Contributory Old Age Pensions who do not reside permanently in Ireland in that they do not have access to the Free Travel scheme when they return to Ireland.

[Case document no. 1, Complaint registered at the Secretariat on 26 February 2007](#)

[Case document no. 2, Observations by the government on the admissibility](#)


[Case document no. 3, Response to the Government's observations on the admissibility](#)

[Case document no. 4, Submissions from the Government on the merits](#)

[Case document no. 5, response of the FIDH to the Government's submissions the on the merits](#)

[Case document no. 6, Further written response from the Government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 16 October 2007.

 The European Committee of Social Rights concluded that there was no violation of Articles 23 and 12§4 in conjunction with Article E and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 4 July 2008.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS(2008)9** on 21 January 2009.

No. 41/2007, *Mental Disability Advocacy Center (MDAC) v. Bulgaria*

The complaint registered on 20 February 2007 relates to Article 17§2 (the right of children and young persons to social, legal and economic protection) taken alone and in conjunction with Article E (non-discrimination) of the Revised European Social Charter. It is alleged that children living in Homes for Mentally Disabled Children in Bulgaria receive no education.

[Case document no. 1, Complaint registered at the secretariat on 20 February 2007](#)

[Case document no. 2, Observations from the government on admissibility](#)

[Case document no. 3, Response to the government's observations on the admissibility](#)

[Case document no. 4, Submissions of the government on the merits](#)

[Case document no. 5, Response of the MDAC on the submissions of the government on the merits](#)



The European Committee of Social Rights declared the complaint **admissible** on 27 June 2007.



The European Committee of Social Rights concluded that there was violation of Article 17§2 alone and in conjunction with Article E of the Revised Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 10 June 2008.

[CM](#)

[website](#)

The Committee of Ministers **adopted Resolution CM/ResChS(2010)7** on 20 September 2010.

No. 40/2007, European Council of Police Trade Unions (CESP) v. Portugal

The complaint registered on 7 February 2007 relates to Articles 6§§1-2 (the right to bargain collectively), 21 (the right to information and consultation) and 22 (the right to take part in the determination and improvement of the working conditions and working environment) of the Revised European Social Charter. It is alleged that in practice police officers do not enjoy these rights in Portugal.

[Case document no. 1, Complaint registered at the Secretariat on 7 February 2007](#)

[Case document no. 2, Observations from the European Trade Union Confederation \(ETUC\)](#)

[Case document no. 3, European Council of Police Trade Unions \(CESP\) v. Portugal](#)

[Case document no. 4, response of the CESP on the submissions from the Government on the merits](#)

[Case document no. 5, Further response of the Government to the response of the CESP to the Government's written submissions](#)



The European Committee on Social Rights declared the complaint **admissible** on 21 May 2007



The European Committee on Social Rights concluded that there was no violation of Articles 6§§1 and 2, 21 and 22 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 10 October 2008.

[CM](#)

[website](#)

The Committee of Ministers **adopted Resolution CM/ResChS(2009)1** on 21 January 2009.

No. 39/2006 European Federation of National Organisations Working with the Homeless (FEANTSA) v. France

The complaint registered on 2 November 2006 relates to Article 31 (the right to housing) of the Revised European Social Charter. It is alleged that the manner in which legislation related to housing is implemented in France results in a situation of non conformity with this Article.

[Case document no. 1, Complaint \(English, complete version\)](#)

[Case document no. 5, Written submissions from the Government on the merits \(French only\)](#)

[Case Document no. 6, Response to the Government's submissions on the merits \(French only\)](#)



The European Committee of Social Rights declared the complaint **admissible** on 19 March 2007.



The European Committee of Social Rights concluded that there was violation of Articles 31§§1 and 2 and Article 31§3 in conjunction with Article E of the revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and the Committee of Ministers on 4 February 2008.

[CM](#)

[Website](#)

The Committee of Ministers **adopted Resolution Res ChS (2008)8** on 2 July 2008.

No. 38/2006 European Council of Police Trade Unions (CESP) v. France

The complaint was lodged on 20 October 2006 and relates to the Article 4§2 (right to increased rate of remuneration for overtime work) of the Revised European Social Charter. It is alleged that the French legislation does not allow the Operational Command Corps of the National Police Force, which is classified as an A-grade body within the national civil service, to receive compensation for the


overtime worked as a result of anti-governmental demonstrations held in France in the first half of 2006.


[Case document no. 1, Complaint registered at the Secretariat on 20 October 2006](#)

[Case document no. 2, Observations from the Government on the admissibility \(*French version only*\)](#)

[Case document no. 3, Submissions of the Government on the merits](#)

[Case document no. 4, Response to the Government's submissions on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 19 March 2007.

 The European Committee of Social Rights concluded that there was a violation of Article 4§2 of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 3 December 2007.

[CM Website](#) The Committee of Ministers **adopted Resolution ResChS(2008)6** on 23 April 2008.

