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SOCIAL EUROPE**

SOCIAL RIGHTS MONITOR 2020

COUNTRY MONITOR: THE NETHERLANDS



The Covid-19 pandemic has worsened existing inequalities and weaknesses in the Dutch social security system. The underinsurance of the ever-growing number of lone self-employed workers (ZZPers) has left many of them in a precarious position. The National Strategy Group (NSG) also identifies the lack of affordable (social) housing, both for renters and aspiring buyers, as one of the most pressing issues in the Netherlands. Like the European Commission, our NSG is also concerned by the growing shortage of qualified health-care workers, which the current pandemic has made even more acute. In addition, it also points out the increasing decentralisation of public (social) services, including the integration of newcomers, youth care, mental health-care and guidance for people receiving social

assistance. Shifting these responsibilities from the national to the municipal level risks creating inequalities in terms of access and quality of service between municipalities. Though we see some positive developments in domestic taxation, the Netherlands remains a tax haven, allowing billions in tax revenue to be funnelled out of other European Union member states each year. Finally, civic space in the Netherlands shows contrasting trends. Despite the Covid-19 measures, the country experienced a wave of mass protests. At the same time, authorities have struggled to protect public safety during these demonstrations, which sometimes turned violent. Furthermore, journalists and politicians are facing increasing threats and attacks, especially from right-wing extremist groups.

	2018	2019	EU-28 2019
GINI index ¹	27.4	26.8	30.1
Unemployment ²	3.8%	3.4%	6.3%
Gender Equality Index ³	72.1 (2019)	74.1 (2020)	67.9 (2020)
In-work poverty ⁴	6.1%	5.4%	9.2%
Housing Overcrowding ⁵	4.1%	4.8%	15.6%
CIVICUS Civic Space Monitor ⁶		OPEN	N/A

Selected indicators on the state of social rights

EQUAL OPPORTUNITIES AND FAIR WORKING CONDITIONS

The National Strategy Group for the Netherlands, led by Humanitas, reports that the Dutch tax system was simplified in 2020, a reform that had originally been planned for 2021. Under the new system, the two lowest tax brackets will be merged into one, and the general tax credit and tax credit for workers will be increased. Overall, this is expected to reduce tax pressure on low and middle incomes. The reform is furthermore intended to incentivise labour market participation – or to ‘make work pay’, as the government puts it.⁷ In addition, new tax benefits to promote climate-friendly behaviour have been introduced. This has become especially relevant since the Urgenda Foundation sued the Dutch state for not doing enough to limit CO2 emissions. It won the case, and the Supreme Court ordered the state to make true on its commitment

to reduce emissions by 25% by 2020 compared to 1990 levels.⁸ The new measures promote the use of bicycles and electric cars for commuting, make fossil fuels more expensive and encourage energy-efficient home improvements such as isolation and the installation of solar panels. Our National Strategy Group points out that these benefits will likely benefit mid- and high-income households the most, as they have the means to renovate their own homes, as well as employment conditions that provide for an electric company car or bicycle. However, despite these positive developments in domestic taxation, the Netherlands continues to be a tax haven. Its tolerance of aggressive tax-planning schemes is estimated by the European Parliament to cost other EU Member States about EUR 11 billion annually in lost tax revenue.⁹

1 Eurostat (2020). Gini coefficient of equivalised disposable income: http://appsso.eurostat.ec.europa.eu/nui/show.do?lang=en&dataset=ilc_di12

2 Eurostat (2020). Unemployment by sex and age: annual data: https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=une_rt_a&lang=en

3 European Institute for Gender Equality (2020). Gender Equality Index: <https://eige.europa.eu/gender-equality-index/2020/BE>

4 Eurostat (2020). In-work at-risk-of-poverty-rate: <https://ec.europa.eu/eurostat/databrowser/view/tespm070/default/table?lang=en>

5 Eurostat (2020). Overcrowding rate by age, sex and poverty status – total population https://ec.europa.eu/eurostat/databrowser/view/ilc_lvho05a/default/table?lang=en

