

Conclusions

Facing the economic and social consequences of the pandemic: domestic and EU responses

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Introduction: before 'it' – delivering Social Europe in 2019¹

In view of the first wave of the pandemic which engulfed Europe in the first half of 2020, it is easily forgotten that the preceding year proved fertile ground for EU social policy initiatives (see the chronology of key events by Boris Fronteddu and Denis Bouget, this volume). Several important developments took place under the Romanian presidency of the Council of the European Union (EU) between January and June 2019, *inter alia* the adoption of new directives on (a) transparent and predictable working conditions (EP and Council of the EU 2019a); (b) work-life balance (EP and Council of the EU 2019b); and (c) accessibility requirements for products and services (EP and Council of the EU 2019c). One milestone is the agreement revising the directive on protection from work-related exposure to carcinogens or mutagens (EP and Council of the EU 2019d), with the renewed EU focus on occupational health and safety pointing to a shift away from the 'deregulatory tone of the past' (Vogel 2018).² Also during the first half of 2019, the go-ahead was given to establish the European Labour Authority (ELA) in Bratislava.³ Finally, in the last year of its mandate, the Juncker European Commission continued its work on 'socialising' the European Semester, including strengthening its links with EU funding, notably through the Country Reports published in February 2019 (Vanhercke 2020).

These significant advances in the first half of 2019 were clearly facilitated by the solemn proclamation of the European Pillar of Social Rights (European Parliament *et al.* 2017), which gave the Juncker Commission a strong mandate to table proposals significantly expanding the EU's role in social policy (European Council 2017: 2; Schout *et al.* 2019). The major advances made in the first half of 2019 can also be explained by the resolve of EU and domestic policymakers to achieve as many tangible results as possible ahead of the European elections that May, an event set to bring EU decision-making to a standstill for several months.

Looking back, the Juncker European Commission (2019) took pride in having adopted 24 new initiatives (including some soft law measures) in the social field during its 2014–2019 mandate, out of the 27 initially proposed. Among the three initiatives postponed

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2. For an in-depth discussion of the process leading to the revision of this directive, see Vogel (2018).
3. Symbolically, it was Jean-Claude Juncker who presided over the inauguration of the European Labour Authority in October 2019, one of his last acts as President of the Commission.

to the next parliamentary term, two related to the new programmes under the next long-term EU budget for 2021–2027 (notably the European Social Fund Plus and the European Globalisation Adjustment Fund), for which negotiations were still ongoing. The other was the contentious revision of Regulation 883/2004 on the coordination of social security systems (EP and Council of the EU 2004), for which the preliminary agreement reached in trilogue was not confirmed by the EU legislator. At the same time, we should not get carried away by the achievements listed above: several legislative texts were significantly watered down in lengthy negotiations between the Member States and the EU institutions (in the social area, the European Parliament and the Commission were largely aligned).

The second half of 2019 was marked by the forming of the new Parliament, the new appointments to the highest-level posts in the EU and the proposal for a ‘European Green Deal’ (EGD), which was presented, not quite humbly, as Europe’s man-on-the-moon moment and the EU’s next grand strategy. The European Parliament (EP) elections were historic in two ways: the high voter turnout and the end of the dominance of the two main centrist parties, the centre-right European People’s Party (EPP) and the centre-left Progressive Alliance of Socialists and Democrats (S&D), which had commanded an absolute majority in the European Parliament since 1979 (Anderson and Heins, this volume). The elections resulted in an electoral breakthrough by the Greens, while Eurosceptics fared well in several countries and are now a force to be reckoned with within the European Conservatives and Reformists (ECR) Group in the EP. As for far-right populists in Europe, these elections did not turn out to be a ‘new dawn’, despite polling predictions to the contrary.

Perhaps this relative continuity explains why – despite a top-heavy institutional agenda and persisting political differences between the Member States – political agreement was reached during the second half of 2019 (under the Finnish Presidency of the Council of the EU) on the crucial ‘EU mobility package’, which includes new rules on drivers’ working conditions and special posting rules for drivers in international transport. Some aspects of compromise on the package, however, will lead to unnecessary emissions and pollution, a considerable setback to achieving the EU target of carbon-neutrality by 2050 (Anderson and Heins, this volume). Nearly one year after the political agreement within the EPSCO Council, the Council Recommendation on access to social protection for workers and the self-employed was formally adopted in November 2019 (Council of the EU 2019a). By May 2021, Member States should submit a plan to report on measures taken to address gaps in social protection that affect vulnerable self-employed workers in particular (Spasova and Wilkens 2018).

Despite the Presidency’s limited wiggle room, Finland also set in motion an EU-wide debate on the concept of the ‘economy of wellbeing’, though it seems unlikely that either the non-binding conclusions of the Council of the EU (2019b) on this topic or the conclusions pertaining to ‘gender-equal economies in the EU’ (Council of the EU 2019c) will have any lasting impact on EU or domestic policymaking. What is more, Anderson and Heins (this volume) argue that neither the 2019 Presidencies of Romania and Finland nor the Croatian Presidency in the first half of 2020 left any strong mark on the EU’s social dimension: during this presidency trio, the agenda was mainly

determined by the Commission and the European Council (ibid), raising the wider question of the leeway still available to the rotating Presidency of the Council of the EU under the Lisbon Treaty rules, which curtailed the ‘political’ dimension of the six-month presidencies (Maciej Kaczyński 2011).

The new European Parliament held its constituent session⁴ on 2 July 2019, electing David Sassoli (Progressive Alliance of Socialists and Democrats, S&D) as its new President. Taking office on 1 December 2019 under the leadership of Ursula von der Leyen, the new European Commission proposed an ambitious programme, including the December 11 publication of the Communication on the European Green Deal, together with a roadmap for its implementation, which foresees an impressive number of legislative proposals in key sectors of the EU economy with the cross-cutting objective of achieving a ‘climate-neutral’ Europe by 2050. The new Commission also announced proposals on a European Child Guarantee, a legal instrument for minimum wages and a European unemployment benefit reinsurance scheme (von der Leyen 2019).⁵ Nicolas Schmit, originally the Commissioner-designate for Jobs, became the Commissioner for Jobs and Social Rights, while the new Commission endorsed the European Pillar of Social Rights and the associated mandate to reinvigorate the social dimension. Under the slogan ‘an economy that works for people’, it promised an action plan to deliver further on the Pillar. Because it had been solemnly proclaimed by the European institutions and the need for its implementation was confirmed in the European Council (2019) Strategic Agenda 2019–2024 (adopted in June),⁶ accepting this heritage from the Juncker Commission became a necessity that was hard for von der Leyen to escape. Setting the scene for the other contributions, the opening chapter of this edited volume by Karen Anderson and Elke Heins argues that the pro-EU majority in the new European Parliament, the partisan composition and entrepreneurship of the von der Leyen Commission, and the mainstreaming of social policy across European Commission Directorates prepare the ground for more EU social policy activity. This new social policy agenda will partially be boosted by the European Green Deal, which aims at implementing a ‘socially just’ green transition for which the European Pillar of Social Rights should serve as reference framework.

This concluding chapter provides a synthesis of the analyses presented in the edited volume, updating them wherever relevant (until November 2020) and situating the key findings in the wider debates on the EU social dimension. The chapter is structured as follows. Section 1 describes the urgent policymaking to combat Covid-19, discussing the economic and social fallout of the pandemic, the domestic and EU policy responses, and its implications in terms of governance: *which entry points are available to ‘Social Affairs’ players in the new economic recovery instrument?* Section 2 looks at recent EU policy initiatives – the Green Deal, the EU’s sustainable development agenda, the revived debate on a European minimum wage and the EU gender equality agenda – being developed in parallel with the pandemic emergency. One key question raised in

4. With changes in composition following the UK withdrawal from the EU.

5. For a discussion of the new European Commission’s programme, see Vanhercke *et al.* (2020).

6. The European Pillar of Social Rights should be implemented at EU and Member State level, with due regard for respective competences (European Council 2019: 5).

this book is *has the pandemic been a driver of or a hurdle to the high ambitions of the new European Commission for the EU social agenda and its commitment to the Green Deal?* Section 3 turns to the future, drawing on the analyses presented in this book; in these uncertain times, the question is *what could be next?*

1. Urgent policymaking to combat Covid-19: economic and social consequences, national and EU responses

This section describes the urgent policymaking to combat Covid-19. Section 1.1 discusses the unequal economic and social consequences of the pandemic at Member State level, as well Member States' responses. Section 1.2 looks at the disruptive impact of the pandemic on EU policymaking, while Section 1.3 discusses some of the key governance issues related to the new EU recovery instrument and how it interacts with the transformed European Semester.