No. 37/2006 European Council of Police Trade Unions (CESP) v. Portugal

The complaint, lodged on 29 September 2006, relates to Article 4 §§ 1-2 (right to adequate remuneration and right to increased rate of remuneration for overtime work) and Article 6 §§1-2 (right to collective bargaining: joint consultation and machinery for voluntary negotiations) of the Revised European Social Charter. It is alleged that the Portuguese state has not observed the democratic rules of collective bargaining, having decided unilaterally to apply to the criminal investigation personnel of the Criminal Police a rule reducing their basic pay by 25%, thus avoiding payment of the on-call bonus.

[Case document no. 1, Complaint registered at the Secretariat on 25 March 2007](#)

[Case document no. 2, Written submissions from the Government on the merits](#)


[Case document no. 3, Observations from the ETUCs](#)

[Case document no. 4, Reply to the Government's submissions on the merits \(*French only*\)](#)

[Case document no. 5, Response from the CESP to the ECSR's questions](#)

[Case document no. 6, Response from the Government to the ECSR's questions](#)

 The European Committee of Social Rights declared the complaint **admissible** on 5 December 2006.


 The European Committee of Social Rights concluded that there was no violation of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 3 December 2007.

[CM Website](#) The Committee of Ministers **adopted Resolution ResChS(2008)5** on 27 February 2008.

No. 36/2006 *Frente Comum de Sindicatos da Administração Pública* v. Portugal

The complaint, lodged on 3 July 2006, relates in particular to Article 6§2 (the right to bargain collectively) of the revised Social Charter. It alleges a breach of the right to collective bargaining and discrimination, since the Government refused to continue negotiations with the complainant organisation on issues related to the General Employees' Statute.

[Case Document no. 1, Complaint registered at the Secretariat on 3 July 2006.](#)

 The European Committee of Social Rights declared the complaint **inadmissible** on 5 December 2006.

No. 35/2006 Federation of Finnish Enterprises v. Finland

The complaint, lodged on 30 June 2006, relates to Article 5 (freedom to organise). It is alleged that legislation violates the right to organise since it contains stricter provisions for enterprises not belonging to an employers' organisation than for those which belong to such an organisation.

[Case Document no. 1, Complaint registered at the Secretariat on 19 June 2006](#)


[Case Document no. 2, Observations from the Government on the admissibility](#)

[Case Document no. 3, Written submissions from the Government on the merits](#)

[Case Document no. 4, Observations from ETUC](#)

[Case Document no. 5, Response from the Federation of Finnish Enterprises](#)

 The European Committee of Social Rights declared the complaint **admissible** on 5 December 2006.

 The European Committee of Social Rights concluded that there was no violation of Article 5 of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 October 2007.

[CM Website](#) The Committee of Ministers **adopted Resolution CM/ResChS (2008) 2** on 16 January 2008.


No. 34/2006 World Organisation Against Torture v. Portugal

The complaint, lodged on 31 May 2006, relates to Article 17 (right of children and young persons to social, legal and economic protection of the Revised Social Charter. It is alleged that domestic law does not explicitly nor effectively prohibit all corporal punishment of children.

[Case Document no. 1, Complaint registered at the Secretariat on 31 May 2006](#)

[Case Document no. 2, Observations of European Trade Union Confederation \(Etuc\) on the Merits](#)

[Case Document no. 3, Observations du gouvernement portugais \(*French version only*\)](#)

 The European Committee of Social Rights declared the complaint **admissible** on 12 June 2006.

 The European Committee of Social Rights concluded unanimously that there was violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 22 January 2007.

[CM Website](#) The Committee of Ministers **adopted Resolution ResChS(2008)4** on 27 February 2008.

No. 33/2006 International Movement ATD Fourth World v. France

The complaint, lodged on 1 February 2006, relates to Article 16 (right of the family to social, legal and economic protection), Article 30 (right to protection against poverty and social exclusion), Article 31 (right to housing) alone or in combination with Article E (non-discrimination) of the Revised Social Charter. It alleges violations of the right to housing of persons in extreme poverty.


[Case document no. 1, Complaint registered at the Secretariat on 1 February 2006](#)


[Case document no. 2, Observations of the Government on the admissibility](#)

[Case document no. 3, Observations of the European Trade Union Confederation \(ETUC\) on the merits](#)

[Case document no. 4, Submissions of the Government on the merits](#)

[Case document no. 5, Responses of the International Movement ATD Fourth World in response to the observations of the French Government](#)

 The European Committee of Social Rights declared the complaint **admissible** on 12 June 2006.

 The European Committee of Social Rights concluded that there was a violation of Articles 30 (alone and in conjunction with Article E), 31§§1 and 2 and 31§3 in conjunction with Article E of the revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 4 February 2008.

[CM Website](#) The Committee of Ministers **adopted Resolution Res ChS (2008)7** on 2 July 2008.

No. 32/2005 European Trade Union Confederation (ETUC), Confederation of Independent Trade Unions in Bulgaria (CITUB), Confederation of Labour "Podkrepa" (CL "Podkrepa") v. Bulgaria


The complaint, lodged on 16 June 2005, relates to Article 6§4 (right to strike) of the Revised European Social Charter. It is alleged that the right to strike is restricted in several sectors of the economy in a manner that is not in conformity with the Revised Charter.


