

No. 7659

**AUSTRIA, BELGIUM, DENMARK,
FEDERAL REPUBLIC OF GERMANY, FRANCE, etc.**

**European Social Charter (with appendix). Signed at Turin,
on 18 October 1961**

Official texts: English and French.

Registered on 30 March 1965 by the Council of Europe, acting on behalf of the Contracting Parties, in accordance with Resolution 54 (6) of the Committee of Ministers of the Council of Europe, adopted on 3 April 1954.

**AUTRICHE, BELGIQUE, DANEMARK,
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE, FRANCE, etc.**

**Charte sociale européenne (avec annexe). Signée à Turin,
le 18 octobre 1961**

Textes officiels anglais et français.

Enregistrée le 30 mars 1965 par le Conseil de l'Europe, agissant au nom des Parties contractantes, conformément à la résolution 54 (6) du Comité des ministres du Conseil de l'Europe, adoptée le 3 avril 1954.

No. 7659. EUROPEAN SOCIAL CHARTER.¹ SIGNED AT TURIN, ON 18 OCTOBER 1961

The Governments signatory hereto, being Members of the Council of Europe,

Considering that the aim of the Council of Europe is the achievement of greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and of facilitating their economic and social progress, in particular by the maintenance and further realisation of human rights and fundamental freedoms ;

Considering that in the European Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950,² and the Protocol thereto signed at Paris on 20th March 1952,³ the member States of the Council of Europe agreed to secure to their populations the civil and political rights and freedoms therein specified ;

Considering that the enjoyment of social rights should be secured without discrimination on grounds of race, colour, sex, religion, political opinion, national extraction or social origin ;

¹ In accordance with article 35, the Charter came into force on 26 February 1965, the thirtieth day after the date of deposit of the fifth instrument of ratification, and as regards each signatory ratifying subsequently, on the thirtieth day following the date of deposit of its instrument of ratification. Following is the list of States, on behalf of which the instruments of ratification, with the declarations* provided for in articles 20 and 34 of the Charter, were deposited with the Secretary General of the Council of Europe, showing the respective dates of deposit of the instruments of ratification and of the entry into force of the Charter :

	<i>Date of deposit</i>	<i>Date of entry into force</i>
United Kingdom of Great Britain and Northern Ireland	11 July 1962	26 February 1965
Norway **	26 October 1962	26 February 1965
Sweden	17 December 1962	26 February 1965
Ireland	7 October 1964	26 February 1965
Federal Republic of Germany ***	27 January 1965	26 February 1965
Denmark	3 March 1965	2 April 1965

* For the contents of these declarations, see p. 134 of this volume.

** With reservation, for the text of which see p. 136 of this volume.

*** Upon depositing its instrument of ratification, the Government of the Federal Republic of Germany informed the Secretary-General of the Council of Europe of the following : "The European Social Charter of 18th October 1961 will also apply to *Land Berlin* with effect from the date on which it enters into force for the Federal Republic of Germany".

² United Nations, *Treaty Series*, Vol. 213, p. 221 ; Vol. 223, p. 382 ; Vol. 226, p. 380 ; Vol. 256, p. 365 ; Vol. 265, p. 388 ; Vol. 275, p. 306 ; Vol. 310, p. 380 ; Vol. 313, p. 363 ; Vol. 340, p. 357 ; Vol. 347, p. 385 ; Vol. 363, p. 405 ; Vol. 367, p. 318 ; Vol. 395, p. 271 ; Vol. 404, p. 344 ; Vol. 414, p. 387 ; Vol. 418, p. 365, and Vol. 425, p. 334.

³ United Nations, *Treaty Series*, Vol. 213, p. 221 ; Vol. 223, p. 382 ; Vol. 265, p. 388 ; Vol. 310, p. 380, and Vol. 313, p. 363.

