

DYNAMICS AND TOOLS OF 'UPWARD CONVERGENCE' IN THE EU SOCIAL POLICY: ASSESSING THE EUROPEAN STATES' PERFORMANCE UNDER THE EUROPEAN PILLAR OF SOCIAL RIGHTS*

Cristina PĂTRAȘCU**

Abstract: *The present article proposes an analysis of the various 'facets' of convergence with a special focus on the concept of 'upward convergence' which was set in place to ensure a better coordination of the EU and its members in the field of social policy. Ensuring a stronger socioeconomic convergence to achieve better living standards for the European citizens and reduce inequalities, particularly after the economic crisis that has shaken Europe, has become a top priority for the EU. In order to realize this objective, the EU uses a variety of tools and mechanisms, both legal and financial. One of the newest and highly debated legal instruments created by the EU is the European Pillar of Social Rights.*

The article offers a comparative analysis of the levels of performance as well as of the concrete results obtained by various governments in their efforts to implement the objectives of EU social policy. The analysis starts from the assumption that the European states have different levels of economic development and resilience, a fact that makes even more difficult a strong convergence and synchronicity in the implementation of these measures.

Our research intends to call attention to the fact that EU's legislation and policies have a positive impact on the performance of the governments in the socioeconomic field.

The methods used are both qualitative and quantitative, consisting of an evaluation and a brief comparative study based on the scientific literature in the field, but also of the presentation of data and indicators that clearly show the levels of performance and the achievements of different governments.

The main general conclusion that may be formulated is that on the one hand, the EU is making efforts at establishing all the necessary instruments to enhance convergence. On the other hand, between countries there are both convergent and divergent evolutions and countries may be grouped according to the level(s) of their accomplishments (which differ from case to case) which makes it obvious that some of them do need more time and (harder) work to reach the established targets.

Key words: *Public Law, European Union Law, convergence, government performance, social policy, European Pillar of Social Rights.*

* The article was prepared for the International Law Conference, "Current Issues within EU and EU Member States: Converging and Diverging Legal Trends", 3rd edition, organized by the Faculty of Law - Transilvania University of Brașov on the 29th-30th of November 2019. All links were last accessed on 11 November 2019.

** Senior Lecturer, PhD - „Dunărea de Jos” University of Galați, Romania, Faculty of Juridical, Social and Political Sciences (cristina.patrascu@ugal.ro).

Introduction

In the last decades, following the recent and strongly perturbing economic crisis, the EU has shown a heightened interest in supporting its member states in the process of national structural reforms oriented towards achieving greater economic and social growth, legal and political stability and deeper levels of social cohesion both within and among European countries. In promoting its vision and strategic activities for creating a better and faster adjustable public administration and a more competitive single market, the EU seems more aware than ever, that in order to achieve these targets it has to work hard together with the national governments to reduce the current disparities existing between various regions or various states on its territory. In its recent efforts, the EU focused on the necessity of creating a consolidated legal and strategic framework to enhance ‘upward convergence’ and the coordination between its own actions, policies and programmes and those of its members. All these reasons urged the EU to elaborate and set in motion several tools and policies, based on the provisions of the EU Treaties and other legal acts issued by its institutions, and backed up by a series of mechanisms (e.g. the European Semester) and financial programmes to ensure their achievement.

At the core of these efforts stands the initiative of improving the living conditions of the European citizens, which compelled the EU institutions to make of the social dimension a top priority. EU’s commitment to address and materialize this political priority is expressed through various acts and documents among which the *European Pillar of Social Rights* is the most prominent. Together with the complex procedure known as the ‘European Semester’, this document also stands for EU’s efforts to set up common standards and tools that are much needed to enhance convergence. Convergence has come to the fore of the political EU discourse and agenda in the last years, being considered not only a ‘political buzzword’¹ (as a high official of the European Commission put it). Its importance as a value of the European integration itself is more and more often acknowledged and made reference to, so that it became a topic of research and monitoring of the European Foundation for the Improvement of Living and Working Conditions (from now on referred to as Eurofound²).

¹ V. Dombrovskis, Commission Vice-President, *Reforms, Productivity and Wages – What Drives Convergence*, Speech at the EPSC Conference ‘Reinventing Convergence’, Brussels, 19 October 2017, available at https://ec.europa.eu/epsc/sites/epsc/files/reinventing_convergence_-_speech_-_valdis_dombrovskis.pdf.