[Case document no. 1, Complaint registered at the Secretariat on 16 June 2005](#)

[Case document no. 2, Observations of the Government on the admissibility](#)

[Case document no. 3, Observations from complainant parties \(CITUB/PODKREPA/ETUC\), in reply to the observations of the Bulgarian government on the merits](#)

[Case document no. 4, Response from the Bulgarian Government to the submission of the complainant organisations on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 November 2005.

 The European Committee of Social Rights concluded that there was violation of Article 6§4 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 29 November 2006.

No. 31/2005 European Roma Rights Center (ERRC) v. Bulgaria

The complaint, lodged on 22 April 2005, relates to Article 16 (right to social, economic, and legal protection) alone or in combination with Article E (non-discrimination) of the Revised European Social Charter. It is alleged that the situation of Roma in Bulgaria amounts to a violation of the right to adequate housing.

[Case Document no. 1, Complaint registered at the Secretariat on 22 April 2005](#)

[Case Document no. 2, Observations from the Bulgarian government on the admissibility](#)


[Case Document no. 3, Response from ERRC to observations from the Bulgarian government on the admissibility](#)


[Case Document no. 4, Written submissions from the Bulgarian government on the merits](#)

[Case Document no. 5, Response from ERRC to written submissions from the Bulgarian government on the merits](#)

[Case Document no. 5 addendum, Addendum to response by ERRC to written submissions from the Bulgarian government on the merits](#)

[Case Document no. 6, Response by the Bulgarian government to the written submissions from the ERRC](#)

 The European Committee of Social Rights declared the complaint **admissible** on 10 October 2005.

 The European Committee of Social Rights concluded that there was violation of Article 16 in conjunction with Article E and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 30 November 2006.

[CM Website](#) The Committee of Ministers **adopted Resolution ResChS(2007) 2** on 5 September 2007.

No. 30/2005 Marangopoulos Foundation for Human Rights (MFHR) v. Greece

The complaint, lodged on 4 April 2005, relates to Article 11 (right to protection of health), Article 2§4 (right to reduced working hours or additional holidays for workers in dangerous or unhealthy occupations), Article 3§1 (safety and health regulations at work) and Article 3§2 (provision for the enforcement of safety and health regulations by measures of supervision) of the European Social Charter. It is alleged that in the main areas where lignite is mined, the State has not adequately prevented the impact for the environment nor has developed an appropriate strategy in order to prevent and respond to the health hazards for the population. It is also alleged that there is no legal framework guaranteeing security and safety of persons working in lignite mines and that the latter do not benefit from reduced working hours or additional holidays.

[Case Document no. 1, Complaint registered at the Secretariat on 4 April 2005](#)

[Case Document no. 2, Observations from the Greek government on the admissibility](#)

[Case Document no. 3, Response from the MFHR to the observations by the Greek government on the admissibility](#)


[Case Document no. 4, Written submissions from the Greek government on the merits](#)


[Case Document no. 5, Response from MFHR to the Greek governments observations on the merits](#)

[Case Document no. 6, Response from the Greek government to the further observations of MFHR on the merits](#)

[Case Document no. 7, Further response from MFHR to the Greek government's further response on the merits](#)

[Case Document no. 8, Final response from the Greek government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 10 October 2005.


 The European Committee of Social Rights concluded that there was a violation of Articles 2§4, 3§2 and 11§§1 to 3 and no violation of Article 3§1 of the Charter and it transmitted its report containing its **decision on the merits** to the Parties and to the Committee of Ministers on 6 December 2006.

 The Committee of Ministers **adopted Resolution CM/ResChS(2008)1** on 16 January 2008.

No. 29/2005 *Syndicat des hauts fonctionnaires (SAIGI) v. France*

The complaint, lodged on 7 February 2005, relates to Article 5 (right to organise) of the Revised European Social Charter. It is alleged that there are no effective remedies in the event of a breach of the right to organise where the State is acting as an employer.

[Case Document no. 1, Complaint registered at the Secretariat on 7 February 2005. \(French only\)](#)

 The European Committee of Social Rights declared the complaint **inadmissible** on 14 June 2005.


No. 28/2004 *Syndicat national des dermato-vénérologues (SNDV) v. France*

The complaint, lodged on 12 July 2004, relates to Article 1§2 (prohibition of all forms of discrimination in employment) of the Revised European Social Charter. It is alleged that the applicable French regulation on fees for independent medical doctors is discriminatory.

[Case Document no. 1, Complaint registered at the Secretariat on 12 July 2004](#)

[Case Document no. 2, Observations from the French government on the admissibility](#)

[Case Document no. 3, Observations from the National Union of Dermato-Venereologists \(SNDV\) on the admissibility](#)

 The European Committee of Social Rights declared the complaint **inadmissible** on 13 June 2005.

No. 27/2004 *European Roma Rights Center (ERRC) v. Italy*

The complaint, lodged on 28 June 2004, relates to Article 31 (right to housing) alone or in conjunction with Articles E (non-discrimination) of the Revised European Social Charter. The complaint alleges that the situation of Roma in Italy amounts to a violation of Article 31 of the Revised European Social Charter. In addition, it alleges that policies and practices in the field of housing constitute, inter alia, racial discrimination and racial segregation, both contrary to Article 31 alone or read in conjunction with Article E.

