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QUESTIONNAIRE TOPIC II: EUROPEAN SOCIAL UNION

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Introduction

The purpose of this topic is to discuss the development and strengthening of a true and meaningful EU social dimension. It is often thought that while European economic integration leads the way in European affairs, social cohesion and integration frequently lag behind. The topic thus aims at conceptualizing the idea of a European Social Union as a way of bringing the EU closer to its citizens.

The following questions relate to the development of a Social Europe and the challenges related to social integration.

Those challenges are grouped into seven chapters:

1. Free movement of workers

2. Conflicts between fundamental freedoms and social rights

3. Social acquis and social "non-acquis"

4. The Relevance and the Importance of the Charter of Fundamental Rights

5. EU Trade policy and the protection of social rights

6. Green deal and Social justice

7. Achieving Social Europe: Social rights, democracy and the rule of law

Chapter 1. Free movement of workers

Free movement of workers is part of internal market law. As a result, it could be considered to be outside the scope of social integration, but this would ignore the important contribution of EU law to the status of EU workers.

In this domain, EU law has profound roots, and has proved resistant to many challenges. However, recent developments indicate that limits to free movement remain and, that, solid as they are, the social rights of EU workers are not immutable. This constitutes a threat to one important dimension of social Europe: the social rights of EU mobile workers.

Free movement of workers and the right to equal treatment

Since its inception, free movement of workers has been linked to a right to equal treatment, that was conceived extensively, *ratione materiae* and *ratione personae*, both as an incentive to mobility, and a constitutive element of EU citizenship. Sixty years later, is it possible to say that equal treatment is still incomplete?

Another difficult question relates to the growing divide between workers, benefiting from equal treatment with nationals, and other EU citizens, especially those who are not "economically active"? Is this line justified? Is it a source of tension, in Member States?

Question 1

How is the right to equal treatment of EU mobile workers implemented in national legislation and case law?

a. Is equal treatment respected, or limited in various ways, through direct, or rather indirect discrimination? Are national authorities and courts, in particular, fully aware of the European conception of equal treatment, and EU workers' rights? Are there specific barriers to equal treatment? Who is particularly concerned? Unemployed workers? Precarious workers? What about access to vocational training?
b. Are EU workers and EU non "economically active" citizens treated differently? Is such a difference based on legislation, case law and/or administrative practice? Is this difference contested (by academics, the press, political parties…)?

Free movement of workers and social security coordination

Social security coordination was considered necessary to ensure that workers' mobility is not hindered by the risk of lacking or losing social protection as a result of moving to another Member state. EU coordination aims at limiting this risk through a series of rules (equal treatment, aggregation of periods, exportability of benefits, in particular). EU regulations, in this domain, have been updated to cope with emerging problems. The recent reform currently under way[1], sheds light on central issues concerning the coordination of social security. Amongst those issues, access of economically inactive citizens to social benefits: the proposal aims to clarify, on the basis of CJEU case law, that Member States have the right to refuse to grant social benefits to economically inactive EU mobile citizens (citizens who are not working or actively looking for a job, and who do not have the legal right of residence on the Member State's territory except when they have means of subsistence and comprehensive health coverage). Such a controversial solution would be carved in stone.

Another source of concern relates to child benefits. Indexation of child benefits to take into account the cost of living in the State of residence of the child has taken place in some States, violating the principle of equal treatment (which led to recent infringement procedures against

[1] Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004, 13.12.2016, COM(2016) 815 final.

Austria). Whether this indicates a growing opposition to the principle that the country of work of the parent(s) is responsible for paying child allowance, even when the child resides elsewhere, should be assessed, together with the reasons for this emerging resistance to equal treatment.

Question 2

What is the approach, at national level, of equal treatment in the domain of social security benefits?

a. Is there support or opposition (civil society, political parties, unions, governments, academics…) to the CJEU case law according to which Member States have the right to refuse to grant social benefits to economically inactive EU mobile citizens (citizens who are not working or actively looking for a job, and who do not have the legal right of residence on the Member State's territory except when they have the means of subsistence and comprehensive health coverage)?
b. Is there a growing opposition, in your country, to the principle that the country of work of the parent(s) is responsible for paying child allowances, even when the child resides elsewhere? Is that set out in legislation, case law, administrative practice?