² Eurofound – tripartite EU agency assisting in the development of better social and work-related policies.

1. Facets of 'convergence': a multidimensional concept and an EU priority

The concept of 'convergence' has been used on various occasions to reflect various realities. There are instances when it is referred to as one concept with different meanings, as there are also situations when speakers refer to different notions of convergence applicable to different phenomena. To make these aspects clearer, a brief analysis of the specific characteristics and possible uses of this/these notions will be presented.

One of the best known distributions of 'convergence' is in association with 'legal', hence the expression 'legal convergence' that has very often occurred in the context of ensuring the application of the EU's *acquis communautaire*, uniformly within all member states, as well as in the context of the EU's various enlargements with the accession of new members. Legal convergence, with its close 'relative' - 'institutional convergence' - means harmonization and compliance with the EU *acquis* and is viewed as a driving force for structural reform processes³.

Other collocations of this term have also appeared related to the topic of the EU's single market and economic progress. For instance various notions such as: 'cyclical convergence' (explained as synchronic progress of the European countries along the economic cycle), 'nominal convergence' (accomplished via nominal variables, like interest rates or inflation) or 'real convergence' (whereby poorer countries catch up with richer ones) have been identified in the European discourse and research on convergence⁴.

The newest addition to the seemingly growing lexical family of the term convergence is 'upward convergence', used to designate 'a trend whereby EU Member States' performance in a given domain or range of domains improves, while the gaps between Member States diminish'⁵. The 'upward convergence' is investigated thoroughly by one of the latest research reports elaborated by Eurofound, representing 'the first thematic output of the research strand entitled "Monitoring convergence in the European Union"⁶. The notion is analysed in close connection with economic and social convergence and their opposites: 'economic divergence' and 'social divergence'. Whereas socioeconomic convergence is seen as a 'political promise on the part of EU'⁷, 'economic divergence undermines the promise of shared economic prosperity across Europe'. At the same time, the

³ D. Bogov, *Convergence of South-Eastern Europe to the EU: Between the Dream and the Reality*, in I. P. Szekely (ed.), *Faces of Convergence*, The Vienna Institute for International Economic Studies, 2019, p. 30.

⁴ V. Dombrovskis, *op. cit.*, p. 1-2, available at <https://wiiw.ac.at/faces-of-convergence-dlp-4908>

⁵ Eurofound, *Upward convergence in employment and socioeconomic factors*, Publications Office of the European Union, Luxemburg, 2019, p. 1, available at <http://eurofound.link/ef18042>.

⁶ Eurofound, *op. cit.*, 2019, p. 1.

⁷ *Ibidem*.

existence of 'social divergence poses an obstacle to the European integration project's ultimate goal of improving living and working conditions'⁸.

The importance of this concept is therefore undeniable for the narrower context of this (limited) research as it is for the far greater context of the European integration. As a preliminary conclusion, it may be stated that convergence should be understood as a 'multidimensional' concept that encompasses many facets: economic, social, legal, structural, real, environmental convergence, surpassing the more traditional, limited view that highlights only one aspect of convergence. Real connections and mutual reinforcement exist between these different phenomena covered by the notion of convergence and these aspects have to be carefully taken into consideration by researchers and practitioners alike.

2. Legal tools for enhancing socioeconomic convergence

The European integration has been based from the outset on a bundle of fundamental values such as: economic progress, the creation of a single market, institutions organized on the basis of the rule of law and the commitment to create and guarantee the fundamental human rights and better living and working conditions for its citizens. These values have formed the foundation for every treaty and legal act, policy, action or declaration of the EU. Harmonization with and integration of all these values within the juridical framework of each of the member states has been well established as a prerequisite and accepted by all states that form the nucleus of the EU. In other words, convergence is in its turn a fundamental value whose importance has been acknowledged and stated as such in the Treaty on the European Union, as well as in the Treaty on the Functioning of the European Union (TFEU). Direct reference to the concept of convergence for instance is made into the Preamble of the Treaty on the European Union (TEU) and in various articles of the two treaties (art. 24, art. 32 of the TEU; Art. 121, Art. 140 of the TFEU). There are also the specific Protocols (Protocol on the convergence criteria referred to in the initial article 109j, renumbered as Article 121 and then renumbered again as Article 140 of the TFEU; and Protocol on the excessive deficit procedure) that contain other necessary rules in the field of 'economic convergence'.