[Case Document no. 1, Complaint registered at the Secretariat on 28 June 2009](#)

[Case Document no. 2, Observations from the Italian government on the admissibility](#)


[Case Document no. 3, Observations from the European Roma Rights Centre on the admissibility](#)


[Case Document no. 4, Observations from the European Trade Union Confederation \(ETUC\) on the merits](#)

[Case Document no. 5, Observations from the Italian government on the merits](#)

[Case Document no. 6, Response by ERRC to the observations from the Italian government on the merits](#)

[Case Document no. 7, Response by the Italian government to the observations of European Roman Rights Centre \(French only\)](#)

 The European Committee of Social Rights declared the complaint **admissible** on 6 December 2004.

 The European Committee of Social Rights concluded that there was a violation of Article 31 of the revised European Social Charter in conjunction with Article E and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 21 December 2005.

 The Committee of Ministers **adopted Resolution ResChS(2006)4** on 3 May 2006.

No. 26/2004 *Syndicat des Agrégés de l'Enseignement Supérieur (SAGES) v. France*

The complaint, lodged on 27 April 2004, relates to Article 5 (right to organise) alone or in combination with Articles E (non-discrimination), G (restrictions) and I (implementation of the undertakings given) of the Revised European Social Charter. It is alleged that French legislation impairs the freedom to organise since Decree No. 89-1 on the National Council for higher education and research (Conseil national de l'enseignement supérieur et la recherche - CNESER) does not guarantee collective legal remedies.


[Case Document no. 1, Complaint registered at the Secretariat on 27 April 2004](#)


[Case Document no. 2, Observations from the French government on the admissibility](#)

[Case Document no. 3 Additional information from the *Syndicats des Agrégés de l'Enseignement Supérieur \(SAGES\)* on admissibility](#)

[Case Document no. 4, Written submissions by the French government on the merits](#)

[Case Document no. 5, Response by SAGES to the written submissions by the French government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2004

 The European Committee of Social Rights concluded that there was no violation of Article 5 alone or in conjunction with Articles E, G and I of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 1 July 2005.

 The Committee of Ministers **adopted Resolution ResChS(2005)14** on 7 September 2005.

No. 25/2004 *Centrale générale des services publics v. Belgium*

The complaint, lodged on 23 February 2004, relates to Article 6§§1-2 (right to collective bargaining: joint consultation and machinery for voluntary negotiations) of the European Social Charter. It is alleged that Belgium does not guarantee the effectiveness of the legislation on the exercise of the right to collective bargaining in the Belgian public sector.

[Case Document no. 1, Complaint registered at the Secretariat on 23 February 2004](#)

[Case Document no. 2, Observations from the Belgian government on the admissibility](#)


[Case Document no. 3, Additional observations from the *Centrale générale des services publics* on the admissibility \(French only\)](#)


[Case Document no. 4, Observations from the Belgian government on the merits](#)

[Case Document no. 5, Observations from the European Trade Union Confederation \(ETUC\) on the merits](#)

[Case Document no. 6, Supplementary observations from the *Centrale générale des service publics* on the merits](#)

[Case Document no. 7, Additional observations from the Belgian government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 6 September 2004.

 The European Committee of Social Rights concluded that there was no violation of Article 6§§1-2 of the European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 27 May 2005.

 The Committee of Ministers **adopted Resolution ResChS(2005)13** on 7 July 2005.

No. 24/2004 *Syndicat SUD Travail Affaires Sociales v. France*

The complaint, lodged on 6 February 2004, relates to Article 1§2 (prohibition of all forms of discrimination in employment) of the Revised European Social Charter. It is alleged that under the Labour Code (Article L.122-45) numerous categories of workers are excluded from the protection against discrimination in employment.

[Case Document no. 1, Complaint registered at the Secretariat on 6 February 2004](#)

[Case Document no. 2, Observations from the French government on the admissibility](#)


[Case Document no. 3, Lettre from *Syndicat SUD Travail Affaires Sociales*, including information on statute and mandate \(French only\)](#)


[Case Document no. 4, Observations from the European Trade Union Confederation \(ETUC\) on the merits](#)

[Case Document no. 5, Observations of the French government on the merits](#)

[Case Document no. 6, Response by *Syndicat SUD Travail Affaires Sociales* to the observations from the French government on the merits](#)

[Case Document no. 7, Supplementary observations by the French government](#)

 The European Committee of Social Rights declared the complaint **admissible** on 7 December 2004.

 The European Committee of Social Rights concluded that there was a violation of Article 1§2 of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 20 November 2005

 The Committee of Ministers **adopted Resolution ResChS(2006)5** on 12 July 2006.

No. 23/2003 *Syndicat occitan de l'éducation v. France*

The complaint, lodged on 18 November 2003, relates to Articles 5 (right to organise) and 6 (right to collective bargaining) of the Revised European Social Charter. It is alleged that the prohibition on non-representative professional organisation from presenting candidates in professional elections violates these provisions.

