

CES



Conselho Económico e Social
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The Portuguese model and experience

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The role of Secretaries of the ESC

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The Portuguese Model and Experience

The role of Secretaries of the ESC

- The Portuguese ESC – brief legal overview
 - Legal framework
 - Members
 - Institution
- Structure of the Portuguese ESC
- The President of the Portuguese ESC – Key notes
- The Secretary-General of the Portuguese ESC
 - Legal functions
 - Main duties
 - The Secretariat
- Final notes



The Portuguese Economic and Social Council

A brief legal overview (1/3)

- Established by the Portuguese Constitution as a body for consultation and concertation for economic and social politics
- Constitution stipulates that the ESC participates in the drafting of the main planning options and of the economic and social development plans
- Law 108/91 specifies the Council's functions, members and structure
- Decree-Law 90/92 addresses the functioning of the organization, including the Secretary and the secretariat
- Internal regulations define procedures for meetings, voting and deliberations



The Portuguese Economic and Social Council

A brief legal overview (2/3)

- 77 Members of the ESC:
 - 1 President, appointed by the Parliament
 - 4 vice-presidents, elected by the plenary
 - 8 members appointed by the Government
 - 8 members appointed by trade unions
 - 8 members appointed by employer's confederations
 - 8 members of local government
 - 4 members appointed by autonomous regions (2 by Azores and 2 by Madeira)
 - 5 personalities of recognized merit, appointed by the plenary
 - 31 members representing different interest groups



The Portuguese Economic and Social Council

A brief legal overview (3/3)

- ESC functions in plenary session
- Permanent Commission for Social Concertation (CPCS - autonomous from the ESC or its plenary, presided by the Prime Minister)
- Three permanent specialized commissions:
 - Social and economic politics;
 - Regional development and spatial planning;
 - Interdisciplinary for natality
- Administrative Council
- Coordinating Council

The Portuguese Economic and Social Council

Structure

- 3 main functions: Consultation, Social Concertation and Arbitration
- ESC responds to those functions with:
 - 1 President of the ESC
 - 1 Secretary-General
 - President's Cabinet
 - Secretariat
- Permanent Specialized Commissions each have 1 President, who conduct each Commission's works



The President of the Portuguese ESC

Key notes

- Represents the ESC
- Conducts the ESC's works and functions
- Members are sworn in before the President
- Requests data, when needed, to the National Statistics Institute, to the Portuguese Central Bank
- Requests the presence, when needed, of members of the Government or public officers

The Secretary-General of the Portuguese ESC

Legal functions

- In charge of the functioning of technical and administrative support
- Supports the functioning of the ESC bodies, preparing studies, opinions and notes
- Updates information on the activity of other ESC within EU
- Releases, national and internationally, documentation and technical information
- Gathers data for drafting of budget, accountability and activity reports
- Ensures the legality of administrative and financial process
- Manages the ESC property

The Secretary-General of the Portuguese ESC

Main duties

- General functions :
 - Secretary-General is, for all legal aspects, considered a Director-General (highest rank public servant)
 - Manages the secretariat
 - Manages all human and financial resources
 - Assists the functioning of the board in plenary sessions (documents, voting) and prepares minutes of the plenary sessions, authenticating them, by signature, after approval
 - Assures the functioning of the Court of Arbitration (legal task specifically assigned to the Secretary-General)

The Secretary-General of the Portuguese ESC

The Secretariat

- Multitude of tasks:
 - Ensure the smooth run of the ESC functions
 - Assist the Secretary-General's duties
 - Support for all meetings
 - Assist the administrative functioning of the Court of Arbitration
 - Carry on tasks related to human and financial resources
 - Take care of mail and archives
 - Update website and social networks

The Portuguese model

Final notes

- Secretary-General of the Portuguese ESC is the Head of a support service for the functioning of the ESC
- Has specific legal functions (such as arbitration), set aside from the typical consultation and social concertation model of ESC
- Hybrid model is challenging
- Over the years, the model has been proven successful

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Thank you.

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