These legal provisions introduced the concept of 'economic convergence', which in the TEU appears in the Preamble part. The member states are urged 'to achieve the strengthening and convergence of their economies and to establish an economic and monetary union, including..., a single and stable currency'. In its turn, Art.140 in TFEU states the euro convergence criteria that form the content of the concept of 'nominal convergence'. Consequently, the economic convergence stands out as a primary principle within the legal framework of convergence.

⁸ *Ibidem*.

Nevertheless, looking back at the texts of the first documents elaborated by the 'founding fathers', we can find evidence that the founders had in mind the principle of social convergence as well. The Schuman Declaration (9 May 1950) emphasized the necessity of creating an organization that will end conflicts and secure peace in Europe and added a reference to the principle of 'equalisation and improvement of the living conditions of workers in these industries'⁹. The notion of 'equalisation' clearly refers to social convergence and in the founders' vision it should have emerged from the 'economic convergence'. Certainly, social convergence did not result 'naturally' from the economic convergence and as it can be observed it has taken a long time and effort to develop and be settled as a concept and policy in its own right on the EU agenda.

An important step was taken with the introduction of an 'horizontal social clause' by the Treaty of Lisbon, which is expressed in Article 9 of the TFEU. This article highlights the social dimension through inscribing the requirement that all policies should take into account the promotion of 'a high level of employment', the guarantee of 'adequate social protection' and the 'fight against social exclusion'¹⁰.

The re-launching of the theme of convergence, intermingled with a (slowly, but surely) growing additional thread represented by social cohesion, seems to have taken a greater impetus in the aftermath of the economic crisis. The crisis has had, among other negative effects, a negative impact also on the convergent trends manifested in the economic and social domains. These convergent tendencies characterised the activities and performances of the national governments and the European institutions in the pre-crisis time¹¹, but the economic recession caused them to go-slow and even to reverse in some areas: for instance, divergent trends were manifested primarily in the field of employment and living conditions. In order to re-establish the situation existing before the recession, converging courses of action have been pursued and rebuilt since 2013. To some extent, these trends have been recovered, but EU officials and researchers have already flagged up that there are still persistent divergences particularly in the social field. Divergency, as already stated, has been perceived as negative and even disruptive, because such evolutions 'undermine' the accomplishment of EU's social objectives, a responsibility assumed within the integration project long before.

A new stage in the development of tools and measures meant to enhance social convergence was marked with the EU renewed commitment to set up a beneficial framework for balanced and sustainable growth and for social and

⁹The Schuman Declaration, 9 May 1950, available at https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration_en.

¹⁰ Article 9, *Consolidated Version of the Treaty on the Functioning of The European Union*, Official Journal of the European Union, C 326/49, 26. 10. 2012, available at <https://cutt.ly/ceA9QWE>

¹¹ Eurofound, *Upward Convergence in the EU: Concepts, measurements and indicators*, Publications Office of the European Union, Luxemburg, 2018, p. 1.

territorial cohesion within the Europe 2020 Strategy¹². This emblematic document set in motion several important mechanisms of coordination that consolidated the European system of (economic) governance. Among these mechanisms the most relevant are country-reporting and country-specific recommendations and the establishment of a complex system of integrated monitoring of social, employment and environmental goals. For the first time, data and quantifiers are advanced to monitor governments' performance, not only in economic terms, but also in other important fields, such as social inclusion, innovation and employment levels.

Unfortunately, it can be denied that social and economic divergence persists after the crisis and that increasing disparities within and between the member states seem to get more visible. As a reaction to these negative conditions, the EU placed a stronger focus on the topic of social convergence, making efforts at filling the gap in legal, financial and political terms and inscribing in its agenda the priority of 'upward convergence' in the domain of social cohesion and higher living standards for the European citizens.

The current political debate advances as a fundamental principle to be set in place the idea that socioeconomic convergence has to be promoted at all levels, a goal whose importance is based on the 'shared conviction that the future of the EU lies in preserving diversity but correcting possible asymmetries while moving closer together'¹³.

This stream of thought is closely linked to the discussion on reforming the Economic and Monetary Union¹⁴ in order to establish a stronger economic governance in which social policy has its own status and instruments. To enhance harmonisation in this field, a complex monitoring, evaluating and coordination procedure was initiated in 2010, namely the European Semester. This is an annual cycle, divided in two parts, and offers a common framework for the implementation of economic policies within the EU¹⁵.