[Case Document no. 1, Complaint registered at the Secretariat on 18 November 2003](#)


[Case Document no. 2, Observations from the French government on the admissibility \(French only\)](#)


[Case Document no. 3, Observations from the Belgian government on the merits \(French only\)](#)

[Case Document no. 4, Observations from the European Trade Union Confederation on the merits](#)

[Case Document no. 5, Observations from the French government on the merits](#)

[Case Document no. 6, Additional information from the *Syndicat occitan de l'éducation* on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 13 February 2004.

 The European Committee of Social Rights concluded that there was no violation of Articles 5 and 6§1 of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 8 September 2004.

 The Committee of Ministers **adopted Resolution ResChS(2004)6** on 17 November 2004.


No. 22/2003 *Confédération générale du travail (CGT) v. France*


The complaint, lodged on 24 October 2003, relates to Articles 2 (right to just conditions of work), 3 (right to safe and healthy working conditions) and 11 (right to protection of health) of the Revised European Social Charter. It is alleged that the provisions of Act No. 2003-47 of 17 January 2003 (known as the "loi Fillon II") relating to wages, working time and development of employment violate these provisions.


[Case Document no. 1, Complaint registered at the Secretariat on 24 October 2003](#)

[Case Document no. 2, Observations from the French government on the admissibility \(French only\)](#)

[Case Document no. 3, Observations from the French government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 9 February 2004.

 The European Committee of Social Rights concluded that there was a violation of Article 2§1 of the Revised European Social Charter and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 8 September 2004.

 The Committee of Ministers **adopted Resolution ResChS(2005)8** on 4 May 2005.

No. 21/2003 World Organisation against Torture (OMCT) v. Belgium

The complaint, lodged on 23 September 2003, relates to Article 17 (the right of mothers and children to social and economic protection) of the European Social Charter. It is alleged that Belgium has not effectively prohibited all corporal punishment of children, nor has it prohibited any other form of degrading punishment or treatment of children and provided adequate sanctions in penal or civil law.

[Case document no. 1, Complaint registered by the Secretariat on 23 September 2003](#)

[Case document no. 2, Observations from the Belgian government on admissibility](#)

[Case document no. 3, Additional information from the World Organisation against Torture \(OMCT\) on the admissibility](#)


[Case document no. 4, Observations from the European Trade Union Confederation \(ETUC\) on the merits](#)


[Case document no. 5, Observation from the Belgian government on the merits](#)

[Case document no. 6, Additional information from the World Organisation against Torture \(OMCT\) on the merits](#)

[Case document no. 7, Supplementary observations from the Belgian government on the merits](#)

[Case document no. 8, Additional information from the World Organisation \(OMCT\) against Torture on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 9 December 2003.

 The European Committee of Social Rights concluded that there was a violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 January 2005.

 The Committee of Ministers **adopted Resolution ResChS(2005)10** on 8 June 2005.

No. 20/2003 World Organisation against Torture (OMCT) v. Portugal

The complaint, lodged on 31 July 2003, relates to Article 17 (the right of children and young persons to social, legal and economic protection) of the Revised European Social Charter. It is alleged that Portuguese law has not effectively prohibited corporal punishment of children, nor has it prohibited other forms of degrading punishment or treatment of children and provided adequate sanctions in penal or civil law.

[Case document no. 1, Complaint registered by the Secretariat on 31 July 2003](#)

[Case document no. 2, Observations from the Portuguese government on admissibility](#)


[Case document no. 3, Observations from the European Trade Union Confederation \(ETUC\) on the merits](#)


[Case document no. 4, Observations from the Portuguese government on the merits](#)

[Case document no. 5, Additional information from the World Organisation against Torture \(OMCT\) on the merits](#)

[Case document no. 6, Additional information from the Portuguese government on the merits](#)

[Case document no. 7, Additional observations from the World Organisation against Torture \(OMCT\) on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 9 December 2003.

 The European Committee of Social Rights concluded that there was no violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 January 2005.

 The Committee of Ministers **adopted Resolution ResChS(2005)2** on 20 April 2005.

No. 19/2003 World Organisation against Torture (OMCT) v. Italy

The complaint, lodged on 1 August 2003, relates to Article 17 (the right of children and young persons to social, legal and economic protection) of the Revised European Social Charter. It is alleged that Italian law has not effectively prohibited corporal punishment of children, nor has it prohibited other forms of degrading punishment or treatment of children and provided adequate sanctions in penal or civil law.

[Case document no. 1, Complaint registered by the Secretariat on 1 August 2003](#)

[Case document no. 2, Observations from the Italian government on admissibility](#) (*French only*)

[Case document no. 3, Observations from the European Trade Union Confederation \(ETUC\) on the](#)


[merits](#)


[Case document no. 4, Observations from the Italian government on the merits](#)

[Case document no. 5, Additional information from the World Organisation against Torture \(OMCT\) on the merits](#)

[Case document no. 6, Additional information from the Italian government on the merits](#)

[Case document no. 7, Additional observations from the World Organisation against Torture \(OMCT\) on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 9 December 2003.

