EUROPEAN SOCIAL STANDARDS OF HUMAN RIGHTS

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Abstract: European social standards are considered as a standard of social security for human rights. The results demonstrate three main stages in the development of the model of social investment in the EU: 1) after 1945 – the beginning of the introduction of the paradigm in connection with the need to ensure employment growth; 2) after 1970 – a new stage in the implementation of the paradigm of social investment in connection with the crisis of previous models, moving away from passive transfers to maximizing employment and employment with different national differences and specific regimes; 3) after the 1990s due to demographic changes, economic changes, structured unemployment and long-term problems of ensuring economic stability; 4) after the crisis of 2008, a new paradigm of social security of human rights was formed, adapted to the needs of the monetary union.

Keywords: social standards, social security, human rights, social benefits, social investment.

1 Introduction

Many countries around the world follow European social standards. The European Social Charter and the European Social Security Code are the main international regulations governing social security of human rights. EU social security policy is being transformed due to the high burden on member states' budgets since the 2008 crisis. In particular, structural reforms of social policy (transition to economic governance and departure from the open method of policy coordination), which led to a negative impact on the social model of Europe (Hermann, 2017). The President of the European Central Bank M. Draghi argues for the departure from the European social model and emphasizes the need for structural reform as a prerequisite for the resumption of economic growth in the EU. In practice, the new regulated social standards do not solve the problems of those sections of the population in need of social protection.

This is evidenced by the growth of poverty and inequality in crisis situations. In addition, protection of citizens from social risks is characterized by duality due to different socio-demographic characteristics of beneficiaries. The tendency of the population to support the policy of populism, which inevitably leads to increasing inequality and additional costs, strengthens the duality of social security. The policy of populism, on the one hand, strengthens the link between social and political inequality within the EU, and on the other hand, forms public confidence in institutions and the opportunity to participate in addressing social issues, expressing their needs (Dotti Sani & Magistro, 2016).

The purpose of the article is to identify the features of social security of human rights based on social standards of the EU. In accordance with the purpose of the main objectives of the article are:

- To analyze the historical development of the paradigm of social investment in Europe and the reasons for its transformation.
- Assess the state of social security in Europe (structure and dynamics of social benefits) depending on the level of economic well-being of EU countries.

2 Literature review

European social standards as an element of international standards reflect the practice and experience of European member states in the field of social security (protection). European social standards in the field of social protection should be considered as a social minimum defined by international legal acts and mandatory for member countries, as it provides the opportunity for disabled people to exercise their rights and freedoms in full. Thus, social standards determine the level of social security of human rights.

European social protection systems were mainly developed at the end of World War II because of the need for countries to encourage the return of male employment. In the EU's social security systems, there were mechanisms through which a man's social contributions protected his wife and children. According to Palier (2006), the social models of European countries formed after 1945 can be divided into the following five types: "British, Nordic, Continental, Mediterranean, and Eastern". However, since the early 1970s, these models have been in crisis and in need of reform. Since the 1970s, the EU has been implementing social investment strategies that have shifted from passive transfers to maximizing employment and employment with different national differences and specific regimes (Van Kersbergen & Hemerijck, 2012). Such models of social protection have led to modifications of social benefits and derivative rights that still exist in current social protection systems and have never been questioned (Jepsen & Meulders, 2017).

EU cranes have undergone long-term reforms of social protection and policy since the 1990s in the face of demographic change (Europe's aging population), economic change (market globalization and increased competition), structured unemployment and the long-term challenges of economic sustainability. Since the 1990s, the EU has gradually introduced a new paradigm of social investment "as a distinctive welfare policy paradigm" in connection with changes in the labor market, the need to improve the quality of human capital, the need to form a social protection system based on minimum benefits (Hemerijck, 2015). After the financial crisis of 2008 and the introduction of fiscal consolidation packages to reduce the level of debt in European countries, the elements of the social model have changed pensions, social protection, workers' rights, and quality of work, working conditions, social protection and dialogue.