6 CIVICUS (2020). Civic space monitor - The Netherlands: <https://monitor.civicus.org/country/netherlands/>

7 Rijksoverheid (2020). Sneller naar het Tweeschijvenstelsel: <https://www.rijksoverheid.nl/onderwerpen/belastingplan/belastingwijzigingen-voor-ons-allemaal/tweeschijvenstelsel-inkomstenbelasting#:~:text=In%202019%20zijn%20er%20drie,zijn%20er%20nog%20twee%20schijven.>

8 Urgenda Foundation (2020). Klimaatzaak tegen de Staat: <https://www.urgenda.nl/themas/klimaat-en-energie/klimaatzaak/>

9 Waterval, D. (2020). Belastingklimaat Nederland kost rest van de wereld 22 miljard euro: <https://www.trouw.nl/nieuws/belastingklimaat-nederland-kost-rest-van-de-wereld-22-miljard-euro~bc322f41/?referrer=https%3A%2F%2Fwww.google.com%2F>

PRECARIOUSNESS

Precarious work continues to be a critical problem in the Dutch labour market. Vulnerable groups, such as young people, low-educated people, migrants and women are prone to working under precarious conditions, such as temporary contracts and temp-jobs. In the 2019 Social Rights Monitor, the National Strategy Group for the Netherlands already drew attention to the worrying trend of bogus self-employment in the Netherlands. Workers are increasingly encouraged (or forced) to become 'self-employed', only to be hired for jobs that were previously done by traditional employees, but with less protection and social security. Since then, the number of lone self-employed workers (ZZPers) has increased, to 1.125 million (one-eighth of the working population) at the beginning of 2020. If we also consider part-time self-employed workers, the number reaches 1.8 million.¹⁰

Because of the precarious nature of their employment and the sectors in which many ZZPers are active, this group was hit especially hard by the onset of the Covid-19 pandemic. By April already, 324,000 self-employed workers had requested government support.¹¹ The government has made EUR 2.45 billion available to support ZZPers' income, up to a maximum of EUR 1,500 a month.¹² In a letter to 140 municipalities, experts warn that many of the self-employed will be in financial difficulties as soon as the government support ends. They fear that a wave of debt will bankrupt many self-employed people and that

municipalities are not prepared.¹³ In addition, the National Strategy Group expects that the Covid-19 pandemic will worsen the rising trend of in-work-poverty.

In January 2020, a new law entered into force, aiming to create more balance in the labour market by reducing the differences between traditional and flexible work contracts (Wet Arbeidsmarkt in Balans - WAB). The law reduces the social security benefits employers pay for permanent employees while at the same time providing more security for flexible workers and payroll workers.¹⁴ This might come just in time, as our National Strategy Group expects the number of flex workers compared to traditional workers to increase for the foreseeable future in response to the insecurity due to the Covid-19 pandemic and the different containment measures put in place.

GENDER EQUALITY

Gender equality is still not a reality in the Dutch labour market, especially in higher-level positions. Research on the career paths of people in management positions points towards the high rate of part-time work amongst women as one of the factors preventing women from reaching top positions. As part-time work is widely accepted in the Dutch labour market, the research finds that holding a mid-level management position as a part-time worker (28-34 hours a week) poses no problem, but that for top positions full-time commitment (at least 40 hours a week) is the norm.¹⁵ In 2013,

10 CBS (2020). Arbeidsdeelname; kerncijfers: <https://opendata.cbs.nl/statline/#/CBS/nl/dataset/82309NED/table?ts=1596637624918>

11 FNV ZZP (2020). Beroep op Tijdelijke Overbruggingsregeling Zelfstandig Ondernemers (Tozo) groeit: <https://fnvzzp.nl/nieuws/2020/04/beroep-op-tijdelijke-overbruggingsregeling-zelfstandig-ondernemers-tozo-groeit#:~:text=Het%20totaal%20aantal%20aanvragen%20voor,van%20het%20totaal%20aantal%20gemeenten>

12 Anderson, J., Bergamini, E., Brekelmans, S., Cameron, A., Darvas, Z., Domínguez Jiménez, M., & Midõesm C. (2020). The fiscal response to the economic fallout from the coronavirus: <https://www.bruegel.org/publications/datasets/covid-national-dataset/#netherlands>