 The European Committee of Social Rights concluded that there was no violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 January 2005.

 The Committee of Ministers **adopted Resolution ResChS(2005)1** on 20 April 2005.

No. 18/2003 World Organisation against Torture (OMCT) v. Ireland

The complaint, lodged on 28 July 2003, relates to Article 17 (the right of children and young persons to social, legal and economic protection) of the Revised European Social Charter. It is alleged that Irish law has not effectively prohibited corporal punishment of children, nor has it prohibited other forms of degrading punishment or treatment of children and provided adequate sanctions in penal or civil law.

[Case document no. 1, Complaint registered by the Secretariat on 28 July 2003](#)

[Case document no. 2, Observations from the Irish government on admissibility](#)

[Case document no. 3, Additional information from the World Organisation against Torture \(OMCT\) on the admissibility](#)


[Case document no. 4, Observations from the European Trade Union Organisation \(ETUC\) on the merits](#)


[Case document no. 5, Observations from the Irish government on the merits](#)

[Case document no. 6, Additional information from the World Organisation against Torture \(OMCT\) on the merits](#)

[Case document no. 7, Additional observations from the Irish government on the merits](#)

[Case document no. 8, OMCT's comments on Ireland's additional observations on the merits](#)

 The European Committee of Social Rights declared the complaint admissible on 9 December 2003..

 The European Committee of Social Rights concluded that there was a violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 January 2005.

 The Committee of Ministers adopted Resolution ResChS(2005)9 on 8 June 2005.

No. 17/2003 World Organisation against Torture (OMCT) v. Greece

The complaint, lodged on 28 July 2003, relates to Article 17 (the right of mothers and children to social and economic protection) of the European Social Charter. It is alleged that Greek law has not effectively prohibited corporal punishment of children, nor has it prohibited other forms of degrading punishment or treatment of children and provided adequate sanctions in penal or civil law.

[Case document no. 1, Complaint registered by the Secretariat on 28 July 2003](#)

[Case document no. 2, Observations from the Greek government on admissibility](#)

[Case document no. 3, Additional information from the World Organisation against Torture \(OMCT\) on the admissibility](#)

[Case document no. 4, Observations from the European Trade Union Organisation \(ETUC\) on the merits](#)


[Case document no. 5, Observations from the Greek government on the merits](#)

[Case document no. 6, Additional information from the World Organisation against Torture \(OMCT\) on the merits](#)

[Case document no. 7, Additional observations from the Greek government on the merits](#)



The European Committee of Social Rights declared the complaint **admissible** on 9 December 2003.

 The European Committee of Social Rights concluded that there was a violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 26 January 2005.

 The Committee of Ministers **adopted Resolution ResChS(2005)12** on 8 June 2005.

No. 16/2003 *Confédération Française de l'Encadrement* (CFE CGC) v. France

The complaint, lodged on 14 May 2003, relates to Articles 2 (the right to just conditions of work), 4 (the right to a fair remuneration), 6 (the right to bargain collectively including the right to strike) and 27 (the right of workers with family responsibilities to equal opportunities and equal treatment) of the Revised European Social Charter. It is alleged that the provisions relating to the working hours of certain managers (cadres) contained in Act No 2003-47 of 17 January 2003 violate these provisions.


[Case document no. 1, Complaint registered at the Secretariat on 14 March 2003](#)


[Case document no. 2, Observations from the French government on the admissibility](#)

[Case document no. 3, Observations of the French government on the merits](#)

[Case document no. 4, Observations from CFE CGC on the merits](#)

[Case document no. 5, Supplementary observations from the French government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 16 June 2003.

 The European Committee of Social Rights concluded that there was a violation of Article 2§1 and of Article 4§2 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 30 November 2004.

 The Committee of Ministers **adopted Resolution ResChS(2005)7** on 4 May 2005.

No. 15/2003 European Roma Rights Centre (ERRC) v. Greece

The complaint, lodged on 4 April 2003, relates to Article 16 (the right of the family to social, legal and economic protection) and the Preamble (non-discrimination) of the European Social Charter. It is alleged that there is widespread discrimination both in law and in practice against Roma in the field of housing.

[Case document no. 1, Complaint registered by the Secretariat on 4 April 2003](#)

[Case document no. 2, Observations from the Greek government on the admissibility](#)

[Case document no. 3, Observations from the European Trade Union Confederation \(ETUC\) on the merits](#)

[Case document no. 4, Observations from the Greek government on the merits](#)

[Case document no. 5, Response from European Roma Rights Centre \(ERRC\) to the observations from the Greek government on the merits](#)

[Case document no. 6, Request for costs from the complainant organisation](#)

[Case document no. 7, Additional information from the ERRC on the merits](#)

[Case document no. 8, Additional information from the ERRC on the merits](#)


[Case document no. 9, Additional information from the ERRC on the merits](#)

[Case document no. 10, Documents submitted during the course of the hearing](#)

[Case document no. 11, Additional information from the ERRC on the merits](#)

[Case document no. 12, Observations from the Greek government on the merits](#)

 The European Committee of Social Rights declared the complaint **admissible** on 16 June 2003. A public hearing was held on 11 October 2004.