1.1 The unequal economic and social effects of Covid-19 and domestic policy responses

The global Covid-19 pandemic will have a dramatic effect on economies across the globe. As regards the EU, available data on the economic costs of the pandemic and the lockdowns highlights three main types of inequality, which are discussed in turn: (a) the economic divergences between Member States, (b) differences in employment status, and (c) inequalities between women and men.

At the beginning of the pandemic, it was hoped that the measures taken to stop the spread of the virus would lead to a 'V-shaped' economic depression – i.e. a sharp downturn in economic activity (a fall in GDP of around 7-9% for the EU), followed by a quick recovery as the virus was brought under control (Myant, this volume). Unfortunately, nine months after the outbreak of the pandemic, a second wave came rolling in. Given the unpredictability and magnitude of the pandemic, it comes as no surprise that the economic and social effects of the crisis are far worse than expected. According to the World Bank (2020), Covid-19 is about to plunge the global economy into its worst recession since World War II, while the EU's GDP could shrink as much as 8% in 2020. Preliminary Eurostat (2020) data shows that, compared with the same quarter of the previous year, GDP decreased by 14.8% in the euro area and by 13.9% in the EU-27 in the second quarter of 2020. Unsurprisingly, the largest declines in GDP were in the countries hardest hit by the pandemic and which imposed long-lasting and very strict lockdowns in March and April 2020: Spain (-22.1%), Italy (-17.7%) and France (-9%).

The smallest downturns in economic activity were in some Northern European countries and in the Central and Eastern European countries (CEECs): Finland (-4.4%), Estonia (-5.6%) and Lithuania (-5.9%) in the second quarter of 2020. The tourist sector suffered immensely, with all Mediterranean countries (Croatia, Cyprus, Greece, Italy, Malta, Portugal and Spain) experiencing a significant decline in GDP (Myant, this volume). A Eurofound analysis published in October 2020 shows that, due to the strong sectoral

nature of the crisis, the presence of low-paid and low-productivity jobs, and the lower preparedness for the large-scale transition to telework even in Member States where it was previously infrequent, Southern Member States were hit much harder by job losses (Eurofound 2020a; Fana *et al.* 2020).

The social consequences of the pandemic are more difficult to quantify, as the initial data is more limited than that on economic effects (Myant, this volume). Measuring the potential impact of voluntary and enforced social distancing (lockdown, capacity limitations), Palomino *et al.* (2020) find that the crisis is producing increases in the levels of inequality (within and between countries) and poverty in all European countries. An early study by the European Anti-Poverty Network (EAPN 2020) and evidence about the impact on disadvantaged communities in Ireland (Frazer 2020) confirm that the avalanche of negative social consequences has disproportionately hit those already poor or at high risk of becoming poor and vulnerable, especially in low-income countries. As a result, achieving the Europe 2020 target of 20 million fewer people at risk of poverty or social exclusion has become highly unlikely (European Commission 2020a: 25).

Before the pandemic, the EU27 unemployment rate was 6.7% (2019), the lowest level ever recorded in the EU. In contrast to the US, which saw a tragic hike in unemployment, the increase has been rather moderate so far in the EU: from a record low of 6.5% in March 2020 to 7.5% in September (*ibid.*: 74). According to the draft Joint Employment Report 2021 (published on 18 November 2020), this relatively moderate increase (but with considerable variations between countries) can be seen as the effect of the functioning of short-time work schemes and other support measures deployed at national level, ‘though inactivity could also explain part of it’ (*ibid.*: 40). But there is hardly any reason for unwarranted optimism. Unemployment in the tourist sector rose significantly. Among the groups hardest hit by the crisis were young people – who form an important contingent of non-standard and self-employed workers – as well as women (*ibid.*). Youth unemployment increased at a faster rate than overall unemployment, jumping from a low of 14.9% in March 2020 to 17.1% in September (European Commission 2020a: 6). Last but not least, hidden unemployment (working reduced hours, overqualified workers, those who stopped looking for work) and pay reductions may very well be masking the (un)employment situation in Europe (for a state-of-the-art analysis of the impact of the pandemic on the world of work, see ETUI and ETUC 2020).

In order to preserve employment and contain a growing crisis, Member States have relied on automatic stabilisers such as unemployment benefits, but also deployed short-time working schemes (STW), postponed the payment of tax and social security contributions and extended credit guarantees. By the end of April 2020, for example, applications for STW had been filed for 42 million employees in the EU, i.e. as many as a quarter of all employees. Again, the actual percentages ranged widely, from 3.6% in Bulgaria and 3.1% in Poland to just under 50% in France. The figures reflect a general tendency towards worse provision in lower-income countries (Müller and Schulten 2020a). Clearly, workers in lower-income CEECs were less well protected, since social protection benefits and other social inclusion provisions were less available and less generous than in the ‘old’ EU members (Myant, this volume).

But the social effects of Covid-19 not only differed between countries: they also varied dependent on employment status. People on non-standard contracts and the self-employed had less labour and social protection than those on standard contracts, with no support from short-time work schemes, for example, in any of the CEECs (Myant, this volume; European Commission 2020a). However, some Member States (among those most affected) loosened certain rules governing social protection schemes and created *ad hoc* allowances or benefits to (at least temporarily) plug the gaps in access to social protection. As this was a health crisis in turn impacting the economy and the labour market, conditions were relaxed mostly for sickness and unemployment benefits (e.g. reducing and abolishing waiting periods, extending the period of receipt of benefits, increasing the amount of benefits and coverage) as well as providing leave arrangements (see Eurofound 2020b; ILO 2020).

Finally, the pandemic has had very different impacts on women and men (Rubery and Tavora, this volume). With the closing of schools and childcare facilities and the increasing need for care work, the home arena suddenly moved centre stage. While in most crises the spotlight tends to be on the economy and paid employment, this time unpaid care work at home became the focus of attention. Moreover, the difference between this crisis and that of 2008 is that jobs mainly done by women – such as those in the health and care sector, routinely considered low-skilled and unproductive – are now being recognised for their key value for society (*ibid*). Moreover, by way of contrast with the previous crisis, the measures taken by several Member States (e.g. STW schemes and specific corona leave) show explicit efforts to support jobs and employment arrangements traditionally not eligible for social protection and potentially involving vulnerable women – whether domestic workers or self-employed.

Although Rubery and Tavora point out that it is too early to estimate the overall long-term gender impact of the pandemic, they highlight surveys indicating that women are more likely to have lost their jobs in the initial phase of the crisis, particularly lower educated women. The authors are pessimistic about this gender impact, not least because women remain overrepresented in jobs where telework is not possible, in non-standard forms of employment and in sectors likely to shrink in the medium term, in particular horeca and other activities associated with tourism. While Covid-19 has heightened, at least in the short term, the visibility and appreciation of workers in health and social care, one of the most feminised sectors of the labour market, with several Member States providing bonuses or benefits for them, this does not necessarily herald any long-term change in the gendered undervaluation of care work. It is also important to highlight the issues linked to the design of social protection and social inclusion benefits. This design may hinder women's access to benefits: as some sectors or jobs are not covered by specific crisis-related job protection schemes, women may not meet eligibility criteria or may receive benefits that are too low (*ibid*).

1.2 Disease knows no borders: disrupted EU policymaking

On 9 July 2020, WHO Director-General Tedros Adhanom Ghebreyesus declared that ‘disease knows no borders. It does not care about our political differences, and it disregards the distinctions we draw between health and economy, lives and livelihoods. The Covid-19 pandemic has disrupted them all’ (WHO 2020). As pointed out by Rubery and Tavora (this volume), this disruption – and not just interruption – of the usual functioning of our economies and societies is double-edged: it presents an opportunity for significant change (regarding the EU’s involvement in health and a first important step towards pan-European solidarity, for instance), but may also cause significant reversals in social progress (for example, as regards women’s work-life balance and the problematic involvement of ‘social affairs’ players in the EU’s overarching governance architecture).