13 NOS (2020). 'Schuldengolf zzp'ers op komst, en gemeenten niet klaar om hen te helpen': <https://nos.nl/artikel/2342535-schuldengolf-zzp-ers-op-komst-en-gemeenten-niet-klaar-om-hen-te-helpen.html>

14 Rijksoverheid (2020). Wet arbeidsmarkt in balans (WAB): wat is er veranderd sinds 1 januari 2020: <https://www.rijksoverheid.nl/onderwerpen/arbeidsovereenkomst-en-cao/plannen-kabinet-voor-meer-balans-tussen-vast-werk-en-flexwerk>

15 SCP (2020). Leidinggevende posities ook in deeltijd mogelijk: <https://www.scp.nl/actueel/nieuws/2020/06/25/leiding-gevende-posities-ook-in-deeltijd-mogelijk>

the government introduced a target of 30% for the representation of women on the boards of directors and boards of commissioners of private businesses. In 2020, the number of women in these positions rose, but the percentage was 26.7%, and the target was not reached.¹⁶ By 2021, 30% will become a legal quota. Companies that have not reached 30% will be obliged to fill any position on the board that opens up with a woman.¹⁷ Another positive step towards more gender equality in the labour market is the increase in parental leave. From July 2020 onwards, the partner of the parent giving birth can take an additional five weeks of leave during the first six months of the baby's life, on top of the first week.¹⁸

SOCIOECONOMIC IMPACT OF COVID-19

Up until the beginning of the Covid-19 pandemic, the Dutch economy showed robust growth. The employment rate was at a record high, and unemployment had never been lower.¹⁹ Although the measures taken to contain the spread of the virus in the Netherlands have been less strict than in some other European countries, their impact reinforced the already-existing inequalities in the labour market and brought to light the weaknesses of the social security system. The effect on the labour market and people's incomes was

unprecedented: between March and June 2020, 131,000 people lost their jobs, increasing the number of unemployed workers by almost half.²⁰ The Central Bureau of Statistics points out that from May to June unemployment rose from 3.6% to 4.3%. In comparison, during the 2008-2009 financial crisis it took seven months for the same increase to take place.

Precarious workers were hit disproportionately by the negative employment effects of the crisis. The National Strategy Group reports that 80% of flex workers with zero-hour contracts lost many or even all of the working hours they had. In addition, nearly one-third of people working through temping agencies lost their job. Many others are still employed only thanks to the various support measures.

Overall, our National Strategy Group reports that youth unemployment has been declining, and the gap with overall unemployment has been shrinking. Nevertheless, at 6.7% in 2019, youth unemployment was still twice as high as the overall figure. With many young people working in the sectors hit hardest by the Covid-19 measures, such as the hospitality sector, this number is expected to rise again in 2020. In the second quarter of 2020, unemployment amongst 15-to-25-year-olds rose to 9.5%, compared to 3.8% for the overall population.²¹ Moreover, young people with small, flexible jobs were not covered by the first two

16 NOS (2020). Aandeel topvrouwen bij selectie bedrijfsleven gestegen: <https://nos.nl/artikel/2340052-aandeel-topvrouwen-bij-selectie-bedrijfsleven-gestegen.html>

17 NOS (2020). Bijna alle AEX-bedrijven voldoen aan vrouwenquotum, behalve ABN Amro: <https://nos.nl/artikel/2340759-bijna-alle-aex-bedrijven-voldoen-aan-vrouwenquotum-behalve-abn-amro.html>

18 Rijksoverheid (2020). Geboorteverlof voor partners: <https://www.rijksoverheid.nl/onderwerpen/geboorteverlof-en-partnerverlof/geboorteverlof-voor-partners>

19 CBS (2020). Arbeidsdeelname en werkloosheid per maand: <https://opendata.cbs.nl/#/CBS/nl/dataset/80590ned/table?ts=1596536192850>

20 CBS (2020). Unemployment rises to 404 thousand in June: <https://www.cbs.nl/en-gb/news/2020/29/unemployment-rises-to-404-thousand-in-june>

21 CBS (2020). Arbeidsdeelname en werkloosheid per maand: <https://opendata.cbs.nl/#/CBS/nl/dataset/80590ned/table>

rounds of Covid compensation measures. The Covid-19 pandemic is also negatively impacting young people's careers, as it has interrupted internships, practical lessons and exams.