 The European Committee of Social Rights concluded that there was a violation of Article 16 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 7 February 2005.

[CM Website](#) The Committee of Ministers **adopted Resolution ResChS(2005)11** on 8 June 2005.

No. 14/2003 International Federation of Human Rights Leagues (FIDH) v. France




The complaint, lodged on 3 March 2003, relates to Articles 13 (the right to social and medical

assistance), 17 (the right of children and young persons to social, legal and economic protection) as well as Article E of the Revised European Social Charter (prohibition of all forms of discrimination in the application of the rights guaranteed by the treaty). It is alleged that recent reforms of the «Aide médicale de l'Etat» (State medical assistance) and to the «Couverture maladie universelle» (Universal sickness cover) deprive a large number of adults and children with insufficient resources of the right to medical assistance.

-  The European Committee of Social Rights declared the complaint **admissible** on 16 May 2003.
-  The European Committee of Social Rights concluded that there was a violation of Article 17 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 3 November 2004.
-  The Committee of Ministers **adopted Resolution ResChS(2005)6** on 4 May 2005.




No. 13/2002 International Association Autism-Europe (IAAE) v. France

The complaint, lodged on 27 July 2002, relates to Article 15 (the right of persons with disabilities), Article 17 (the right of children and young persons to social, legal and economic protection), and to Article E (non-discrimination) of the Revised European Social Charter. It is alleged insufficient educational provision for autistic persons constituting a violation of the above provisions.

-  The European Committee of Social Rights declared the complaint **admissible** on 12 December 2002. A public hearing was held on 29 September 2003.
-  The European Committee of Social Rights concluded that there was a violation of Articles 15, 17 and E and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 7 November 2003.
-  The Committee of Ministers **adopted Resolution ResChS(2004)1** on 10 March 2004.



No. 12/2002 Confederation of Swedish Enterprise v. Sweden

The complaint, lodged on 4 April 2002, relates to Article 5 (the right to organise). It is alleged that the right not to belong to a trade union is not guaranteed in the manner required under Article 5.

-  The European Committee of Social Rights declared the complaint **admissible** on 19 June 2002. It held a public hearing on 31 March 2003.
-  The European Committee of Social Rights concluded that there was a violation of Article 5 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 22 May 2003.
-  The Committee of Ministers **adopted Resolution ResChS(2003)1** on 26 September 2003.



No. 11/2001 European Council of Police Trade Unions v. Portugal

The complaint, lodged on 18 July 2001, relates to Articles 5 (the right to organise) and 6 (the right to collective bargaining) of the European Social Charter. It is alleged that members of the Policia de Segurança Pública are not guaranteed these rights.

-  The European Committee of Social Rights declared the complaint **admissible** on 17 October 2001.
-  The European Committee of Social Rights concluded that there was no violation of Articles 5 and 6 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 21 May 2002.
- [site CM](#) The Committee of Ministers **adopted Resolution ResChS(2002)5** on 17 July 2002.

No. 10/2000 Tehy ry and STTK ry v. Finland

The complaint, lodged on 23 October 2000, relates to Article 2§4 (the right to additional paid holidays or reduced working hours for workers engaged in dangerous or unhealthy occupations) of the European Social Charter. It is alleged that the fact that hospital personnel who are subjected to the hazards of radiation during the course of their work are no longer entitled to special leave due to the exposure to radiation, violates this provision of the Charter.

-  The European Committee of Social Rights declared the complaint **admissible** on 12 February 2001.
-  The European Committee of Social Rights concluded that there was a violation of Article 2§4 and transmitted its report containing its **decision on the merits** of the complaint to the Parties


and to the Committee of Ministers on 17 October 2001.


[site](#)
[CM](#) The Committee of Ministers **adopted Resolution ResChS(2002)2** on 21 February 2002.

No. 9/2000 *Confédération Française de l'Encadrement (CFE-CGC) v. France*

The complaint, lodged on 20 June 2000, relates to Articles 2 (the right to just conditions of work), 4 (the right to a fair remuneration), 6 (the right to bargain collectively including the right to strike) and 27 (the right of workers with family responsibilities to equal opportunities and equal treatment) of the Revised European Social Charter. It is alleged that the provisions relating to the working hours of managers (cadres) contained in the second Act on the Reduction of Working Hours (Act No. 2000-37 of 19 January 2000 – "Loi Aubry n° 2") violates these provisions.

[Compilation of case documents with regard to Complaint no. 9/1999](#)

 The European Committee of Social Rights declared the complaint **admissible** on 16 November 2001.


 The European Committee of Social Rights concluded that there was a violation of Article 2§1 and of Article 4§2 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 11 December 2001.


[site](#)
[CM](#) The Committee of Ministers **adopted Resolution ResChS(2002)4** on 26 March 2002.

No. 8/2000 Quaker Council for European Affairs (QCEA) v. Greece

The complaint, lodged on 10 March 2000, relates to Article 1§2 (prohibition of forced labour) of the European Social Charter. It is alleged that the application in practice of the act authorising alternative forms of military service for conscientious objectors does not respect the prohibition of forced labour.