The changes have been relatively rapid, as EU countries have introduced a previous model of social protection since the Treaty of Rome in 1956 (Vaughan-Whitehead, 2015). Because of changes in the EU, a new paradigm of social security of human rights has been formed, adapted to the needs of the monetary union. The EU's social security policy paradigm involves the integration of social investment and social entrepreneurship concepts. This paradigm involves the involvement of enterprises in social investment in order to direct public funding to education, employment, job support, wage supplements, childcare payments (Jenson, 2017). At the same time, the literature notes the ambiguous and unexpected negative impact of social investment policy on economic growth and the level of opportunity on the example of Italy, due to the lack of important structural prerequisites (Kazepov & Ranci, 2017).

Social investment has recently attracted a lot of attention from politicians and scientists in welfare states. Garritzmann, Busemeyer & Neimanns, 2018) based on the study of public opinion on social investment in comparison with other social security policies distinguish the following models of social policy of the welfare state: social investment, passive transfers and social security policy. Social investment is the most popular policy. Passive transfer policy is most popular among the low-income population and those who are inclined to social values and the population with left-wing economic views. Social investment policy is supported by a broad coalition of people with higher education and left-liberal economic views. Social security policy is most popular among high-income people who adhere to conservative and traditional authoritarian values (Garritzmann, Busemeyer & Neimanns, 2018). Social protection policy provides benefits only for protected labor sectors. This means that the structure of the labor market determines the relationship between socio-economic characteristics of the population and their views on the general welfare of the country (Fernández-Albertos & Manzano, 2016). Economic insecurity of the population leads to the support of populist parties and an increase in the level of social benefits. At the same time, economic insecurity is transforming the labor force and labor market in post-industrial economies (Inglehart & Norris, 2016). However, the scientific literature argues that there is a need for a clear concept of social protection in Europe based on the paradigm of social union, like monetary, monetary unions within the EU. The need for a new concept is due to two factors. The first factor is the use of supranational instruments of stabilization through monetary integration to share risks and "reduce responsibility". This limits the use of different social models in European countries, as it necessitates their adaptation to the legal requirements of a monetary union. This means that monetary integration takes precedence over social integration, which causes a constitutional imbalance between the "market" (economy) and the "social" in the EU legal order (Garben, 2018). The second factor is the EU's need to reconcile the free movement of people and internal social cohesion. In practice, it is advisable to review the division of labor, which provides for supranational economic policy and national social policy (Vandenbroucke, 2016), as today there is a displacement of national legislation and economic management of social security (Garben, 2018). National social policies and standards are needed to take into account the level of economic insecurity of the population in different European countries and to choose the model of social policy of the welfare state: social investment, passive transfers and social security policy.

3 Materials and research methods

The study is based on the concept of social investment to identify changes in the structure of social security in the EU. The research used a statistical analysis of indicators of development of social security models of the EU-27 according to Eurostat for 2010-2018. To analyze the structure of social benefits, the dynamics of payments by functions was studied: disability (disability pension; early retirement benefit due to reduced capacity to work); old age (old-age pension; anticipated old-age pension; partial pension); survivors (Survivor's pension); unemployment (early retirement benefit due to labor market reasons).

4 Results

The model of social protection of the EU countries provides for the implementation of social benefits for the following functions: disability (disability pension; early retirement benefit due to reduced capacity to work); old age (old-age pension; anticipated old-age pension; partial pension); survivors (Survivor's pension); unemployment (early retirement benefit due to labor market reasons). EU-27 spending on social protection averages € 8,154.88 per capita, varying significantly across countries (Figure 1).