Furthermore, convergent trends in the socioeconomic field have manifested more recently, from the appointment of Juncker Commission onwards. The notion of upward social convergence occurred frequently in the President Juncker's discourse in 2015, and in parallel in the Five Presidents' Report. This report analyses into detail the topic of economic and social convergence, emphasizing its importance on the road towards social cohesion. Another significant aspect is that

¹² Communication from the Commission, *Europe 2020: A strategy for smart, sustainable and inclusive growth*, COM(2010) 2020 final, Brussels 3.3.2010.

¹³ Eurofound, *op.cit.*, 2018, p. 1

¹⁴ European Commission, *Commission recommendation on the European Pillar of Social Rights*, COM(2017) 2006 final Brussels; European Commission, *Reflection Paper on the deepening of the Economic and Monetary Union*, COM(2017) 291 final Brussels.

¹⁵The European Semester, available at https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/european-semester_en.

both economic and social convergence are part of the same political agenda for the first time¹⁶.

In order to support positive action in this domain, a legal document has been elaborated in 2017 and was given the name of European Pillar of Social Rights. This document reflects a newly gained understanding on the part of the EU's institutions that intense efforts have to be made to sustain the social and economic growth of less developed countries in Central and Eastern Europe as well as in other countries, while deepening convergence in terms of political and social policy standards.

3. The European Pillar of Social Rights - a 'soft law' instrument

An important step forward was made with the Rome Declaration, signed on 25 March 2017, which expressed the call for a 'safe and secure', 'prosperous and sustainable', 'stronger' and 'social Europe': 'a Union which, based on sustainable growth, promotes economic and social progress as well as cohesion and convergence'¹⁷.

The Rome Declaration opened the way to the proclamation in November 2017 of the European Pillar of Social Rights that reflects an EU response to the destructive effects of the 2008 crisis on European society. The document rests on 20 principles which are not new but were formulated in various documents and at various times to protect and guarantee the respect of the fundamental rights of the European citizens. According to the European Pillar, these rights can be grouped into three main categories: 1) equal opportunities and access to the labour market, 2) fair working conditions and 3) social protection and inclusion.

The European Pillar role is important as it continues and extends the principles established in 2013 in the Social Investment Package and establishes a series of conditions to improve the pursuance and effective realization of the objective of upward social and economic convergence and. The European Pillar contribution is also relevant for the change of perspective it initiates, namely the belief that economic and social convergence are interdependent. This new idea marks a departure from the classical view according to which the economic performance is a precondition for social development¹⁸. The philosophy underlying the Pillar's provisions is that investment in citizens will have a positive outcome, as better working and living conditions will eventually lead to greater social inclusion and economic growth.

Since its proclamation, The Pillar has formed the subject of heated and variegated debate. While praised for its content, particularly the way it elaborates

¹⁶Eurofound, *op.cit.*, 2018, p. 7-8

¹⁷ Council of the EU, Statements and Remarks, Rome Declaration, 149/17, 25/03/2017, available at <https://www.consilium.europa.eu/en/press/press-releases/2017/03/25/rome-declaration/pdf>.

¹⁸ Eurofound, *op.cit.*, 2018, p. 8.

on social rights, ensuring protection of these rights at a higher level than the existing one, it has more often than not criticised and even dubbed ineffective or irrelevant because of its juridical form.

The document was delivered under the form of a recommendation adopted by the European Commission on the basis of the provisions of the Article 292 TFEU. As expressly stated in Article 288 in TFEU, EU law is represented by regulations, directives, decisions, recommendations and opinions. The main difference between them is made by their binding or non-binding effect. Recommendations are non-binding or soft law instruments, and the Pillar is such an instrument of indirect action, which is intended to prepare the next stages of development, mainly to determine the adoption of legislation at national level¹⁹. However, it does not mean that soft law instruments have no legal effects. In the scientific literature it is highlighted that soft law instruments may include wording which suggest a (certain) binding nature and such wording may be similar to that of directives or decisions²⁰. The legal effects of this instrument will be highly dependent of the way the Court of Justice will interpret and apply its principles and provisions and on the number of cases in which its provisions will be invoked before a law court.

Researchers have also observed²¹ that in the case of economic convergence and the construction of a single European market, the legal instruments that were used were binding directives. To ensure a stronger coordination of the governments' actions, binding legal acts were associated with another instrument, namely the introduction of country-specific recommendations, as a means of offering guidance on policy measures in different fields. These binding legal instruments ensured the implementation of the necessary measures in the economic domain and caused an improvement of the economic governance.