Being resolved to make every effort in common to improve the standard of living and to promote the social well-being of both their urban and rural populations by means of appropriate institutions and action,

Have agreed as follows :

PART I

The Contracting Parties accept as the aim of their policy, to be pursued by all appropriate means, both national and international in character, the attainment of conditions in which the following rights and principles may effectively realised :

1. Everyone shall have the opportunity to earn his living in an occupation freely entered upon.
2. All workers have the right to just conditions of work.
3. All workers have the right to safe and healthy working conditions.
4. All workers have the right to a fair remuneration sufficient for a decent standard of living for themselves and their families.
5. All workers and employers have the right to freedom of association in national or international organisations for the protection of their economic and social interests.
6. All workers and employers have the right to bargain collectively.
7. Children and young persons have the right to a special protection against the physical and moral hazards to which they are exposed.
8. Employed women, in case of maternity, and other employed women as appropriate, have the right to a special protection in their work.
9. Everyone has the right to appropriate facilities for vocational guidance with a view to helping him choose an occupation suited to his personal aptitude and interests.
10. Everyone has the right to appropriate facilities for vocational training.
11. Everyone has the right to benefit from any measures enabling him to enjoy the highest possible standard of health attainable.
12. All workers and their dependents have the right to social security.
13. Anyone without adequate resources has the right to social and medical assistance.
14. Everyone has the right to benefit from social welfare services.
15. Disabled persons have the right to vocational training, rehabilitation and resettlement, whatever the origin and nature of their disability.
16. The family as a fundamental unit of society has the right to appropriate social, legal and economic protection to ensure its full development.

17. Mothers and children, irrespective of marital status and family relations, have the right to appropriate social and economic protection.

18. The nationals of any one of the Contracting Parties have the right to engage in any gainful occupation in the territory of any one of the others on a footing of equality with the nationals of the latter, subject to restrictions based on cogent economic or social reasons.

19. Migrant workers who are nationals of a Contracting Party and their families have the right to protection and assistance in the territory of any other Contracting Party.

PART II

The Contracting Parties undertake, as provided for in Part III, to consider themselves bound by the obligations laid down in the following Articles and paragraphs.

Article 1

THE RIGHT TO WORK

With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake :

1. to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment ;
2. to protect effectively the right of the worker to earn his living in an occupation freely entered upon ;
3. to establish or maintain free employment services for all workers ;
4. to provide or promote appropriate vocational guidance, training and rehabilitation.

Article 2

THE RIGHT TO JUST CONDITIONS OF WORK

With a view to ensuring the effective exercise of the right to just conditions of work, the Contracting Parties undertake :

1. to provide for reasonable daily and weekly working hours, the working week to be progressively reduced to the extent that the increase of productivity and other relevant factors permit ;
2. to provide for public holidays with pay ;
3. to provide for a minimum of two weeks annual holiday with pay ;

4. to provide for additional paid holidays or reduced working hours for workers engaged in dangerous or unhealthy occupations as prescribed ;

5. to ensure a weekly rest period which shall, as far as possible, coincide with the day recognised by tradition or custom in the country or region concerned as a day of rest.

Article 3

THE RIGHT TO SAFE AND HEALTHY WORKING CONDITIONS

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Contracting Parties undertake :

1. to issue safety and health regulations ;
2. to provide for the enforcement of such regulations by measures of supervision ;
3. to consult, as appropriate, employers' and workers' organisations on measures intended to improve industrial safety and health.

Article 4

THE RIGHT TO A FAIR REMUNERATION

With a view to ensuring the effective exercise of the right to a fair remuneration, the Contracting Parties undertake :

1. to recognise the right of workers to a remuneration such as will give them and their families a decent standard of living ;
2. to recognise the right of workers to an increased rate of remuneration for overtime work, subject to exceptions in particular cases ;
3. to recognise the right of men and women workers to equal pay for work of equal value ;
4. to recognise the right of all workers to a reasonable period of notice for termination of employment ;
5. to permit deductions from wages only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreements or arbitration awards.

The exercise of these rights shall be achieved by freely concluded collective agreements, by statutory wage-fixing machinery, or by other means appropriate to national conditions.