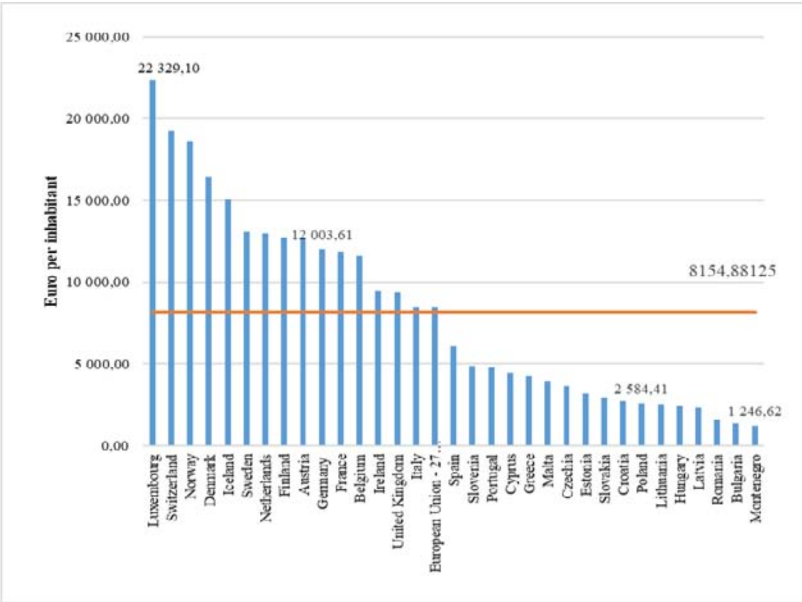

Figure 1 – Social protection expenditure in EU-27, euro per inhabitant 2018
Source: Eurostat (2021a).

Social benefits depend on the level of GDP per capita and median net income (Figure 2). This means that social policy takes into account the national characteristics of the labor market. In terms of structure, most social benefits are made by age – 10.7% of GDP in 2018 within the EU-27, care and illness – 7.8% of GDP, disability – 2.0% of GDP, pension benefits in due to the loss of a breadwinner – 1.6% of GDP. This indicates that the aging of the population in the countries has affected the social burden on the active population (employed) due to the high level of pension benefits. In the dynamics of social protection, expenditures gradually increased in 2011-2018, in particular, the largest increase in sickness benefits; pension benefits (Table 1).

The largest share of social contributions is made by citizens – 58% and employers – 36% in 2010-2018 (Table 2), which shows a developed liberal model of social investment, where individuals and businesses make social investments, and the state carries out personalized transfer of social benefits to individuals.

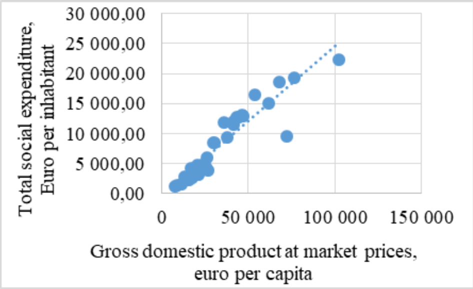

Figure 2 – Dependence of total social expenditure of GDP per capita and median net income in EU-27, 2018
Source: author calculation based on Eurostat

Table 1: Social protection expenditure in EU-27 by functions, aggregated benefits and all schemes – % of the GDP, 2018

Indicators	Social protection benefits	Non means-tested benefits	Means-tested benefits	Cash benefits	Cash benefits (non means-tested)
Sickness/Health care	7.8	7.7	0.1	1.1	1.1
Disability	2.0	1.6	0.5	1.4	1.1
Old age	10.7	10.3	0.4	10.3	10.0
Survivors	1.6	1.6	0.1	1.6	1.5
All functions	26.7	23.8	2.9	17.4	15.8

Source: Eurostat (2018).

Table 2: Social contribution depends on receipts by type in EU-27, 2010-2018

European Union – 27 countries (from 2020)	2010	2011	2012	2013	2014	2015	2016	2017	2018
Social contribution									
Percentage of total receipts	57.58	57.99	57.83	57.77	57.72	57.59	57.85	58.28	58.35
Percentage of gross domestic product (GDP)	16.9	16.9	17.1	17.3	17.2	17.0	17.0	17.0	17.0
Employers' social contribution									
Percentage of total receipts	36.72	36.83	36.53	36.27	36.26	36.10	36.09	36.33	36.36
Percentage of gross domestic product (GDP)	10.8	10.7	10.8	10.9	10.8	10.6	10.6	10.6	10.6
Imputed employers' social contribution									
Percentage of total receipts	5.96	6.06	6.04	6.03	5.90	5.92	5.93	5.95	5.93
Percentage of gross domestic product (GDP)	1.7	1.8	1.8	1.8	1.8	1.7	1.7	1.7	1.7

Source: Eurostat (2021f).