1.2.1 Crisisification of healthcare policies

Recent research has highlighted an increasing ‘crisisification’ of European policymaking and integration, i.e. the importance of crisis-oriented methods for arriving at collective decisions. These methods, mostly consisting of early warning systems, prioritise the early identification of upcoming crises, specific kinds of actors and technologies, short-cut decision-making procedures, and new narratives on the *raison d’être* of European integration (Rhinard 2019). Indeed, the number of early warning systems⁷ grew from fewer than ten in 2000 to more than seventy in 2015 (Backman and Rhinard 2017). These structures include not only the communication of actions taken and planned but also the coordination of decisions. Previous research showed that the early warning and response system for health crises, for instance, was used by Member States to notify each other of the measures being taken during the acute phase of the highly pathogenic Asian avian influenza virus (H5N1) crisis; that information was then used to inform national decision-making and to shape collective decision-making (Bengtsson *et al.* 2018).

The question then is *can crisisification also serve as a plausible mechanism for legitimizing further European integration?* Scholars inspired by Bourdieu and Foucault argue that crisisification is a rationale of government that works to legitimize government encroachment into new areas of social and public life (Amoore and De Goede 2008; see also White 2015; for a different view, see Rhinard 2019). Brooks *et al.* (this volume) show how crises produce opportunities for expanding the EU’s role over the longer term, despite limited EU competences in the field of health. Even though most of the EU’s health competence comes from an extension of internal market and fiscal governance, previous crises and the critical junctures that they produced led to a ‘purposeful expansion’ of competences, achieved mostly through legislation. In this context, Brooks *et al.* (*ibid.*) note that the European Centre for Disease Prevention and Control (ECDC), a cornerstone of the EU’s health security regime, seems to

7. These include ‘the Early Warning and Response System (for communicating disease outbreaks), the animal disease notification system (for emerging animal health problems), the EU urgent radiological information exchange (for communicating urgent information in the event of a nuclear emergency) and the computer security incident response team (for notifying incidents of cyber-attacks) in the European Commission’ (Rhinard 2019).

have performed well at the outbreak of Covid-19, as have the newly created Clinical Management Support System and (although slower to mobilise) the Civil Protection Mechanism (CPM).

These positive experiences with EU-coordinated crisis management – in contrast to the largely informal and intergovernmental responses during the 2009–2010 swine flu outbreak – possibly explain why, in her first State of the Union speech (16 September 2020), European Commission President Ursula von der Leyen highlighted the need to build ‘a stronger European Health Union’, which can be seen as a strong new narrative from the EU in this sensitive policy area. This announcement was quickly followed, on 11 November 2020, by a European Commission (2020b) Communication on ‘reinforcing the EU’s resilience for cross-border health threats’, accompanied by three legislative proposals aiming to strengthen Europe’s health agencies⁸ and setting up a health task force, to be deployed quickly within the bloc and in third countries.

As predicted by the ‘crisisification’ perspective, this Commission Communication repeatedly refers to the need for rapid decision-making,⁹ justifying the idea of a European Health Union by, among other things, the need to embed ‘foresight’ in health policies and ‘to meet the expectations of our citizens’ (ibid). Another illustration of such a new narrative in the area of health care in the crisis context is provided in the chapter by Brooks *et al.* (this volume): in its 13 March Communication on a coordinated economic response to the Covid 19 outbreak, the European Commission (2020c) introduced a remarkable new interpretation of the legal framework for public health exceptions to national market barriers: historically, these have been justified with regard to the protection of *national* public health, while in this Communication the Commission importantly floated the idea of a reading of the public health derogation based on a notion of *European* public health and solidarity (de Ruijter *et al.* 2020).

Some have also argued that the crisis mode brought about by Covid-19 may provide a window of opportunity to re-examine how the notion of Services of General Economic Interest (SGEI) could apply to the healthcare sector, rather than introducing cycles of implementation and removal of temporary frameworks relaxing the application of the antitrust and state aid rules, as happened in response to the Covid-19 pandemic (Guy 2020). Guillén and Petmesidou (2020) furthermore contend that the pandemic creates an opportunity to rethink (as the EU prepares its new *Strategic Framework on Health and Safety*) a ‘holistic’ workplace health and wellbeing strategy placed squarely in the field of social protection.

As Brooks *et al.* (this volume) argue, however, Member State wishes remain vital for any further extension of EU health competences in the slipstream of Covid-19. According to

8. The three legislative proposals refer to an upgrading of Decision 1082/2013/EU on serious cross-border health threats, a strengthening of the mandate of the European Centre for Disease Prevention and Control (ECDC), and an extension of the mandate of the European Medicines Agency (EMA) (European Commission 2020b).

9. ‘It is our shared and *urgent* responsibility to take forward these measures *quickly* and *thoroughly*’ (European Commission, 2020b: 21). Other references in the Communication are to ‘the *immediate* future’, ‘*fast* track’ scientific advice, procedures and communication channels, ‘*fast* and *streamlined*’ positioning and communication etc (emphasis added).

these authors, the window of opportunity created by Covid-19 could quickly be closed if, for example, a vaccine is promptly issued and distributed. At the same time, internal politics may hamper Member States' commitment to further integration in the field of health, as Eurosceptic parties may well keep on exerting pressure on governing authorities. The fact that, in July 2020, the Heads of State and Government pruned the EU4Health programme to €1.67 billion, down from €9.4 billion proposed by the European Commission in May, indeed seems to signal that Member States still agree that the EU executive should not interfere with their national health programmes, even in times of Covid-19.

1.2.2 Economic and social policy progress: the crisis as a window of opportunity

As argued by Myant (this volume), the longer-term economic consequences of the pandemic are less clear at this stage and will partially depend on decisions taken at EU level: ultimately, the hard-won EU responses will be key to the recovery of the EU economy. The EU's response to the 'perfect storm' it has been facing since the beginning of 2020 has been quite impressive, in stark contrast to the austerity-driven response to the 2008 financial and economic crisis, as can be seen in the dedicated Covid-19 Chronology by Boris Fronteddu and Denis Bouget (this volume). The EU has indeed taken unprecedented steps to achieve economic recovery by providing financial help to those in greatest need, thus eliminating for the time being the danger of a repeated sovereign debt crisis (Anderson and Heins, this volume; Myant, this volume).

As argued by Tholoniati (2020), the EU's economic response was extremely quick, being basically deployed over a period of no more than a few weeks, while negotiations would normally have taken months or even years. Three main stages can be identified (ibid).

In the *first stage*, as early as March 2020, the EU decided (a) a major relaxation of the EU rules on state aid via a new temporary framework; (b) an unprecedented suspension of EU budget rules, using (for the first time) the 'general escape clause' to temporarily suspend the obligations of the Stability and Growth Pact; and (c) the Coronavirus Response Investment Initiative, which introduced extraordinary flexibility into the European Structural and Investment Funds and abandoned co-financing requirements, allowing the funds to be fully mobilised to fight the emergency.

In a *second stage*, during April 2020, efforts focused on the creation of three new firewalls, endorsed by the meeting of the Heads of State and Government on 23 April. First, an unprecedented European instrument was created. Backed by €25 billion in guarantees paid in by Member States, the temporary Support to mitigate Unemployment Risks in an Emergency (SURE) fund provides loans up to a total of €100 billion (0.7% of GDP) to support short-time working and job support schemes. SURE was made operational by the European Commission during the summer of 2020 and the national guarantees were signed by all Member States in September. Second, a €25 billion Covid-19 European Guarantee Fund established by the European Investment Bank (EIB) will be lending up to €200 billion to businesses, especially SMEs. Thirdly, the new and temporary Pandemic Crisis Support instrument allows Eurozone members to use loans from the European Stability Mechanism (ESM) for 'direct and indirect

healthcare-, cure- and prevention-related costs due to the Covid-19 crisis'. Taken together, the measures implemented during the first two stages of the EU's response represented additional financial firewalls of €540 billion (4% of EU GDP) in the form of loans on favourable terms and almost 25% of GDP in the form of guarantees and liquidity assistance (Tholoniati 2020). If the associated investments and reforms are properly designed, the leverage for Member States could be formidable.