The Covid-19 pandemic has also had a widespread effect on working conditions, which is expected to last (at least partially) after the pandemic is over. The need to socially distance has accelerated the spread of flexible working times and places, including working from home. Our National Strategy Group reports that employers in general used to be rather hesitant to let employees work from home, but they now seem more open to the practice. Half

of Dutch office workers indicate they would like to continue working from home for some days of the week in the future.²²

The first round of the government's financial response to Covid-19's impact on the economy supported the incomes of 2 million workers. In return for the government covering up to 90% of workers' wages, companies making use of this arrangement were not allowed to lay off any staff. For the second round of support, stretching from June to September 2020 and extended into 2021, this requirement was eased, which led to more people losing their jobs over summer.²³

22 Willemsen, M. (2020). Thuis wordt de rustige werkplek, het kantoor een soort Starbucks: <https://www.nrc.nl/nieuws/2020/06/11/thuis-wordt-de-rustige-werkplek-het-kantoor-een-soort-starbucks-a4002541>

23 Rijksoverheid (2020). Coronavirus: kabinet neemt pakket nieuwe maatregelen voor banen en economie: <https://www.rijksoverheid.nl/ministeries/ministerie-van-economische-zaken-en-klimaat/nieuws/2020/03/17/coronavirus-kabinet-neemt-pakket-nieuwe-maatregelen-voor-banen-en-economie> and Rijksoverheid (2020). Vragen over de Tijdelijke Noodmaatregel Overbrugging voor Werkgelegenheid (NOW): <https://www.rijksoverheid.nl/onderwerpen/coronavirus-financiele-regelingen/overzicht-financiele-regelingen/nou>

SOCIAL PROTECTION AND INCLUSION

One of the most pressing issues according to the National Strategy Group is the shortage of affordable housing in the Netherlands. At the moment there is a shortage of 4.2%, or 331,000, of the total stock of housing units. To keep up with population growth, and the consequent demand for housing, 845,000 new housing units will be needed by 2030.²⁴ People buying their first houses and those with lower incomes especially face problems finding adequate and affordable housing. A single person earning an average income can now afford to buy one of only 4.7% of the available houses. Despite the economic downturn caused by Covid-19, housing prices are expected to continue rising.²⁵ The government aims to reduce the housing shortage to 2% of the total housing stock by 2035.²⁶

EDUCATION

In the 2018-2019 academic year, 26,894 students left school early. The government has set new targets for each level of education to reduce the annual total of early school-leavers to a maximum of 20,000 by 2021. Schools that achieve their target will receive a financial reward.²⁷ Looking back on previous crises, the

National Strategy Group for the Netherlands recognises a pattern in which an economic downturn goes hand in hand with a rising number of early school-leavers, especially at the lower levels of education. They fear the same will happen in the wake of the Covid-19 crisis.

Despite a rising number of students graduating with a higher-level diploma, there are concerns about the deteriorating quality of education, especially in terms of its societal function of creating equal opportunities.²⁸ Due to Covid-19, schools and universities were temporarily closed and classes moved online, which likely exacerbated already-existing inequalities between students. At this stage it is still too early to say what the long-term effects of increased remote learning will be. The National Strategy Group points out that the cancellation of the final test in primary schools has caused around 14,000 primary school students to go to a lower level of high school than they would have under normal circumstances. This will strongly impact their future academic and professional careers. Especially students with a migration background and those with poorer and less-educated parents will be affected, increasing inequality in the education system.²⁹

24 Rijksoverheid (2020). Staat van de woningmarkt 2020: <https://www.rijksoverheid.nl/actueel/nieuws/2020/06/15/staat-van-de-woningmarkt-2020>

25 Trouw (2020). Bijna alle woningen zijn te duur voor mensen met modaal inkomen: <https://www.trouw.nl/economie/bijna-alle-woningen-zijn-te-duur-voor-mensen-met-modaal-inkomen~bb08cc3c/?referer=https%3A%2F%2Ft.co%2F1xGvjR2owY%3Famp%3D1>

26 Rijksoverheid (2020). Staat van de woningmarkt 2020: <https://www.rijksoverheid.nl/actueel/nieuws/2020/06/15/staat-van-de-woningmarkt-2020>