To what extent the European Pillar of Social Rights will be effective still remains to be seen. Even so, it has to be appreciated for the new perspective it endorses and for the progress it illustrates in bringing the theme of social upward convergence into the foreground. Moreover, the European Council (at its meeting on 20 June 2019) reaffirmed the necessity to implement the European Pillar and inscribed it as a priority in the New Strategic Agenda 2019-2024.

¹⁹ Z. Rasnaca, *(Any) relevance of the European Pillar of Social Rights for the EU Law*, November 2017, available at <https://europeanlawblog.eu/2017/11/17/any-relevance-of-the-european-pillar-of-social-rights-for-eu-law/>.

²⁰ Meijers Committee, Standing Committee of experts on international immigration, refugee and criminal law, 9 April 2008, available at https://www.commissie-meijers.nl/sites/all/files/cm1609_note.pdf.

²¹ B. Vujčić, *EU Membership and Structural Policies in CESEE*, in I. P. Szekely (ed.), *Faces of Convergence*, The Vienna Institute for International Economic Studies, 2019, p. 166.

4. Measuring performance levels of Member States under the European Pillar of Social Rights

For monitoring and evaluation of the performance of the member states, the European Pillar is backed up by a Social Scoreboard, composed of 14 headline indicators and additional 28 indicators to capture the situation in member states. The Social Scoreboard identifies trends and performances across EU countries in three areas related to the principles under the European Pillar, assessing the progress towards a social triple 'A' for the EU as a whole. Its findings and results are used within the process of the European Semester and are taken into account in the elaboration of the Country Reports²².

Member states' performance is analysed according to the levels and changes of each indicator in comparison with the EU average. Then states are classified in seven groups, namely: „best performers“, „better than average“, „good but to monitor“, „on average/neutral“, „weak but improving“, „to watch“ and „critical situations“. The three chapters analysed in the Social Scoreboard are: equal opportunities and access to the labour market, dynamic labour markets and fair working conditions and public support/social protection and inclusion²³.

A summary of the scoreboard analysis for the three domains shows that the situation of the member states varies greatly. The Scoreboard reveals that the majority of the countries are at least once pointed out to meet a challenge for one headline indicator, except for Germany, Finland, France, the Netherlands, Sweden, which are best performers. At the opposite pole, countries like Greece, Romania or Italy are confronted with challenges and grouped under the label „critical situations“ or „to watch“, for more than 10 indicators, of which „critical situations“ are present for 7 (Greece), 4 (Romania) and 6 indicators (Italy). The overall classification gathers together Croatia and Spain (9 challenges each), Bulgaria (with 8 challenges), Cyprus, Latvia and Portugal (each with 6 challenges). In comparison to these categories, Netherlands is a „best performer“ or „better than average“ for 11 indicators, followed by Czech Republic and Sweden (10 indicators each), Austria, Germany and Slovenia (8 indicators each)²⁴.

²² Social Scoreboard, in European Commission, European Pillar of Social Rights, Social Scoreboard, available at <https://composite-indicators.jrc.ec.europa.eu/social-scoreboard/>, consulted on 8. 11. 2019

²³ The Social Scoreboard, European Commission, Employment, Social Affairs and Inclusion, available at <https://ec.europa.eu/social/main.jsp?langId=en&catId=1196&furtherNews=yes&newsId=9163>.

²⁴Evidence from the social scoreboard (2019), in DRAFT JOINT EMPLOYMENT REPORT FROM THE COMMISSION AND THE COUNCIL accompanying the Communication from the Commission on the Annual Growth Survey 2019, Brussels, 21. 11. 2018, COM(2018) 761 final, p. 24 available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547650919951&uri=CELEX%3A52018DC0761>, consulted on 11. 11. 2019

As compared to the 2018 edition of the Social Scoreboard, the overall performance of the countries has improved, as the number of the domains in which states have been confronted with challenges, has decreased. In one area, only, public support/social protection and inclusion, the quality has slightly deteriorated and the report points out that the most numerous problematic flags appear in this field, quantifying an average of 9.3 cases per indicator (of which 3.5 „critical situations”)²⁵. However, the number of signposted states under the label „critical situations” diminished from 14 in 2018, to 13 in 2019 (current exercise). Whereas several states (such as Estonia, Malta and Portugal) have performed slightly better and left this group, others (Hungary and Latvia) have been classified in this group. The main conclusion remains that the social situation across the EU as whole continues to get better entering into a new stage, as on the average for the EU 13 out of 14 headline indicators have recorded an improvement according to the results of the Social scoreboard (that used available data from 2016 or 2017)²⁶.