The *third stage* of the European response was the establishment of a recovery plan, the outline of which was proposed in May 2020. The Commission's proposal for a European Recovery Plan – dubbed 'Next Generation EU'¹⁰ – will make available €750 billion, in addition to the increased 2021–2027 EU budget of €1.074 trillion, for economic recovery, while accelerating (through earmarked spending requirements, see below) the green and digital transitions. Taken together, the EU long-term budget together with Next Generation EU totals a mind-boggling €1.8 trillion. For the first time in its history, the EU will borrow from capital markets on a very large scale to finance expenditure throughout the Union (Darvas 2020). However, it should be noted that the agreement diverges significantly from the Commission's original proposal, particularly due to opposition from the so-called 'Frugal Four', an informal grouping of the Netherlands, Austria, Sweden and Denmark, with Finland often a further ally (see Anderson and Heins, this volume). The total volume of the EU recovery instrument is kept at €750 billion, as in the initial proposal, but the balance between grants (€390 billion, down from €500 billion in the Commission's proposal) and loans (€360 billion, up from €250 billion) has been tilted towards the latter. Moreover, the time available for commitments is shortened by one year to speed up the recovery dynamic (2021–2023 instead of 2021–2024).

The abovementioned measures 'can be seen as a test of whether the EU can prove its worth in enabling Member States to weather the crisis and to achieve economic recovery with political stability' (Myant, this volume). Although recognised as essential for addressing the issues thrown up by the crisis, some of the new measures have been subject to criticism and debate, with doubts voiced as to their ability to 'sufficiently' counteract the expected serious economic and social consequences of the pandemic. It seems fair to say that all the EU can possibly do is to provide assistance to soften the social impact and create the conditions for quick recovery. Among the most important criticisms of the NGEU is that the allocation key has shifted from favouring low-income countries (in the Commission's proposal) towards giving more weight to a country's size and decline in GDP, thus favouring large countries such as France and Germany (Darvas 2020). Other observers, however, have argued that Multiannual Financial Framework (MFF) funds are expected to continue to go mostly to Central and Eastern European Member States, whereas the NGEU would prioritise Southern European countries. Critics also highlight two main risks which might reduce the economic impact of these instruments: the traditionally slow absorption rate of European structural investment

10. Next Generation EU is made up of three pillars: (a) instruments to support Member States' efforts to recover, repair and emerge stronger from the crisis, including the Recovery and Resilience Facility (560€ billion, the bulk of the NGEU); (b) measures to boost private investment and support ailing companies; and (c) the reinforcement of key EU programmes, to learn lessons from the crisis, make the single market stronger and more resilient, and to accelerate the twin green and digital transitions.

funds and the limited capacity of national governments to channel very large amounts of public investment (Alcidi *et al.* 2020), both of which make the discussion as to whether the recovery package is ‘sufficient’ rather theoretical.

In this respect, Myant (this volume) wonders whether the EU’s ‘convergence’ aim is realistic. He points out that higher-income countries, especially those with lower public debt burdens, can also take greater advantage of the decisions relaxing state aid rules, simply because they have more spending power. This therefore threatens to accentuate the concentration of higher-level activities (such as research and development) and the most modern products and processes in higher-income countries, making Central and Eastern European Member States more dependent on innovation and technology developed elsewhere. An unintended consequence of the relaxation of state aid rules may therefore be a widening of economic and social divergence across the EU. Moreover, according to Myant, any redistribution between Member States would be small. All the measures discussed above reduce the need for extra spending and keep new redistributive elements at a very low level. In this respect, although Member States have agreed on new stabilising mechanisms, the very idea of European solidarity – without conditions – remains a taboo, even when the EU is being hit by one of the worst crises it has ever had to face. This is illustrated by the 26–27 March 2020 European Council deadlock, which infuriated Italian Prime Minister Giuseppe Conte, on the possibility that the EU might issue ‘Corona bonds’ (a common debt instrument to help finance the response to the pandemic).

As for the reaction from the EU social partners, the European Trade Union Confederation (ETUC 2020a) welcomed the MFF agreement and Next Generation EU but was rather critical of several points. It sees an absence of any robust reference to the social dimension, to the European Pillar of Social Rights, or to the need to protect and create massive employment opportunities. Moreover, the ETUC does not see ‘any guarantee of a proper involvement’ of social partners in the governance of the plan, whether in the design and implementation of the investment priorities or in the monitoring of results (see Section 1.3). Business Europe mainly welcomed the agreement, undertaking to follow its implementation very carefully and to make sure that the money was well spent.

With regard to the SURE mechanism, Anderson and Heins (this volume) praise the mechanism, describing it as a ‘quantum leap’ in EU social policymaking, given the lengthy debates in the past on a potential European unemployment benefit scheme (for a discussion, see Schmid 2019). While recognising the importance of this decision, Myant (this volume) shows that, by offering loans at lower interest rates than would be available on financial markets to a number of Member States, it did little to address problems of limited fiscal space. He considers that there will at most be a very small redistributive element in this policy. As of November 2020, the EU Council had approved €87.9 billion in support for 17 Member States, while further requests are pending. According to Myant, countries that are able to borrow at low interest rates without difficulty, such as Germany, France, the Netherlands, Austria and the Scandinavian countries, are likely to show little or no interest in the scheme. Several observers hope that the SURE mechanism, an important step forward in the organisation of European solidarity but

with some important drawbacks, will act as a lynchpin in the establishment of a fully-fledged European unemployment re-insurance system (Fernandes and Vandenbroucke 2020; Corti and Crespy 2020). Even though much more modest, it should be noted that the new SURE mechanism has already encouraged some Member States to introduce new short-time working schemes: in some cases, significant EU funding, if well-designed, can be an alternative to legislation to achieve labour market convergence, without leading countries into excessive debt.

1.3 The (temporary?) end of the Semester as we know it¹¹

1.3.1 From the 'old' Semester to a new Facility

In practice, Next Generation EU will mostly be implemented through a newly created 'Recovery and Resilience Facility' (RRF), which should become operational on 1 January 2021; ongoing disputes about linking EU funds to the rule of law (see Section 3), however, could delay the start of the RRF and the disbursement of loans and grants.¹² The European Commission set out strategic guidance for the implementation of the RRF in its pivotal 2021 Annual Sustainable Growth Strategy (European Commission 2020d). The RRF will provide €672.5 billion (of the €750 billion announced in NGEU) in loans and grants for the crucial first years of the recovery: for Member States such as Croatia and Bulgaria, the financial contribution will be above 10% of GDP, while for at least five other countries the injection will be between 5% and 10% of GDP.

Although official EU documents explain that the RRF and the European Semester are 'mutually beneficial' and give rise to 'important synergies' (European Parliament 2020a), it is fair to say that, in practice, the European Semester has been largely put on hold for at least one year, and probably more: according to several of our interviews, it is very unlikely that the EU will ever return to the European Semester as we knew it. The European Commission's Country Reports are being replaced, as the main analytical reference documents, by the assessments which the Commission will make (in the form of *staff working documents*) of the 'Recovery and Resilience Plans' (RRPs) that Member States are asked to submit between 15 October 2020 and 30 April 2021. Multilateral surveillance between Member States, one of the slowly-built cornerstones of the Semester, is likely to be reduced to a discussion on specific topics (e.g. short-time working schemes), while much more emphasis will be put on bilateral dialogue between the Commission and individual Member States about the reforms and investments proposed in the framework of the RRF. Until further notice, no new Country-Specific Recommendations (CSRs) will be issued in 2021 to Member States having presented an RRP, except on fiscal matters in the context of the Stability and Growth Pact (SGP). However, the general escape clause remains in place for as long as is necessary to

11. This section draws on an analysis of secondary (EU) documents, as well as six semi-structured interviews in October and November 2020 with high-level officials in the European Commission (3), EMCO (1), the SPC (1) as well as a representative of the ETUC (1).

12. The facility is scheduled to remain operational until 2026.

allow Member States to implement measures to contain the coronavirus outbreak and mitigate its negative socio-economic effects; as a result, the level of public debt could exceed 100% of GDP on average in the eurozone (Tholoniati 2020).