The right to free movement and actual mobility of EU workers

The right to free movement, and any benefits associated with it (right to enter, reside, equal treatment…) was supposed to foster free movement, and benefit workers and national economies. However, it remains unclear whether workers' rights were sufficient to encourage mobility. Did it help industries in need of workforce to attract EU workers?

Proposals concerning the evolution of the concept of free movement of persons include the idea of substituting "fair movement", also called "managed migration"[2], for free movement. The proposal aims to give States the possibility of controling the migration of EU citizens in order to avoid a sudden influx of people. It is based on recognising the limits of solidarity, and on the "political reality" of popular resistance to freedom of movement illustrated, namely by the British vote on Brexit. Pragmatism would dictate a narrower conception of free movement, in line with current aspirations of some European governments.

Another, very different, perspective suggests focusing on the circulation of particular workers, in order to achieve a certain concept of the common good through free movement of workers[3]. This would imply specific (preferential) treatment for some mobile workers, considered to be essential to achieving EU priorities, learning from the experience of the COVID-19 crisis: essential workers in critical occupations (in sectors such as health and care, farming, transportation etc.) would be a priority, and concrete support for their mobility would be established.

[2] On this concept: C. Barnard and S. Fraser Butlin, Common Market Law Review, vol. 55, 2018, pp. 203–226.
[3] On this idea: S. Robin-Olivier, European Papers, Vol. 5, 2020, n° 1, European Forum, Insight of 16 May 2020, pp. 613.

Question 3

What is the actual situation, and what are the developments envisaged, regarding workers' mobility, in your country?

a. On the basis of the available data, how many workers from other Member States work in your Member State? In what sectors/industries? How has this evolved over time? Are there any national industries currently reporting that they have problems finding workforce?
b. Has the idea of "fair movement" gained support rather than the concept of "free movement" in your country, among academics, civil society, economic and politic leaders...?
c. Is the mobility of "essential workers in critical occupations" considered to be an important issue, in your country, requiring a rethinking of the freedom of movement of workers? Which particular workers, in which sectors, are concerned?

The 'supply side' of free movement of workers: the brain drain phenomenon and demographic imbalances

The mobility of workers is not homogeneous across the EU. In some Member states, the use of the right to move to another Member states, by a great number of workers, especially the most qualified, is a source of serious economic and social tensions. The European Parliament underlined, in a recent report[4], that the sharp decline of the population in Eastern and Southern Europe, due to the combination of low fertility rates and net intra-EU migration from these areas, and, in particular, the movement of young educated professionals from southern and eastern Europe to north-western Europe, since the beginning of the economic crisis in 2008, has led to a deterioration in the quality of medical care and education, making it difficult, especially in remote, rural areas and in the outermost regions, to access high-quality care and education. This "brain drain" phenomenon divides the EU, as countries are competing for the workforce. According to the European Parliament, this phenomenon requires action in the affected Member States, to create conditions for retaining younger workers and families[5], using the means provided by cohesion policy.

There are already several initiatives in various Member States, such as incentives to retain workers with highly specialised skills, in order to turn the brain drain into a brain gain for the regions concerned[6]. The European Parliament invited Member State States to take into account the *brain drain* when designing their national recovery and resilience plans, their national development policies, long-term strategies for sustainable development and tailored cohesion policy programmes, correlated with the European Semester goals, with a view to ensuring proper financing aimed at tackling depopulation and reversing negative trends and enhancing

[4] European Parliament, Report on reversing demographic trends in EU regions using cohesion policy instruments, 25.3.2021 (2020/2039(INI)).
[5] Ibid, point 13.
[6] Ibid, point 29.

territorial attractiveness[7]. It also called on the local, regional and national authorities in the regions at risk of depopulation to focus investments on ways of encouraging young families to settle in those regions, as well as on universal accessibility to quality services and infrastructure, with the participation of SMEs and service management businesses, and a focus on job creation, in particular for young people, reskilling workers, creating entrepreneurial conditions and supporting SMEs[8].

To transform a *brain drain* into a *brain gain*, return processes for those who had left for a more economically attractive region must also be fostered, with a focus on higher education students in agriculture and rural economics, who should be encouraged to go back to their region after graduation with a view to contributing to the economic viability of their respective home regions[9].