Corporations (non-financial and financial) and the central government – 28% and 31% respectively in 2018, generate most revenues. State and local government provides 16% of revenues, and state social security funds – 1% (Figure 4). It should be noted that in Germany, France and the United Kingdom corporations (financial and non-financial) make the largest social contributions (290,266.31 million €, 240,311.87 million €, and 214,910.74 million € in 2018, respectively). The next group of countries in terms of social investment of corporations – Italy with a volume of 135,858.00 million €, Spain with a volume of 94,272.56 million €, The Netherlands with a volume of 79,014.18 million €, and Switzerland with 75,644.12 million €. In 2018 in Sweden, Belgium, Austria, Turkey, Poland, Norway, Czech Republic, Portugal, Ireland, Finland, Denmark, and Greece corporations finance between10,000 million € and 43,000 million€ in social security contributions. In Hungary, Slovakia, Croatia, Lithuania, Estonia, Slovenia, Luxembourg, Bulgaria, Serbia, Iceland, Romania, Latvia, Cyprus, Montenegro and Malta, corporate social investment ranges from € 165 million to € 6,050 million. Thus, EU countries can be divided into 4 groups according to the level of social investment carried out by corporations (see at the Figure 3).

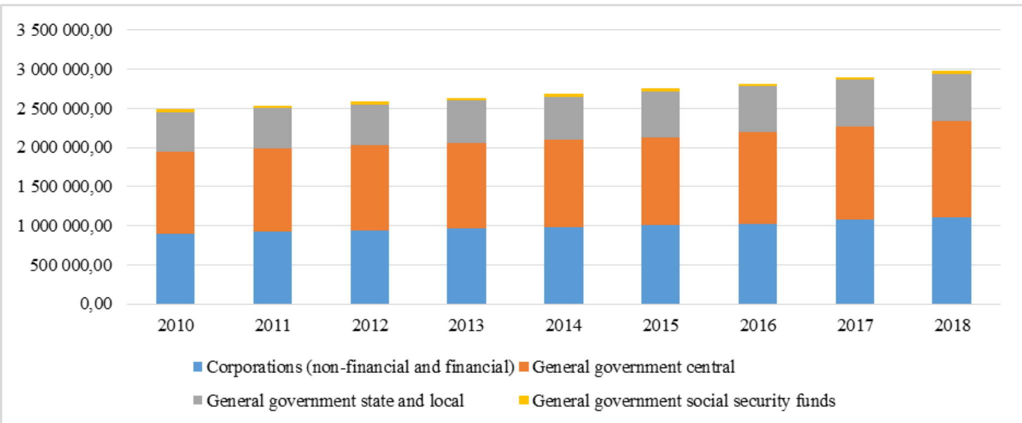

Figure 3 – Receipts by sector of origin and type, million EUR
Source: Eurostat (2021).

The amount of social investment of the central government also differs in different countries: the central government of the United Kingdom made 363,964.23 million € of social contributions in 2018, France – 335,289.37 million € of social contributions, Italy – 234,860.00 million € social security contributions, Germany – 219,158.43 million € in social security contributions. The following group of countries by social contributions of the central government: the Netherlands with 51,119.61 million €, Denmark

47,997.99 million €, Poland – 42,037.08 million €, Spain – 39,484.24 million €, Turkey – 39,246.66 million €, Belgium 37,006.33 million €, Norway 36,871.38 million €, Ireland – 30,438.31 million €, Sweden -28,852.54 million €, Portugal – 27,285.06 million €, Greece – 25,470.24 million €, Austria – 24,114.27 million €, Finland – 23,293.84 million €, and Switzerland – 19,515.93 million €. Third group of countries by social contributions of the central government: Czech Republic – 9,512.79 million €, Hungary 8,588.82 million €, Romania 7,592.71 million €, Luxembourg 7,451.44 million €, Slovakia 5,172.14 million €, Bulgaria 4,625.81 million €, Croatia 3,950.69 million €, Serbia 3,125.81 million, Iceland 2,843.46 million, Slovenia 2,335.76 million, Lithuania 2,270.09 million €, Cyprus 2,267.57 million €, Latvia 1,927.73 million €, Malta 1,532.60 million €, Estonia 968.77 million €, Montenegro 268.74 million €. This means that combined social investment models operate in Europe: social entrepreneurship and government social security.

5 Discussion

The social security systems of European countries are differentiated depending on the level of social benefits, which in turn depends on the level of economic development and income of citizens. Social protection of citizens depends not only on legal standards, but also on the structure of the labor market.