The 2019 and 2020 CSRs are still valid and should, in principle, steer the reforms and investments proposed by the Member States in their RRFs. Given Rainone's (2020) finding that the overall number of (implicit and explicit) 2020–2021 social CSRs is the highest ever registered (around 80% higher than usual),¹³ this link with the RRFs should, in principle, provide the Commission and national stakeholders with an opportunity to combine the 'stick' of past social CSRs with the 'carrot' of significant funding (this combination has proved effective in other contexts, see Verschraegen *et al.* 2011). In practice, however, this guidance through the CSRs has its limitations: as the European Court of Auditors (2020) pointed out in its recent opinion on the RRF, 'in certain cases, the CSRs contain a mix of issues, and generally lack clear timeframes and costs'.¹⁴ In other words, Member States will try to spend the new funds according to their domestic preferences, while the European Commission will try to use its authority to ensure that each RRF contains the required minimum of 37% of expenditure related to climate, and a minimum level of 20% of expenditure related to the digital transition (European Commission 2020d). The Commission will also pressure Member States to explicitly contribute, through their RRFs, to seven 'flagship initiatives', each of which sets targets for 2025 (or 2030). One flagship initiative – 'Reskill and upskill' – is concerned with the adaptation of education systems to support digital skills and educational and vocational training for all ages.¹⁵ At the time of writing, no explicit 'social' targets have been included in the RRF Guidance, but negotiations are ongoing: the EPSCO Council formation has called upon the Commission to set social targets in the context of the Pillar action plan (see Section 3), while the European Parliament has similarly called upon the Commission 'to develop social targets, including on poverty reduction' (European Parliament 2020b: §11). Others have argued that the EU's new recovery strategy should be gender-mainstreamed (Frazer 2020): gender equality is not 'a policy agenda only for good times' (Rubery and Tavora, this volume). The exact requirements will depend on the final text of the RRF Regulation about to be agreed by the Parliament and the Council.

Overall, the Next Generation EU deal 'is symbolically a major step for the EU because it overcomes two historic taboos of European integration': long-term opposition to large-scale EU common debt issuance and staunch opposition to explicit (even if temporary) fiscal transfers between countries (Merler 2020). It remains to be seen which domestic and EU players will, in the end, gain from this new, flexible arrangement to spend unprecedented EU funds.

13. The proliferation of social CSRs is likely to be an effect of the EU Commission's reaction to the socioeconomic crisis triggered by Covid-19 (Rainone 2020: 4).

14. A recent report from the European Parliament (2020a) flags several other problematic features regarding the interactions between RRFs and the European Semester and provides a number of recommendations.

15. Targets for this flagship initiative include raising the share of adults with basic digital skills from 42% to 70%, reducing to below 15% the share of 13- and 14-year-old students who underperform in computer and communication literacy, and ensuring that at least 80% of vocational training graduates are employed and 60% benefit from on-the-job training (European Commission 2020d).

1.3.2 Socialisation under pressure

As spectacular as the amount of the recovery plan may be, there are also some real concerns, notably as regards the governance of the RRF. Thus, the ‘social affairs players’ – the European Commission’s DG EMPL, the EPSCO Council formation and its advisory bodies (the Employment Committee and the Social Protection Committee), as well as the European social partners and EU-level NGOs – seem to have lost much of the voice they had, slowly but certainly, acquired in the European Semester (Zeitlin and Vanhercke 2018). Arguably this is why the EPSCO Council formation recently encouraged the Commission

‘to build on the established processes and governance practices within the European Semester cycle, thereby involving all relevant Council formations and their preparatory bodies, as much as possible, to support the effective implementation of the Recovery and Resilience Plans’ (Council of the EU 2020: §17).¹⁶

The implementation of the RRF, as well as what remains of the European Semester (see below), will mainly be driven by the newly established Recovery Task Force (RECOVER), set up in August 2020 within the European Commission’s Secretariat-General. Working in close cooperation with the DG for Economic and Financial Affairs (DG ECFIN), the task force reports directly to the Commission President. At least on paper, a key role has also been assigned to the Economic and Finance Committee (EFC),¹⁷ an EU advisory body made up of high-level officials tasked with preparing the meetings of the Council of Economic and Finance (ECOFIN) Ministers. The EFC will have the right to pull on the ‘emergency brake’ if a Member State has not fulfilled the milestones and targets set in its RRP – the basis for the assessment of payment requests. In this case, the matter may be referred to the European Council. While the brake can slow down disbursement of funds by up to 3 months, some argue that ‘ultimately the Commission’s assessment would prevail’ (Merler 2020).

The role of the Commission’s Social Affairs DG (EMPL), previously a key player in the European Semester’s ‘Core Group’ of four European Commission DGs (Zeitlin and Vanhercke 2018), seems to have been significantly pruned. The same is true, *a fortiori*, for other European Commission DGs (such as SANTE and EAC), though these had a more peripheral role in the Semester. By contrast, Sabato and Mandelli (this volume) argue that the 2020 Semester has drawn more on the expertise of the DG for Climate Action (CLIMA) and the DG for the Environment (ENV), previously less involved in the Semester. More generally, it would seem that with the creation of the RRF, much of the ‘territory’ gained by social affairs players over the past decade is now being contested. This is quite striking, to say the least, in view of the requirement that ‘in light of the European Pillar of Social Rights, Member States should also adopt measures to ensure

16. The possible avenues for, and added value of, involvement of the EMCO and SPC in the RRF governance process were being intensely debated by both Committees at the time of writing. The EPSCO Council formation, in November 2020, called on the Commission ‘to propose appropriate arrangements for the return to a fully-fledged European Semester process as soon as possible, including its governance’ (Council of the EU 2020: §19).

17. When the EFC meets in euro area only format, it is known as the Eurogroup Working Group (EWG).

equal opportunities, inclusive education, fair working conditions and adequate social protection’ in the context of the RRF (European Commission 2020d: 8). In other words, while the Member States’ RRFs will propose essential social investments and reforms that will, for some countries, be linked to unprecedented EU funding, social affairs players have (so far) few formal entry points to the RRF decision-making process.

For instance, the Social Platform (2020a) points out that, at national level, finance ministers are the ones mainly steering RRF decision-making: this means that civil society organisations (and other social players) need to quickly build new links to new stakeholders, an undertaking that generally takes more time than is available to them in this cycle of the Semester. Their involvement in this cycle, and therefore their overall impact, will most likely be reduced (ibid). At least at first sight, it would seem that the ‘socialisation’ of the EU’s overarching governance framework is under pressure, even if it is too early – in November 2020, the time of writing – to arrive at firm conclusions in this respect. Some prudence is indeed warranted, since there are some indications that the socialisation of the Semester of the past decade may, in the end, prove to be quite robust, creating spillover effects for social affairs players and allowing them to get their voices heard in the new architecture. First, the German Presidency of the Council of the EU is attempting to bring the ESPCO Council formation on board the RRF setup: in its Council Conclusions of 23 November 2020, the Social Affairs Ministers decided to take the unprecedented step of explicitly invoking Article 148 TFEU. The Council

‘tasks the Employment Committee to examine – pursuant to Art. 148(3) and 148(4) of the TFEU and in light of the employment guidelines – the implementation of the relevant policies of the Member States as set out in their National Reform Programmes, including their Recovery and Resilience Plans, to cooperate with the Social Protection Committee where relevant, and to inform the Council of such an examination’ (Council of the EU 2020: §20).

Second, key respondents across the Commission confirm that the Secretariat-General and DG ECFIN are working in close cooperation with their counterparts in DG EMPL – for example, in the European Semester ‘Country Teams’ made up of Commission officials across different DGs. The reason is quite straightforward: DG EMPL’s country intelligence (in social policy and labour market issues) is needed to assess the important ‘social’ parts of Member States’ RRFs. Whether this kind of cooperation will be effective and how it can be sustained will largely depend on the *ad hoc* arrangements that are being implemented at the time of writing (November 2020) and on the uncertain fate of the European Semester as the EU’s economic coordination instrument.

Third, it would seem that DG EMPL’s know-how in managing EU cohesion policy (through the European structural and investment funds, ESIF) gives the directorate additional leverage in the RRFs, which are being negotiated (between the Commission and the Member States) in a coherent package that includes the ERDF, the ESF and Cohesion Fund Operational Programmes.

Fourth, the Commission’s RRF guidance (European Commission 2020d) stipulates that it ‘will be crucial that Member States engage as soon as possible in a broad policy

dialogue including social partners and all other relevant stakeholders to prepare their recovery and resilience plans'. Even if RRP guidance does not specify how this policy dialogue should be organised at national or EU level (nor does it specify a role for civil society organisations),¹⁸ the Employment Committee scheduled a review (with EMCO members, national social partners and the Commission) of social partner involvement in the European Semester (as it has done since 2016)¹⁹ on 8 December 2020. Key questions on the agenda are (a) *are social partners involved in a timely and meaningful way in the design and implementation of reforms and policies, including as part of the RRP?*; and b) *does this involvement cover the design and implementation of reforms and policies in the context of the Covid-19 crisis?*

These examples demonstrate that, whereas the 'socialisation' of the new Recovery and Resilience Facility cannot be taken for granted, the social affairs players are gearing up to seize their place in its final architecture, which is still under construction. How this attempt to get a foot in the door of the RRF will work out in practice remains to be seen.