Question 4

What is the national reaction to the *brain drain* phenomenon ?

a. Is there is a significant outflow of workers to other Member States, from your country? What are the sectors affected? What is the profile (age, level of education, gender) of the mobile worker? Are certain regions more affected than others? Has this also caused demographic problems?
b. Are there, at national level, any measures aimed at retaining certain types of workers (for instance, with a certain level and type of qualification)? For example, are there measures which require graduates to work in their Member State of origin, which has financed the studies, for a certain period of time, before being able to migrate? Have there been other measures pursuing the same objective?
c. Is there, at national level, case-law or administrative decisions which examine the compatibility with EU law, in particular with the Treaty provisions on freedom movement, of such measures?

Chapter 2. Conflicts between fundamental freedoms and social rights

The most important source of conflict between fundamental freedoms and social rights derives from an understanding of the free provision of services, which has been the source of an erosion of social rights, in Member states (as illustrated in particular by the well-known *Laval* case, CJEU, C-341/05, 2007). Freedom of establishment also calls into question national labour and employment law, as *Viking* (C-438/05, 2007) and *Aget Iraklis* (C-201/15, 2016) cases show. More generally, the rise of the right under Article 16 of the Charter of fundamental rights ("the freedom to conduct a business"), can call into question or limit social rights' protection, both at national and European level.

[7] Point 41.
[8] Point 42.
[9] Point 53.

Free provision of services and the exploitation of posted workers in the internal market

The posting of workers in the context of the free provision of services has led to social dumping and unfair competition. It was intended that Directive 96/71 would tackle that issue. Persistent problems have prompted the adoption of Directive 2004/67 on the enforcement of Directive 96/71. More recently, Directive 2018/957 amended Directive 96/71 in order to ensure equal pay for equal work (revised Article 3 of the Directive). However, equal pay remains out of reach, namely when pay is mostly determined by individual contracts and collective agreements at company level, which do not cover posted workers. In addition, there are difficulties in assessing cases of fraud, in particular whether an employer is genuinely established in the country from which workers are supposed to be posted. Some of the most problematic cases concern posting by Temporary work agencies, as illustrated, namely, in the case *Team Power Europe* (C-784/19, 2021).

Question 5

How does national law deal with the situation of posted workers?

a. Was Directive 2018/957 transposed into national law? How, more specifically, has the principle of equal pay for equal work as manifested in the revised Article 3 of the Directive, been implemented in national law? Are there sectors of activity where 'equal pay for equal work' in the context of posting does not apply? What are the sectors in which exploitation of workers is most problematic (agriculture, meat packing, construction…)?
b. Were cases decided at national level, concerning posting of workers by temporary work agencies established in other Member states? How were these cases solved by national courts?

Market freedoms, freedom to conduct a business, and labour law

The Court of justice's reasoning in *Aget Iraklis* (C-201/15, 2016) has shed light on the impact of a broad interpretation of the freedom of establishment, and combined with freedom to conduct a business (Article 16 of the CFR), on national labour law.

In addition, according to the Court of justice, freedom to conduct a business (Article 16 of the CFR) is self-executing. It can thus be invoked against national laws falling within the scope of EU law, as the *Achbita* and *Bougnaoui* cases (C-157/15 and C-188/15, 2017) evidenced, in the field of anti-discrimination law (discrimination on grounds of religion).

On the right to strike, in particular, the CJEU's case law in *Viking* and *Laval* (2007) has shed light on the negative consequences of a concept of this right as a 'restriction' of internal market freedoms - in particular the freedom of establishment and the freedom to provide services: the (inappropriate) hierarchy between fundamental rights and freedoms that the CJEU supported was very much criticized. Recently, the debate was revived by the European Court of Human Rights, which held that the EU economic freedoms are not to be considered as counter-balancing fundamental rights to the freedom of association and the right to take collective action

in Art. 11 ECHR, but rather as elements to be taken into consideration in the assessment of proportionality of the restriction of a right included in the ECHR[10].

Question 6

Is the freedom of establishment and the right to conduct a business (Article 16 of the CFR) used to challenge national or EU social law in national courts?

a. If so, which areas of employment law are affected?
b. How is the right to strike currently protected in national law, and how is it applied in national (case) law in relation to the freedom to provide services and the freedom of establishment? More specifically, is the right to strike treated as equal to, more important than, or less important than (i.e. as an exception that needs to be proportionate) the internal market freedoms?