27 Rijksoverheid (2020). Maximaal 20.000 voortijdig schoolverlaters in 2021: <https://www.rijksoverheid.nl/onderwerpen/vsv/maximaal-20.000-voortijdig-schoolverlaters-in-2021>

28 Inspectie van het Onderwijs (2020). De Staat van het Onderwijs 2020: <https://www.onderwijsinspectie.nl/binaries/onderwijsinspectie/documenten/rapporten/2020/04/22/staat-van-het-onderwijs-2020/Staat+van+het+Onderwijs+2020.pdf>

29 NOS (2020). 'Duizenden groep 8-leerlingen lopen hoger schooladvies mis': <https://nos.nl/artikel/2339708-duizenden-groep-8-leerlingen-lopen-hoger-schooladvies-mis.html>

GOOD PRACTICE

REMOVING UNNECESSARY GENDER REGISTRATIONS

In order to promote gender equality, respect all gender identities and prevent (unconscious) gender discrimination, the Dutch government has announced that it will stop registering citizens' sex on identity documents. From 2024-2025, citizens will no longer have an F, M or X on their identity card. The registration of sex on passports will remain, as this is required by European law.³⁰

DECENTRALISATION

The National Strategy Group points to several difficulties arising from the decentralisation of public services by shifting responsibility from the national level to municipalities. The problems include the integration of newcomers, youth care, mental healthcare and guidance for people receiving social assistance.

Decentralisation risks creating inequalities, as citizens in some municipalities – where demand for services might be lower or services are simply more prioritised – enjoy better provision than those in others.

As of 2021, a new law on the integration (inburgering) of newcomers will take effect. The previous system, in place since 2013, was based on the principle of participation: a newcomer in the Netherlands was personally responsible for finding a school and making sure they completed their integration and Dutch-language courses. In practice this resulted in many low-quality language schools taking advantage of newcomers trying to fulfil their legal integration requirements or even committing fraud with the study grant available for the integration lessons.³¹ In the new decentralised system, municipalities are tasked with offering each newcomer a tailor-made integration process, which includes identifying a limited number of qualified schools that newcomers can pick from.³² Expectations are that this will not only put more pressure on local authorities, but also lead to bigger differences between municipalities.

30 NOS (2020). Sekse verdwijnt van Nederlandse identiteitskaarten: <https://nos.nl/artikel/2339485-sekse-verdwijnt-van-nederlandse-identiteitskaarten.html>

31 Stoffelen, A., de Zwaan, I., & van Uffelen, X. (2020). Bij taalscholen voor inburgeraars is frauderen wel heel makkelijk: <https://www.volkskrant.nl/kijkverder/v/2020/bij-taalscholen-voor-inburgeraars-is-frauderen-wel-heel-makkelijk~v386324/>

32 Rijksoverheid (2019). Maatwerk en snelheid centraal in nieuw inburgeringsstelsel: <https://www.rijksoverheid.nl/onderwerpen/immigratie-naar-nederland/nieuws/2019/06/25/maatwerk-en-snelheid-centraal-in-nieuw-inburgeringsstelsel>

CIVIC SPACE

As well as Covid-19, the year 2020 was marked by a wave of mass demonstrations in the Netherlands. The National Strategy Group especially highlights mass protests by farmers, climate marches, the black-lives-matter movement, protests against Covid-19 measures and protests both against and in favour of the traditional character Black Pete. The number of protests has risen in recent years,³³ as has their impact on public life. The NSG points out that protestors are choosing increasingly impactful ways of demonstrating, for example farmers driving their tractors through city centres and blocking highways.³⁴ During these demonstrations, authorities struggled to protect public safety, as rules were regularly neglected by protest organisers. The Dutch government has made exceptions to the pandemic measures limiting public gatherings, stating that, “authorities uphold the right to demonstrate, provided Covid-19 measures are respected by demonstrators.”³⁵

GOOD PRACTICE COALITIE Y

In early 2020, a new initiative was launched to give a stronger voice to young people, who are notoriously underrepresented in traditional civil society organisations. Coalitie Y, a coalition of trade unions, politicians, student associations and other youth organisations, launched a manifesto to address the issues facing young people in the Netherlands, such as precarious work contracts, shortage of housing and increasing student debt.³⁶