2. Beyond the Covid-19 emergency

2.1 In search of a new overarching political strategy for the EU: the European Green Deal

The pursuit of social fairness, preparing for the green transition and readying Europe for the digital age (also regarding social security arrangements for platform workers) were united in a single narrative – 'an economy that works for people' – by the new von der Leyen European Commission when it took office in December 2019. Importantly, the strategy aims at a 'socially just' transition through the establishment of a Just Transition Mechanism ensuring that 'nobody is left behind'. The EGD was launched as the new Commission's founding act: a long-term and cross-cutting strategy with the ambition to shape the core of EU policy for the decades to come. It is meant to constitute the EU's new, overarching political strategy, and is the *de facto* successor to the 'Europe 2020' strategy of 'smart, sustainable and inclusive growth' in place for the past decade. However, just three months after its publication, Covid-19 considerably overshadowed the EGD, with EU institutions struggling to provide a coordinated response to the pandemic.

While the EGD's intentions are 'laudable' and constitute a shift away from the EU's 'wait-and-see' attitude, Eloi Laurent (this volume) argues that the new strategy has serious shortcomings, seemingly still prioritising economic efficiency over social justice and environmental sustainability. For this reason, the author argues that the EGD

¹⁸. The Social Platform (2020a) rightly points out that civil society organisations are not referred to directly.

¹⁹. EMCO conducted its first review of social partner involvement in the European Semester in 2016 with the participation of the European social partners. All Member States were covered by the review and no written conclusions were produced. The 2017 review was more focused, looking in greater detail at 14 Member States and leading to country-specific conclusions. The reviews held in 2018 and 2019 examined CSRs and recitals related to social dialogue, along with case studies. This time, country-specific conclusions were submitted to the EPSCO Council.

'looks like a strategy for a century past'. He also notes that the Commission has not yet defined the indicators to be used to measure 'sustainable and inclusive growth', highlighting that GDP is 'unable to measure inequalities or environmental degradation'. In this context, the author calls for the use of alternative indicators to properly measure the progress and impacts of the transition. More fundamentally, however, the pandemic and the 'meteoric acceleration' of natural disasters must generate deep reflection on the shortcomings of the EGD and its key – and quite controversial – paradigm: that economic growth can be decoupled from environmental degradation. To overcome this deadlock, Laurent proposes the development of overarching policies that acknowledge and mitigate environmental inequalities rather than primarily aiming at economic growth. This will require institutions capable of implementing a holistic strategy integrating both socio-ecology and the wellbeing transition, ultimately enabling the EGD to serve as a catalyst for the establishment of a 'European social-ecological state', considered as 'the best suited framework for robust social-ecological policies embedded in a just transition framework' (ibid).

The tension between mitigating the socioeconomic impacts of the crisis and implementing a coherent and overarching climate strategy as set out in the EGD is likely to increase even further as the economic downturn worsens. The question of how the EGD will be financed, not least given the Covid-19 crisis, indeed raises concern, particularly since the July 2020 European Council slashed the Just Transition Fund from €40 billion to just €10 billion.²⁰ The upcoming deep recession will be decisive in determining whether the EGD is relegated to a simple 'narrative' or whether it acts as a true, properly-funded political framework guiding recovery measures, as intended in the initially proposed NGEU (Laurent, this volume). As shown in the chapter by Sabato and Mandelli (who discuss the planned integration of the United Nations Sustainable Development Goals into the European Semester), even a strong political commitment can quickly lose its momentum if an external, unexpected event severely disrupts the political agenda.

Whether the EU's climate ambitions can be upheld in the new context will partially depend on who calls the tune as regards the implementation of the Recovery and Resilience Facility (see Section 1.3), which has environmental sustainability as one of its core guiding principles. Member States will have to propose, in their Recovery and Resilience Plans (RRPs), investments and reforms that effectively contribute to the green and digital transitions. As explained above, each national plan will have to include a minimum of 37% of expenditure related to climate,²¹ and the plans developed should be consistent with the countries' proposed Territorial Just Transition Plans under the Just Transition Mechanism. Furthermore, in theory, the 'do no significant harm' principle applying to all public spending under the recovery plan and restated in the legislation should mean that no funding goes to projects capable of harming the EU's environmental and climate objectives.

20. Horizon Europe, designed to boost innovation, suffered severe cuts as well, as did the EU4Health programme (see Section 1.2.1).

21. Each RRP will also have to include a minimum of 20% of expenditure to drive the digital transition.

An optimistic reading would then be that the RRF, as the centrepiece of Next Generation EU, will allow the EU institutions, and notably the European Commission, to keep the ambitions of the EGD at the centre stage of European policymaking. Some observers have indeed seen the public health crisis as an opportunity to accelerate the much-needed green transition through boosting the development of sectors crucial to this transition. While one source interprets the abovementioned slashing of the Just Transition Fund by the Member States in July 2020 as an illustration of ‘how low down the pecking order environmental policies ultimately fell during the talks’ (Euractiv 2020), one can also see this as symbolic politics: the ‘slashing’ is indeed peanuts when compared to the mindboggling size of the RRF to be earmarked for climate. In other words, in this scenario the Green Deal will move forward, irrespective of the size of the JTF.

However, a more pessimistic reading may be warranted. First, the NGO network Fossil Free Politics has demonstrated that, by June 2020, fossil fuel companies had already received seven billion euros of liquidity from the ECB’s Pandemic Emergency Purchase Programme. This situation is creating a ‘risk-sharing relationship’ with these companies, as they will have to generate enough profit to pay the ECB back with interest. This – just like numerous emergency support schemes for carbon-intensive sectors such as aviation at both EU and national levels – calls into question the likelihood that the EGD objectives will be met: in practice, there are no safeguards to ensure that recovery funds do not go to inefficient and polluting industries (Fossil Free Politics 2020). The ‘do no significant harm’ principle may therefore remain a dead letter.

In other words, the jury is still out on whether Member State and EU institutions alike are prepared to seize the window of opportunity created by the pandemic to speed up a green and socially just transition.

2.2 Sustainable development: goals in search of a strategy

The Green Deal is an integral part of this Commission’s strategy to implement the United Nation’s 2030 Agenda and the Sustainable Development Goals (SDGs). One of the initiatives announced by the von der Leyen Commission was to integrate the SDGs into the EU’s framework for the coordination of economic and social policies, the European Semester. Sebastiano Sabato and Matteo Mandelli (this volume) provide an analysis of the complex governance arrangements resulting from this decision and consider the previous attempts to integrate and monitor sustainable development standards at EU level. The authors show that the new features introduced into the European Semester did indeed help align the 2020 Semester cycle with the UN 2030 Agenda and the SDGs. For instance, the Country Reports 2020 included ‘environmental sustainability’ among the key reform priorities, while the Employment Guidelines 2020 were aligned with the SDGs. Furthermore, the new Commission President tasked each Commissioner with implementing the SDGs in their respective policy areas, with a view to mainstreaming them in EU policies. The new notion of ‘competitive sustainability’ represents a partial departure from the narrative of the Europe 2020 strategy: growth and competitiveness are no longer the main objectives, but rather ‘enabling conditions for the shift towards sustainability’ (ibid).

However, they also describe serious shortcomings, including the realisation that it is impossible for the Semester to cover all 17 SDGs.²² While this finding may suggest the need for a dedicated SDG-centred EU strategy for implementing the UN 2030 Agenda, Sabato and Mandelli's analysis of past EU sustainable development initiatives shows that this solution runs the risk of being ineffective. On the other hand, full and consistent integration of the 2030 Agenda and the SDGs into the Semester is neither feasible nor even desirable. The implementation of the UN 2030 Agenda and its SDGs at EU level therefore represents a 'governance conundrum' (in the words of the authors) still in search of an answer – except of course if the whole idea of integrating the SDGs into the Semester fades into oblivion, now that the Semester itself has been downgraded in view of the implementation of the recovery plan (see Section 1.3). The fact that the SDGs are not mentioned in the guidance provided by the Commission to Member States for drafting their RRPs may indeed signify that the momentum has passed.