While the countries of southern Europe are known for their social security system, which takes little account of the needs of "future generations of citizens", conservative and social democratic countries differ significantly for investment in the social protection system. Among the reasons for the inefficiency of the social security system in Southern Europe are the peculiarities of the labor market, in particular non-standard employment, employment of one family member, which leads to increased poverty in the event of a crisis for the family (childbirth, loss of breadwinner). According to Schoukens, Barrio & Montebovi (2018) the growth of atypical employment within the EU (online work through platforms on the Internet, the development of self-employment) causes deviations from standard employment relationships, which is a challenge for social security systems. This requires a revision of EU legislation and the adaptation of social policies with a greater emphasis on social benefits that take into account the working conditions of the self-employed without taking into account the conditions of the self-employed family members (Schoukens, Barrio & Montebovi, 2018). This means that combating inequality, as a historical problem will be relevant due to the emergence of new forms of labor that transform the structure of the labor market as a whole, increase the social stratification of the population. According to Barbieri & Bozzon (2016), inequality among the population is growing due to the historical social stratification of the population and resources. New forms of labor contribute to this stratification.

Countries with higher unemployment in working age have significantly higher risks of poverty and lower opportunities for social protection in the event of an economic recession. Social protection spending can mitigate the negative effects of the crisis to a certain extent. Countries with higher social benefits are less likely to increase poverty among the population (Chzhen, 2017). Increasing investment in social protection can help reduce inequality among the population. Reducing costs or strengthening social protection conditions (for example, public education programs in the labor market for citizens) may adversely affect the mental health of vulnerable populations (Niedzwiedz, Mitchell, Shortt & Pearce, 2016).

Moriarty, Wickham, Bobek & Daly (2016) explore the contradictions between the European Union's commitment to a single European labor market, in which all citizens of the Member States enjoy equal rights, and national social security systems within the EU. In particular, the growing dynamics between increasingly mobile European citizens who receive access to and transfer of social support within the EU in accordance with EU directives guaranteeing equal protection of citizens of member states (Moriarty, Wickham, Bobek & Daly, 2016) has been identified.

Within the EU, there are significant differences in the amount of social benefits between the countries of Northern Europe and Eastern Europe. Social protection of the population by age (pension benefits) occupy the largest share in the structure of social security in all European countries. Social costs due to illness and disability also play a significant role. These results correlate with the results of the study Halaskova (2018), which based on a cluster analysis of European countries revealed the same trends. This means that the social model in Europe has changed little, despite changes in social policy and the transition to economic governance due to the need to adapt the social union to the monetary union after the 2008 financial crisis. Thus, population aging as a factor of social policy is the most important in providing for citizens. According to Halaskova (2018), not all EU member states are characterized by differences in the structure of social security spending. Differences in the volume and level of expenditures reflect the level of economic well-being of the population, features of social models of countries, national social protection policy, income of citizens (Halaskova, 2018). This study found a linear relationship between GDP per capita, net per capita income and per capita social benefits. This confirms the conclusion of Garritzmann, Busemeyer & Neimanns (2018) that social investment is the most popular policy in the EU, which has the support of people with higher education, high incomes and left-liberal economic views. These results also correlate with the findings of Fernández-Albertos & Manzano (2016): social protection policy provides benefits only for protected labor sectors.

6 Conclusion

The article reveals the features of social security of human rights on the basis of social standards of EU countries. The first feature is the differentiation of social benefits due to differences in economic welfare (GDP per capita) and net incomes. The peculiarities of the labor market and its structure determine the national regimes of social investment, the disregard of which leads to a reduction in the effectiveness of social security of human rights. Since the 1970s, when the paradigm of social investment and the departure from the system of passive transfers were gradually introduced, the social security models of the EU countries have changed due to changes in the structure of the labor market. Since the early 1990s, social models have also changed due to an aging population, which has led to an increase in pension benefits. The emergence of new forms of work (development of self-employment) requires the introduction of new social security standards with an emphasis on personalization of benefits and taking into account the working conditions of the individual citizen, rather than the structure of the household. Individualization of rights involves the elimination of any reference to the composition of the household or lifestyle when providing social security assistance. The amount of needs testing assistance should depend on the number of hours worked by the partner (Jepsen & Meulders, 2017).

Further research should focus on assessing the link between new forms of employment that increase migration flows within the EU and the transformation of EU social security systems to develop a new social policy that takes into account the national structure of employment.

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