Although the freedom of the Dutch press is generally well-protected by law, journalists are facing increasing threats and harassment both online and in person.³⁷ Many of the threats come from right-wing extremists and conspiracy theorists who believe the media and politicians are spreading fake news. The national news broadcaster, NOS, has even removed its logo from satellite vans to stop journalists and technical staff from being threatened and harassed.³⁸ Finally, the rate of trade union membership in the Netherlands is in decline: from 2017 to 2019, the number of trade union members decreased by 6%. Amongst young people (under 25) the decrease was 29%.³⁹

33 NOS (2019). Steeds meer demonstraties in Nederland, maar hoeveel zin hebben die eigenlijk? <https://nos.nl/1/2307693>

34 NOS (2019). Weer een week vol boerenprotest: een overzicht van de acties: <https://nos.nl/artikel/2306007-weer-een-week-vol-boerenprotest-een-overzicht-van-de-acties.html>

35 Rijksoverheid (2020). Gedeeltelijke lockdown om besmettingen terug te dringen: <https://www.rijksoverheid.nl/actueel/nieuws/2020/10/13/gedeeltelijke-lockdown-om-besmettingen-terug-te-dringen>

36 Coalitie-Y (2020). CU en jongerenorganisaties slaan handen ineen. : <https://coalitie-y.nl/news/cu-en-jongerenorganisaties-slaan-handen-ineen-2/>

37 Reporters without borders (2020). Netherlands: <https://rsf.org/en/netherlands>

38 NOS (2020). NOS haalt na aanhoudende bedreigingen logo van satellietwagens: <https://nos.nl/artikel/2352452-nos-haalt-na-aanhoudende-bedreigingen-logo-van-satellietwagens.html>

39 CBS (2019). Ruim 100 duizend minder mensen lid van de vakbond: <https://www.cbs.nl/nl-nl/nieuws/2019/43/ruim-100-duizend-minder-mensen-lid-van-de-vakbond#:~:text=25%2D10%2D2019%2000%3A,onder%20jongeren%20tot%2025%20jaar>

COMPARISON WITH COUNTRY SPECIFIC RECOMMENDATIONS

The European Commission's Country Specific Recommendations for the Netherlands refer to one of the main issues raised by the NSG, the status of self-employed workers.⁴⁰ They recommend protecting these workers better against sickness, disability, unemployment and old age. SOLIDAR agrees that self-employed workers, just like all workers and people, should be protected by adequate social protection. But this recommendation does not address the underlying problem of jobs that were previously done by traditional workers increasingly being outsourced to false self-employed workers. The recommendations do refer to the shortage of healthcare workers resulting from previous budget cuts and a rapidly aging labour force.⁴¹ But, regrettably, they do not address the pressure put on local governments to provide an increasing number of social (care) services. Without adequate support

from the national level, this situation is bound to aggravate regional inequalities, as municipalities with more people needing assistance will not be able to provide the quality of service needed.

The recommendations for the Netherlands briefly mention a need for more investment in housing. However, SOLIDAR considers this to be insufficient, as the shortage of adequate affordable housing, for both renters and aspiring buyers, is identified as an absolute priority by our National Strategy Group. Finally, SOLIDAR is pleased to see that the recommendations encourage the Netherlands to curb aggressive tax-planning schemes. If implemented well, a decline in these schemes could contribute to higher tax revenues in other European countries and rebalance the ratio between taxes on labour and capital.

40 European Commission (2020). Country Specific Recommendations – The Netherlands 2020: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0519&from=EN>

41 Nieuwsuur (2019). Tekort aan zorgpersoneel: maar die grijze golf zagen we toch al lang aankomen? <https://nos.nl/nieuwsuur/artikel/2277647-tekort-aan-zorgpersoneel-maar-die-grijze-golf-zagen-we-toch-al-lang-aankomen.html>

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SOLIDAR is a European Network of more than 50 Civil Society organisations who gather several millions of citizens throughout Europe and worldwide. SOLIDAR voices the values of its member organisations to the EU and international institutions across the three main policy sectors: social affairs, international cooperation and lifelong learning.

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