2.3 Towards a European minimum wage

The EU's renewed ambition to develop an EU framework for minimum wages is discussed by Ramón Peña-Casas and Dalila Ghailani (this volume) from the following angle: *is it a solution to the ongoing increase in in-work poverty in Europe?* The issue of ensuring adequate minimum wages has since become even more important, with the pandemic likely to have a long-lasting adverse impact on the living conditions of vulnerable populations. As minimum wages may not offer sufficient protection against in-work poverty (IWP), the authors review a large range of social and employment policies with a direct or indirect influence on IWP, concluding that a European minimum wage framework will most likely help reduce in-work poverty but will certainly not be enough. Only a holistic and integrated approach, involving a wide range of policies, will be able to do away with in-work poverty. Social protection schemes are key to compensating for insufficient income from work. Such schemes should be seen not only as social shock absorbers in times of crisis, but as an essential weapon in the fight against poverty. Effective implementation of the social rights included in the EPSR must be fully reflected in the European Semester (*ibid*).

As announced by Ursula von der Leyen (2019) in her 'Agenda for Europe' – and in view of the fact that the European social partners were unable to reach agreement on the topic – the Commission published a proposal for a directive on adequate minimum wages in the EU on 28 October 2020, which some observers refer to as 'a watershed in the history of European social and economic integration' (Müller and Schulten 2020b). It pursues two main objectives: (a) to improve minimum wages in countries providing a statutory minimum wage and (b) to revitalise the role of the social partners, so as to increase the coverage of minimum wages in Member States where these are set by means of collective bargaining between the social partners. Even though the then candidate for President of the European Commission had boldly announced that she would 'propose a legal instrument to ensure that every worker in our Union has

22. The ITUC published a report on the centrality of SDG 8 to drive all other SDGs. The ETUC used this approach to build an SDG 8-based monitoring tool.

a fair minimum wage', the fact that the Commission opted for a binding directive, rather than a (Council) recommendation, still came as a surprise to some observers. Indeed, as argued by Peña-Casas and Ghailani, the initiative is somewhat at odds with the pressure for wage moderation applied elsewhere by the EU, notably in connection with the structural reforms implemented as part of the European Semester. This new initiative could therefore be seen as an important change in the EU's take on the issue: historically, European policies have tended to consider full employment as an effective response to poverty and social exclusion. However, poor quality or low-wage jobs – which have been increasing in number with the emergence of the platform economy and bogus self-employment – are sometimes not sufficient to protect against poverty. Against this backdrop, the Commission's stated intention is to address the shortcomings and loopholes of national minimum wage schemes. Since collective bargaining plays a key role for adequate minimum wage protection, the European Commission wants to ensure that it covers at least 70% of workers: if coverage is lower, Member States will have to provide a framework of enabling conditions for collective bargaining, either by law or through an agreement with the social partners, and establish an action plan to promote collective bargaining.

The initial reactions to the European Commission proposal do not prompt much optimism as regards the outcome of the negotiations. BusinessEurope, the European employers' association, reiterated its opposition to a binding directive, describing it as a 'recipe for disaster' and even a 'legal monster' (BusinessEurope 2020). The ETUC (2020b), for its part, is more positive but finds that the text, as it stands, is rather general (as it 'fully respects national competencies and traditions'), making it difficult to assess whether it will have a clear positive impact on minimum wages. In its view, the directive needs to include a clear 'decency' threshold below which legal minimum wages cannot fall (60% of the median wage or 50% of the average wage). At Member State level, negotiations may be complicated between Member States with statutory schemes and those where minimum wage levels are set by collective bargaining. Scandinavian trade unions promptly stated that the EU minimum wage directive would be in breach of the Treaty and would undercut the well-functioning Scandinavian labour market models (Scandinavian trade unions 2020). All this will make it very difficult to come up with more precise and binding criteria for adequate minimum wages and more practical tools for the promotion of collective bargaining (Müller and Schulten 2020b). Without such precisions, the text may end up as a very general framework, yet nevertheless put the issue of minimum wages – and indeed the debate on an EU framework for minimum income²³ – squarely on the European agenda.

2.4 The new EU gender equality strategy: paying lip service?

'All crises have gendered impacts and Covid-19 is no exception' is the starting point of the chapter by Jill Rubery and Isabel Tavora (this volume). Indeed, while Covid-19 has done a lot to push fathers to take on care responsibilities for their children, the

²³ A recent study by Van Lancker *et al.* (2020) commissioned by the EAPN argued that the proposed directive on minimum wages does not exhaust the need for a framework directive on minimum income.

lockdown measures – such as the closure of childcare facilities and schools – have hit women hardest. What is more, women have also been on the front line as ‘key workers’ in healthcare and other essential services. Building on a rich data set, the chapter provides a first assessment, corroborated by national correspondents, of the gendered impact of the crisis and the policy responses in three domains: (a) the labour market (women are far more at risk of losing their jobs in this crisis); (b) social protection policies (women face more gaps in the social protection floor); and (c) the work-care interface and social support for parents (school closures have made the combination of waged work with parenting much more difficult).

In this context, it is disappointing that the European Commission’s new Gender Equality Strategy 2020–2025, adopted on 5 March 2020 (European Commission 2020e) mainly features existing legislative plans blocked in the Council, including proposals on women on boards (which was first put forward in 2012) and on tackling gender-based violence (which dates from 2014): no country has been spared the surge of domestic violence during lockdowns.²⁴ The Commission also announced that it will table a (single) piece of new legislation by the end of 2020, with a view to ending the gaping difference between women’s and men’s pay. Commenting on the new gender strategy, Evelyn Regner, chair of the European Parliament’s Committee on Women’s Rights and Gender Equality, explained that ‘commitments are good, but legislative proposals have to follow. If we continue at this snail’s pace, it will take almost 100 years to achieve equality’ (Politico 2020).

This lack of ambition as regards the EU’s gender equality dimension is not corrected by the Commission Work Programme 2021 (adopted on the 19 October 2020), which does not mention the goal of gender mainstreaming and only refers to the aforementioned proposal to combat gender-based violence (European Commission 2020f: 7). What is surprising, in view of the fact that addressing the gender pay gap was announced by Ursula von der Leyen as a key political priority for the new Commission, is that the Work Programme does not mention the implementation of the announced pay transparency directive. This has led to strong criticism from civil society, especially in these times of pandemic which, as argued above, puts the over-representation of women as frontline workers in essential sectors in the spotlight. This does not imply that the Commission has been silent on the issue of the gender pay gap: in March 2020, the Commission published an assessment of the previous gender gap action plan 2017–2019, which concluded that the current non-binding recommendation on pay transparency was not sufficient to ensure proper implementation of the 2006 Directive on the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (European Commission 2020g). Following this assessment, and on the same day as the announcement of the new Gender Equality Strategy, the Commission launched a public consultation on pay transparency which ran between 5 March 2020 and 29 May 2020.²⁵

²⁴ The European Institute for Gender Equality (EIGE 2020) published a study (November 2011) examining the factors that encourage witnesses of intimate partner violence to intervene.

²⁵ The European Commission is also organizing an EU peer review hosted by Estonia on ‘Closing the Gender Pay Gap through Pay Transparency’ under the Mutual Learning Programme (MLP) during the course of spring 2021.

Especially in view of the gendered impact of Covid-19, the EU needs to do more than pay lip service to gender equality. With a view to delivering on the EU's promises in this policy area, Rubery and Tavora (this volume) argue for a stronger and more ambitious framework for gender equality at EU and Member State level, through comprehensive gender-mainstreaming of Covid-19 recovery policies and the development of a new agenda for sharing both waged work and unpaid care work. With the support of the EU's first female European Commission President, these can be ingredients for a paradigm shift as regards gender equality. Such a change is indeed possible: the pandemic has demonstrated the potential for radical and rapid development of stronger and more inclusive social protection systems, contrary to pre-Covid-19 assumptions that reform takes years rather than the days or weeks it took to design new schemes in the presence of the pandemic. Clearly, caring and household responsibilities fall essentially on women, who therefore still face greater challenges in reconciling work and family life. However, preliminary evidence indicates that these responsibilities are being shared more equally than before the pandemic, particularly childcare: this could have lasting effects on social norms and the gender division of labour (ibid).

3. Social policymaking in uncertain times: what to expect?

On taking office in December 2019, Ursula von der Leyen presented an ambitious plan to seize the momentum created by the European Pillar of Social Rights to advance the EU's social dimension (Vanhercke *et al.* 2020). The analysis presented in this edited volume demonstrates to what extent the pandemic shook the EU's policy agenda. Nevertheless, as described in this book, the new European Commission is trying to uphold many of its social ambitions despite this dramatically changed context.