The process of monitoring states’ performance according to the indicators of the European Pillar of Social Rights is further enhanced by an additional document, namely the Joint Employment Report (whose latest version is part of the 2019 Autumn Package of the European Semester). This Report is elaborated on the basis of the Article 148 of TFEU and its initial proposal by the European Commission is a component of the Autumn Package within the European Semester Cycle. The Joint Employment Report offers an annual overview of key social developments in Europe as well as member states’ reform actions²⁷. This report incorporates a series of key indicators that can be used to assess and identify convergent or divergent trends in the domain of social inclusion and protection across European states²⁸

Another important aspect that has to be taken into consideration when analysing the member states’ performance in the field of social policy and their capacity to enhance upward convergence is the quality of their institutions. Scholars²⁹ have emphasized the importance of quality of democracy and governance as drivers for enhancing convergence within the European space. Indicators such as the rule of law as well as the respect for the citizens’ rights are included among the Sustainable Governance Indicators (SGI, 2019), a complex measurement index that shows again the high quality of democracy in the Nordic countries. According to this index, countries like Denmark, Sweden, Germany or Austria rank first in the classification. Consequently, there are still a lot of work to be done in order to improve the quality of the institutions, especially in newer

²⁵ Evidence from the social scoreboard (2019), *op. cit.*, p. 24

²⁶ Evidence from the social scoreboard (2019), *op. cit.*, p. 23

²⁷ *Ibidem*, p. 2

²⁸ Eurofound, *op.cit.*, 2018, p. 34

²⁹ B. Vujcic, *EU Membership and Structural Policies in CESEE*, in I. P. Szekely (ed.), *Faces of Convergence*, The Vienna Institute for International Economic Studies, 2019, p. 166.

member states that lag behind the best performers. Applying the structural reforms required by the EU institutions would ensure a higher quality of democracy and would give a new stimulus for the convergence process.

Conclusions

Upward convergence in the EU has been pursued and accomplished gradually, over the past decades, between member states. Although the concept has been considered in close connection with the economic dimension of convergence, its most recent evolutive trends have shifted the focus of attention on the social dimension.

This shift has been caused by the real necessity of recovery after the economic shock in 2008 which compelled the EU to reflect back on its original roots and act firmly to regain its role of initiator, coordinator and manager of economic and social progress. In order to reaffirm its commitment to the fundamental values of integration, the EU decided to consolidate the social dimension of convergence, using various legal, strategical and monitoring instruments, to ensure and develop a coordinated action in this field. Among these instruments the European Pillar of Social Rights, the two reports called the Four Presidents' and the Five Presidents' Report and the Social Scoreboard used within the European Semester have the most substantial contribution to strengthen the social dimension of the integration project.

Even though the European Pillar of Social Rights is a soft law instrument, the use of soft law instruments in important domains (for instance freedom, security or justice) is not unusual. In fact, the Meijers Committee observed the increased use of soft law instruments in recent years and stated that 'soft law instruments may not be binding but they may have legal effects requiring EU institutions, authorities of the Members States and (possibly) national courts to take them into account'³⁰. At the same time, the Committee acknowledged that soft law instruments 'play a useful role in the implementation of EU laws and policies', but the use of these instruments should be 'subject of appropriate safeguards'³¹. Considering the fact that the European Pillar was accompanied by a Social Scoreboard and linked to the process of the European Semester whose data are also included in the Country Reports, it can be said that EU is seeking ways to establish these „safeguards“. Moreover, setting the implementation of the European Pillar among the priorities of the New Strategic Agenda 2019-2024 reinforces the relevance of this document for the social dimension of upward convergence.

³⁰ Meijers Committee, Standing Committee of experts on international immigration, refugee and criminal law, 9 April 2008, available at https://www.commissie-meijers.nl/sites/all/files/cm1609_note.pdf.

³¹ *Ibidem*.

Presenting the results of the evaluation carried out through the Social Scoreboard, our research intends to call attention to the fact that EU's legislation and policies have a positive impact on the performance of the majority of governments, urging them to take the necessary steps toward improving the quality of their citizens' life. The social dimension of Europe seems to gain more and more prominence together with the economic one, being a facet of the complex phenomenon of convergence and originating in its turn new (convergent) trends in EU's actions meant to reduce disparities and divergence among and within the European countries.