Chapter 3. Social acquis and social "non-acquis"

The substance of the social acquis is important, but EU social legislation still covers only a limited part of labour and employment law issues. Many important areas of labour and employment law remain under national law jurisdiction. The line between the acquis and what falls outside the scope of EU competence, either because of a lack of power at EU level (right to strike, harmonization of remunerations) or because of exercising EU competence is difficult (social security), continues to be debated. Identifying what should be covered, in order for a full social Union to emerge, is an important question. In parallel, the substance of the acquis, and the capacity to ensure the protection of workers, in changing labour markets, should be assessed.

The substance of the social acquis

EU anti-discrimination law constitutes an important part of the acquis. An extensive and rich case-law together with legislative developments show that action against gender discrimination, in particular, was taken early on, at EU level. The Amsterdam treaty attributed competence to the EU to combat discrimination on race and ethnic origin, age, religion, sexual orientation and disability (Article 19 TFEU). Two directives were adopted in 2000 (Directive 2000/43 and 2000/78), opening a new domain for EU social law developments. Questions related to these more recent developments of EU anti-discrimination policy include establishing a proper balance between the prohibition against discrimination and an employers' freedom to conduct their business (Article 16 CFR). When discrimination on religious grounds is concerned, for instance, the Court of justice has to balance the right not to be discriminated against on the basis of religion (and freedom of religion) with the employers' demand for a "neutral workplace". This case law, which recently evolved (CJEU, *WABE* and *Müller Handels*, C-804/18 et C-341/19, 2021) requires a transformation of national concepts of religious freedom and the prohibition against discrimination on grounds of religion. Another question concerns the scope and the notion of « reasonable accommodation »: whether that requirement applies only to

[10] ECtHR, Norwegian Confederation of Trade Unions (LO) and Norwegian Transport Workers' Union (NTF) v. Norway, Application no. 45487/17, Judgment of 10 June 2021.

disability (as Directive 2000/78 suggests), or whether it also applies to other grounds continues to remain uncertain.

Another important area of the EU social acquis is working time. Directive 2003/88 on the organization of working time is often invoked by workers seeking protection (including the most vulnerable, and platform workers, among them). It has prompted hostile reactions in recent times, namely, when the Court of justice decided that Directive 2003/88 applies to the military (CJEU, *Ministrstvo za obramo*, C-742/19, 2021). This situation provokes questions, once again, on the margin of discretion that Member States should enjoy, in the organization of working time, and more radically, the justification for regulating working time at EU level.

Among the new topics, the Regulation of platform work is indeed, an important one. In addition to the recent Directive on transparent and predictable working conditions (Directive 2019/1152), the Commission proposed the adoption of a Directive specifically addressing the lack of protection for platform workers (Proposal for a Directive on improving working conditions in platform work, COM(2021) 762 final, 9 Dec. 2021). In the meantime, some Member states have started to regulate platform work, and many national courts had to decide on the (wrongful) classification of platform workers as self-employed.

Last, and more generally, questions arise concerning the relationship between the EU acquis and international labour law. Only in rare cases does EU social legislation or case law expressly refer to ILO conventions, or the European social charter. This can be considered problematic for Member States, which are committed to the development of international labour law, and it also raises the question of the integration of international labour law in the concept of social Europe.

Question 7

How is the *social acquis* implemented in your Member State, and how does it relate to national law?

a. In particular, how is the acquis, in the domain of anti-discrimination law, implemented in your country? Have recent developments in CJEU case-law have had a significant impact on religious discrimination at national level? Is the notion of reasonable accommodation properly implemented? What are the developments that are still required, in the field of anti-discrimination law, if any? Should such developments be initiated at t EU level?
b. How is the acquis, in the domain of working time, implemented in your country? In which areas is the acquis most useful to workers? In which areas is the acquis invoked most before national courts (limitation of daily or weekly working time? Annual paid leave? Other matters)? Are there hostile reactions to the case law of the CJEU?
c. Is platform work regulated in your country? Are there cases on the (wrongful) classification of platform workers as self-employed? What is the role of social partners or other groups in the regulation of platform work, in your country?

d. Have the national legislator and the national courts taken a position on the relationship between EU law and international labour law? Are there, for instance, conflicts between EU law and international law that courts have had to deal with? Is the European social charter cited often by the legislator or in case law?