What is more, despite difficult political and economic circumstances, the 2019 European elections and the appointment of the von der Leyen Commission seem to have further improved the prospects for a reinvigorated Social Europe (Anderson and Heins, this volume): in terms of substantive policy orientations, the concerns of 'social affairs' players are by and large (possibly with the exception of gender equality, see above) receiving proper attention, even during this period of crisis management. At the same time, the book demonstrates that the first half of 2020 saw a crisisification of EU policies: prioritisation of speed in decision-making, new perceptions of which actors matter, and to some extent even new narratives on the role and purpose of the EU. A crucial question is this: *how long can this crisis mode be sustained in the European governance of the EU's recovery policies (notably the RRF) without appropriate involvement of the legitimate social affairs players?* This, in turn, begs a further question: *what will happen when the pandemic ends?* Myant (this volume) warns that it is unclear whether all available resources will be used effectively within Member States and whether new policies presage a longer-term willingness within the EU to finance investments to support convergence across the Union. Alternatively, the pandemic may prove to be a brief episode, followed at the worst by a return to the austerity policies of the past: the risk of social policy aims being subordinated, once again, to budgetary issues is ever-present.

The digital transition is a further important initiative of the von der Leyen Commission – also to trigger the post-Covid recovery. This will also have consequences for the realm of work and social policies. Initiatives include a Digital Services Act, a Platform Work Summit and a review of the occupational safety and health strategy in the light of digitalisation, all of which are confirmed in the Commission Work Programme for 2021.²⁶ The Commission has announced a roadmap with clearly defined goals for 2030 in, for instance, connectivity, skills and digital public services. It has also announced a legislative proposal to improve the working conditions of people providing services through platforms, with a view to ensuring fair working conditions and adequate social protection. A binding directive on the latter issue would echo a longstanding ETUC demand and could address the shortcomings of the 2019 Council Recommendation on social protection for all workers. An ambitious package of legislation will be the Digital Services Act, intended to better regulate issues in the internet space such as online security, freedom of expression, fairness and a level playing field in the digital economy.²⁷ The public consultation ran between June and September 2020 and the package is expected to be adopted by the end of 2020. The Platform Work Summit, a major event foreseen for the third quarter of 2020, was unfortunately removed from this year's agenda due to the Covid-19 pandemic.

As regards the EU's approach to social protection, various ongoing initiatives may bear fruit during 2021. For instance, the potential of the non-binding Council Recommendation on access to social protection should not be discarded too quickly: based on an initial monitoring framework (adopted by the SPC in October 2020),²⁸ the Commission will assess progress, e.g. in terms of establishing minimum standards and ensuring formal and effective coverage. While lacking legal 'bite', the recommendation may pave the way for (binding) EU initiatives in the future. Perhaps as importantly, Member States and the EU may seize the context of the recommendation to organize 'fit for the future' tests of national social protection systems, an aspect even more salient in view of Covid-19. It is also worth noting that the negotiations on Regulation 883/2004 on the coordination of social security systems, shelved for a long time (see Cornelissen and De Wispelaere 2020), resumed at the end of September 2020. Moreover, an EU initiative on long-term care (LTC) is to be expected in the near future. The European Commission's important 'just transitions' communication of January 2020 emphasises demographic change as the third transition the EU is facing (in addition to climate neutrality and digitalisation). In this context, the Covid-19 pandemic has shone a light onto the dark side of long-term care provision, i.e. the situation of institutional LTC and of informal carers. The research community and stakeholders have assessed why residential care for older people was so badly hit by Covid-19 (Declercq *et al.* 2020), referring to older persons being 'neglected, sacrificed' during the pandemic (Ortiz 2020). They have made strong pleas for long-term care to gain a higher, and more

26. The Commission Work Programme 2021 announces several other initiatives, including an EU Disability Strategy, individual learning accounts, a European approach for micro-credentials, an action plan for the Social Economy (European Commission 2020f).

27. Commission launches consultation to seek views on Digital Services Act package. https://ec.europa.eu/commission/presscorner/detail/en/IP_20_962

28. Since December 2019, the SPC Indicators Sub-Group and the Commission have worked jointly towards the development of such a monitoring framework.

social, profile on the EU agenda, calling for massive public investment in LTC (Inzitari *et al.* 2020).

A notion that could further boost the importance of the EU's social dimension is that of 'resilience', which, according to the European Commission's first 'Strategic Foresight' report, has the potential to become a new compass for EU policies (European Commission 2020h). Somewhat underspecified at the moment, *resilience* refers to 'the ability not only to withstand and cope with challenges but also to undergo transitions in a sustainable, fair, and democratic manner'. For instance, in the latest Semester cycle, the Commission used the notion to issue health-related recommendations to every single Member State: these call for measures to enhance the resilience of national health systems, with reference often made to the need to improve healthcare accessibility (which, arguably, cannot be achieved through under-funded healthcare systems). A well-conceived strengthening of resilience across the social, economic, green and digital dimensions, structured around the Commission's new concept of 'competitive sustainability' (see Sabato and Mandelli, this volume), can guide Member States and the EU when they have to handle the unavoidable trade-offs between some of the EU's key objectives.

At least on paper, the new Commission has adopted a more inclusive and open approach, declaring its intention to enhance the role of the Parliament as 'the citizens' voice' and also using tools of participatory democracy, notably the planned Conference on the Future of Europe starting in 2020 (as soon as the epidemiological conditions allow for it) and ending in 2022, which should involve a wide range of citizens and stakeholders. During the first half of 2020, the European Parliament also showed its teeth in the debates on protecting the Union's budget – covering both the Multiannual Financial Framework and Next Generation EU – and with regard to numerous 'rule of law' deficiencies in the Member States. Following weeks of negotiations, EU leaders unblocked the €1.8 trillion budget after they reached a compromise, on 10 December 2020, with Hungary and Poland on ways to link EU funds to the respect for rule of law.²⁹ Another big stumbling block for the next months is whether the Council will ultimately be ready to provide more money for the EU Framework Programme for Research and for Erasmus, both of which have suffered the biggest cuts by the Council compared to the Commission's budget proposal. Compared to the previous period, most programmes will receive more money, though the increases are much smaller than the Commission, and particularly the Parliament, would have liked. At the time of writing, the ball is in the Council's court, specifically that of the German Presidency of the Council of the EU (1 July – 31 December 2020).

Perhaps *the* key factor set to determine the scope of the EU's social agenda – and the position of social affairs players in the recovery initiatives – in the next years is the roadmap for implementing the European Pillar of Social Rights. The European

29. EU leaders agreed that the rule-of-law conditionality will only be used for the seven-year budget starting in 2021 as well as the recovery fund, not for payments made from the current budget. Leaders also agreed that any sanctions process could only be triggered by the Commission once the Court of Justice of the EU rules on the new mechanism.

Commission (2020i) communication of 14 January on ‘a strong social Europe for just transitions’ paved the way for a broad discussion (running until 30 November 2020) with EU Member States, social partners and other stakeholders on further action. Based on these exchanges, the Commission is expected to present an Action Plan to implement the Pillar in early 2021. The stakes have been raised for this Action Plan. For instance, in its conclusion on the employment and social aspects of the Annual Sustainable Growth Strategy 2021, the (EPSCO) Council of the EU ‘strongly encourages the Commission, in close cooperation with the Member States, to revise or develop new employment and social policy targets to steer the implementation of the principles of the European Pillar of Social Rights (Council of the EU 2020: §18).³⁰ The Social Platform (2020b) argues that the Action Plan must define ambitious and concrete targets and timelines for the realisation of each of the 20 EPSR principles.

The Action Plan is to be endorsed at the highest political level through an EU Social Summit in May 2021 hosted by the Portuguese Council Presidency (January–June 2021), which has put the social dimension at the heart of its programme: just over two decades after the Lisbon European Council, this EU Social Summit in Porto will be a further opportunity to reinvigorate Social Europe. This will not be enough to avert the labour market and social crisis awaiting the EU in 2021, but it may provide domestic and EU policymakers with a more detailed and reliable compass to navigate through the storm.

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³⁰ In its Resolution on cultural recovery of Europe, adopted with an overwhelming majority, the European Parliament proposes to earmark at least 2% of the RRF for the cultural and creative sectors and industries, and to include culture in all recovery funds (EP 2020c).

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