[Compilation of case documents with regard to Complaint no. 8/1999](#)

 The European Committee of Social Rights declared the complaint **admissible** on 28 June 2000.

 The European Committee of Social Rights concluded that there was a violation of Article 1§2 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 27 April 2001.


[site](#)
[CM](#) The Committee of Ministers **adopted Resolution ResChS(2002)3** on 6 March 2002.

No. 7/2000 International Federation of Human Rights Leagues (FIDH) v. Greece

The complaint, lodged on 7 February 2000, relates to Article 1§2 (prohibition of forced labour). It is alleged that a number of legislative provisions and regulations do not respect the prohibition of forced labour.

[Compilation of case documents with regard to Complaint no. 7/1999](#)

 The European Committee of Social Rights declared the complaint **admissible** on 28 June 2000.

 The European Committee of Social Rights concluded that there was a violation of Article 1§2 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 12 December 2000.

[site](#)
[CM](#) The Committee of Ministers **adopted Resolution ResChS(2001)6** on 5 April 2001.


No. 6/1999 *Syndicat national des professions du tourisme v. France*

The complaint, lodged on 30 August 1999, relates to Articles 1§2 (prohibition against all forms of discrimination in access to employment), 10 (the right to vocational training) and E (non-discrimination) of the Revised European Social Charter. It is alleged discrimination in access to work and vocational training for guide-interpreters and national lecturers.

[Compilation of case documents with regard to Complaint no. 6/1999](#)

 The European Committee of Social Rights declared the complain **admissible** on 10 February

2000.


 The European Committee of Social Rights concluded that there was a violation of Article 1§2 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 10 October 2000.


[site](#) The Committee of Ministers **adopted Recommendation RecChS(2001)1** on 30 January 2001.
[CM](#)

No. 5/1999 European Federation of Employees in Public Services (EUROFEDOP) v. Portugal

The complaint, lodged on 13 August 1999, relates to Articles 5 (the right to organise) and 6 (the right to bargain collectively) of the European Social Charter. It is alleged that the armed forces are denied these rights.

[Compilation of case documents with regard to Complaint 5/1999](#) (To facilitate navigation within this file click on the bookmark icon )

 The European Committee of Social Rights declared the complaint **admissible** on 10 February 2000.


 The European Committee of Social Rights concluded that there was no violation of Articles 5 and 6 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 12 December 2000.


[site](#) The Committee of Ministers **adopted Resolution ResChS(2001)4** on 7 February 2001.
[CM](#)

No. 4/1999 European Federation of Employees in Public Services (EUROFEDOP) v. Italy

The complaint, lodged on 13 August 1999, relates to Articles 5 (the right to organise) and 6 (the right to bargain collectively) of the European Social Charter and of the Revised European Social Charter. It is alleged that the armed forces are denied these rights.

[Compilation of case documents with regard to Complaint 4/1999](#) (To facilitate navigation within this file click on the bookmark icon )

 The European Committee of Social Rights declared the complaint **admissible** on 10 February 2000.


 The European Committee of Social Rights concluded that there was no violation of Articles 5 and 6 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 12 December 2000.

[site](#) The Committee of Ministers **adopted Resolution ResChS(2001)3** on 7 February 2001.
[CM](#)

No. 3/1999 European Federation of Employees in Public Services (EUROFEDOP) v. Greece

The complaint, lodged on 13 August 1999, relates to Articles 5 (the right to organise) and 6 (the right to bargain collectively) of the European Social Charter. It is alleged that the armed forces are denied these rights.


[Case document no. 1, registered on 13 August 1999](#)


 The European Committee of Social Rights declared the complaint **inadmissible** on 13 October 1999.

No. 2/1999 European Federation of Employees in Public Services (EUROFEDOP) v. France

The complaint, lodged on 13 August 1999, relates to Articles 5 (the right to organise) and 6 (the right to bargain collectively) of the European Social Charter and of the Revised European Social Charter. It is alleged that the armed forces are denied these rights.

[Compilation of case documents with regard to Complaint 2/1999](#) (To facilitate navigation within this file click on the bookmark icon )


 The European Committee of Social Rights declared the complaint **admissible** on 10 February 2000.


 The European Committee of Social Rights concluded that there was no violation of Articles 5 and 6 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 12 December 2000.

[site](#)
[CM](#) The Committee of Ministers **adopted Resolution ResChS(2001)2** on 7 February 2001.

No. 1/1998 International Commission of Jurists (ICJ) v. Portugal

The complaint, lodged on 12 October 1998, relates to Article 7§1 (prohibition of child labour under the age of fifteen) of the European Social Charter. It is alleged that in practice, the situation in Portugal is not in conformity with this provision.

 The European Committee of Social Rights declared the complaint **admissible** on 10 March 1999.

 The European Committee of Social Rights concluded that there was a violation of Article 7§1 and transmitted its report containing its **decision on the merits** of the complaint to the Parties and to the Committee of Ministers on 09 September 1999.

[site](#)
[CM](#) The Committee of Ministers **adopted Resolution ResChS(99)4** on 15 December 1999.