Missing parts of EU social law

The social acquis is important, but fragmented: it covers only some of the domains of national labour and employment law, while others remain outside the scope of the acquis (work contracts termination, workers' representation or social protection, for instance). This is not only a question of competences (existence and exercise), but also a matter of political will to act, in these domains, at EU level. However, the recent Commission proposal on an adequate minimum wage in the EU suggests that these obstacles can be overcome. Should the EU social acquis cover new areas? Or is regulation at national level more appropriate?

Another important limit is the personal scope of EU social legislation. The social acquis generally applies to workers, and does not cover self-employed persons. This is supposedly dictated by the TFEU. Is that interpretation of the TFEU set in stone? Or can that limitation be changed, in order, namely, to include (truly) independent platform workers?

Question 8

What should be the new frontier for EU social policy?

a. Is there a demand for new developments in EU social policy in your country? In which fields? Is the limit of EU competence to harmonize in the domains of remuneration, the right to associate and the right to strike considered to be an obstacle to all EU action in these fields?
b. Is EU law considered to apply strictly to workers, or is it extended to the self-employed persons, in your country? In which domains of labour law? Under what circumstances?

Impact of Economic and Monetary Union on the social acquis and the role of the European Pillar of Social rights

The effects of EMU on national social policies, since the economic and financial crisis, have been often criticized. It resulted in developments of the CJEU's case-law and the adoption of the European Pillar of Social rights (EPSR). The Pillar has been described by the European Commission as a way both to socialize EMU, and to revitalize EU social policy.

Question 9

Has EMU affected labour law or social policies in your country?

a. What, in general terms, is the impact of the European Semester and the Country Specific Recommendations on national social law and policy?
b. What are or would be the problems/advantages of moving European social policy into the EMU?

Chapter 4. The Relevance and the Importance of the Charter of Fundamental Rights

The Charter of Fundamental Rights of the EU includes a wide range of social rights, in a separate title, called "Solidarity". This title has a great potential for the protection of social rights. Since the Charter acquired the status of primary law, with the Lisbon treaty, the social rights it contains are on an equal footing with other fundamental rights and Treaty provisions, more generally.

However, until recently, the social rights of the Charter seemed paralysed, including when they were particularly needed: to counter balance austerity measures imposed on Member states in the context of the economic and monetary crisis. It was also unclear that more resistance to "economic freedoms" could be derived from social rights, or whether workers could rely on such rights in disputes with private sector employers. This issue started to change only recently, in cases concerning Art. 31 of the Charter (CJEU, *Max Planck*, C-684/16; *Bauer*, C-569/16 and C-570/16, 2018 and *CCOO*, C-55/18, 2019). However, the force and impact of social rights in the Charter remains limited in the case law of the CJEU.

Question 10

What is the role and legal force of the Charter's social rights in national case law and administrative practice?

a. Are these rights "equal" in importance to the other fundamental rights, in particular in the case law of national courts?
b. Are they "fully effective" in the language of the Court (CJEU, *AMS*, C-176/12, 2014) or only some of them?
c. Are (some of) social rights considered, in the case-law of national courts, as "principles" within the meaning of Art 52(5) of the Charter? If so, what consequences have been drawn from that classification?
d. Is Art 52(2) of the Charter relied upon by national authorities and courts in order to limit or hamper the scope of social rights under the Charter? In particular, do national courts consider that social rights in the Charter have the same content as under EU secondary legislation, and therefore have no "autonomous" content?
e. How have courts dealt with the matter of social rights under the Charter in actions between individuals ('horizontal actions') in your country?

Chapter 5. EU Trade policy and social rights' protection

International trade can affect social rights' protection in different ways. There is indeed a risk that increased international competition entails a race to the bottom, when goods and services are produced at lower labour costs, in developing countries. Different ways to avoid such a race to the bottom involves the introduction of "social clauses" in international agreements. The EU new generation of trade agreements include a reference to social rights, and the obligation of parties to respect basic rights protected by ILO conventions.

Indeed, the protection of social rights in the development of free trade is the result of a long-standing link between human rights and trade liberalization. Today, not only the EU, but other important trade powers, such as the US and Canada, embed human and labour-rights provisions in their new trade agreements. For the EU, the objective is not only to avoid regressive pressures on social rights, but also to promote fundamental rights, which include fundamental social rights, through external action. In addition, the promotion of the European social model can become part of 'European soft power', 'geopolitical' 'appeal' and 'clout'.

In its "Trade Policy Review" of 18 February 2021[11], the European Commission committed to provide guidance to assist EU businesses on taking appropriate measures to address the risk of forced labour in their operations and supply chains, in line with international due diligence guidelines and principles. It then published a document in July 2021 to provide the necessary guidance[12]. The Commission is also currently preparing a legislative proposal on "Sustainable Corporate Governance" to foster long-term sustainable and responsible corporate behavior. The future proposal aims at introducing mandatory human rights and environmental due diligence, including risks linked to forced labor.

The central question concerns the kind of regulation, which is appropriate to protect workers in the context of international trade. Taking into account global supply chains, and the role of private actors (corporations) in the design of proper instruments to protect social rights, has become a more pressing issue, in the last decades.

Question 11

What are the ways through which social rights are protected in the context of international trade and global supply chains in your country?

a. Are rules on public procurement used to foster social rights?
b. Are private actors, especially corporations, involved? Have codes of conduct or charters been adopted in certain sectors? At company level? What impact do they have?
c. Have trans-national collective agreements been concluded by national firms? What obstacles do they face?
d. Do national courts admit civil or criminal claims, when violations of social rights have taken place abroad?
e. Are there possibilities for collective or class actions?
f. Does national law require social rights due diligence? If so, what are the duties imposed on firms?

[11] European Commission Communication, Trade Policy Review -An Open, Sustainable and Assertive Trade Policy, COM(2021) 66 final; https://trade.ec.europa.eu/doclib/docs/2021/february/tradoc_159438.pdf
[12] https://trade.ec.europa.eu/doclib/docs/2021/july/tradoc_159709.pdf

Chapter 6. Climate change and Social justice

On 11 Dec. 2019, the Commission published a Communication on "the European Green Deal". It is described as a roadmap for making the EU economy sustainable "by turning climate and environmental challenges into opportunities across all policy areas and making the transition just and inclusive for all".

According to the Communication, "careful attention will have to be paid when there are potential trade-offs between economic, environmental and social objectives" and "the European Pillar of Social Rights will guide action in ensuring that no one is left behind". This language, however, does not clarify what a "just and inclusive" transition means in terms of social policies and social rights.

Question 12

How do policies to combat climate change, at national level, take social justice into account and what are the methods (the instruments, the judicial actions…) through which the link between climate change and social justice is achieved?

Chapter 7. Achieving Social Europe: Social rights, democracy and the rule of law

What are the European social values, underpinning a meaningful Social Europe, that should cement the European integration? How are they related to the Rule of Law, with which Member States must comply? In the context of of European democracies becoming more fragile, social rights and social justice, together with the question of the perception of these rights, is of highest importance. However, the link between the rule of law and the protection of social rights has not been afforded much attention.

To make the Social dimension of the EU more tangible, the role of EU citizenship and EU citizenship education, should be explored. The 1992 Maastricht Treaty inserted EU citizenship into the Treaty and provided it with a limited list of citizenship rights. The 2009 Lisbon Treaty added a political dimension to EU citizenship in Title II TEU "Provisions on democratic principles". More than a decade later, in order to build a European Social Union, EU citizenship and democratic principles should be reconsidered in the light of EU citizenship education in mainstream education. In view of a Union based on the values of Art. 2 TEU, going beyond a market rationale, the European public space needs an educational substratum, allowing for a stronger connection between EU citizens and solidarity beyond national borders, bringing the EU closer to its citizens. There seems to be consensus on the objectives. However, how should it be implemented? What concrete action has been undertaken by Member States?

Question 13

What measures, if any, have been taken in your country to provide education on EU citizenship and the values set out in the Treaties in mainstream education (primary, secondary and higher education)?

a. Are these matters covered in the curriculum and how?

b. Are there rules or guidelines in that regard?

c. Are there examples of bestpractices that can be provided ?

Question 14

What national developments (in law and policy) in the area of fundamental social rights can be related to democracy and the rule of law (equality between men and women, the fight against racial discrimination and hate speech, equal access to social services, social benefits and housing…)?

Question 15

Is the EU perceived as a Social Union in your Member State, in particular in academic, judicial and political discourse? Are common European values, in particular equality and solidarity, laid down in Article 2 TEU, considered to be the constitutional basis for a European Social Union?