

OUR PRIORITIES

ETUC Resolutions

2001



EUROPEAN TRADE UNION CONFEDERATION

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EMPLOYMENT POLICY



1. A year ago in Lisbon the European Union made the historic commitment to achieve full employment by the end of the decade. The Stockholm European Council should now take a further step forward and agree on intermediate EU level employment targets, with each Member State also fixing national targets in consultation with the social partners. Support must also be given for action to promote the quality of jobs through education, training and skills development, through improvements in the working environment and in social protection policies, through the full recognition of workers rights in new as well as more traditional forms of work, and through determined efforts to eliminate the gender pay gap and to introduce family friendly work/life balances.

2. The ETUC also calls on the Summit to explicitly re-confirm the balanced and integrated nature of the Lisbon strategy, with progress therefore being sought on the growth, cohesion, and employment components of the strategy and not just on those relating to economic reform and competitiveness. The search for a new dynamism in the European economy must be undertaken without endangering the basic elements of the European social model. In this respect, the full and timely implementation of the new Social Agenda adopted in Nice is of crucial importance. The ETUC calls on the Commission to make full use of all existing EU instruments including legislation.

3. The ETUC is very concerned that the present economic recovery in Europe could lose momentum due to external events and inappropriate macroeconomic policies. The ETUC underlines the overall responsibility of the European Council for ensuring that the policy-mix allows the EU to fulfil its potential and to stay on the 3 per cent per annum growth path set in Lisbon. The ETUC also insists that with inflation not being a threat the European Central Bank is bound by the Treaty to support the general economic goals of the Union. To achieve the Lisbon strategy objectives growth must be given a chance.

4. The ETUC agrees that sound macroeconomic policies must be underpinned by structural ones relating to the integration of financial markets, to the modernisation of goods and service markets, to the environment and sustainable development, to eEurope and to bio-tech Europe, and to research and innovation generally. However, the ETUC is convinced that the two keys of success are investment in human resources, and the involvement of working people in the process of structural change.

5. In this respect, the ETUC calls on the Stockholm Summit, firstly, to highlight the central importance of investment in both women and men, and of life long learning for all workers whatever their employment status. Major new adult education and training programmes are required to raise throughout Europe the general level of skills and competencies. The public authorities must be fully involved in this effort, together with employers, trade unions and the individuals concerned themselves. Developing the talents of European citizens, and particularly the great number of people still unemployed, must be the first response to skill shortages. To underpin this approach, the Summit should

- agree that the number of people in education and training should be doubled by 2005
- urge employers at all levels to conclude life long learning agreements with unions to give 'every worker the opportunity to achieve information society literacy by 2003' (as laid down in 2001 Guidelines)
- set targets, as agreed in principle in Lisbon, for 'a substantial annual increase in investment in human resources as a proportion of GDP'.

6. Secondly on involvement and how the process of economic reform is managed, Heads of State and of Government should brook no further delay in the adoption of the directive on workers' information and consultation rights, and in the establishment of an Observatory on Structural Change. The European Council should insist that Europe's way of handling change – such as through social dialogue and social partnership, and through active labour market and social protection policies - be pursued and strengthened.

7. High quality public services are also part of the European model, and the ETUC urges the European Council to agree that the necessary European regulatory framework is put in place to ensure their provision. The ETUC cannot accept attempts at the European level to push through the liberalisation of public services without due regard having been paid to the social impact, and to the views of the European Parliament and of the representatives of the workers concerned.

8. Finally, the ETUC regrets that the ability of the European Social Partners themselves to contribute more effectively to the success of the Lisbon strategy has been rather limited, and calls on UNICE and sectoral employers' organisations to face their responsibilities and to engage fully in social dialogue and negotiations at the European level on the whole range of issues of direct concern to the Social Partners.

PUTTING ENVIRONMENTAL POLICY AT THE HEART OF EUROPEAN EMPLOYMENT POLICY

Executive Committee, 13-14/6/ 2001

1. The European Trade Union Confederation welcomes the fact that on the occasion of the Göteborg Summit, a proposal for a medium-term European strategy on sustainable development will be examined. This strategy is intended to integrate an environmental dimension into the economic and social strategies adopted at the European Councils of Lisbon, Nice and Stockholm. The ETUC supports such a process of which an essential element must be the setting up of an approach to Sustainable development which integrates working life. Keeping this in mind, the ETUC believes that the conclusions of the Stockholm Summit concerning “Better quality of work” could be the starting point of such a process. In fact, for the ETUC a full employment policy must not only focus itself on the growing number of jobs but equally on the quality of these jobs. The ETUC has been working for several years in order to establish a European employment pact based on a policy of growth, structural reforms and a more efficient labour market.

2. Accordingly, the ETUC wishes to emphasise that this integration process must fall in line with the co-ordination of different policies. The ETUC insists on the need for the different processes to be consistent and closely co-ordinated in order to ensure a single European strategy in favour of full employment and the modernisation and improvement of the European social system. Accordingly, it calls for social consultation at European level to be reinforced in the framework of the defence and promotion of the European social model.

3. The ETUC considers that there is a crucial and urgent need to integrate an environmental dimension for three fundamental reasons.

- Firstly, there is a positive relation between environmental protection policies and the creation of jobs.

- Secondly, European and international data converge to confirm the need to control the use of natural resources and reduce environmental pressures.

- And finally for the improvement of living conditions for the weaker populations in Europe both present and future and especially those in Southern Europe. The ETUC insists on the need for Europe to be driving force at international level. In this context, the conclusions of Göteborg must represent the European Union’s contribution internationally in preparation for RIO + 10.

4. These two elements have been highlighted on several occasions by the ETUC, in particular in a joint EEB/ETUC declaration in June 98, on the occasion of the Cardiff Summit.

5. The joint declaration emphasises the potentially important impact of this process in reducing the pressures on the use of natural resources and consequently on the environment. This need has been emphasised in the reports on the environmental situation in Europe and at world level in particular: for example climatic changes, the reduction of the ozone layer, the increase in waste, the reduction of biodiversity, the degradation of soil and the quality of the air.

The ETUC has expressed on several occasions its concern about the gap between political declarations and the reality of the situation. European laws are ineffective, badly transposed and inadequately implemented. ETUC demand the reinforcement of the capacity of control of the public authorities. And the role of the social partners in the implementation of environmental policies must be emphasised.

6. To that end, the ETUC calls on the Göteborg Summit to lead the way in refocusing medium and long-term economic, environmental and social choices with a view to co-ordinating the transition, on the basis of clearly established priorities, to an economy which guarantees the well-being of future generations, social cohesion and the protection of the environment.

The ETUC believes that, in order to achieve such objectives and put an end to the unrestrained use of natural and environmental resources and the persistent underemployment of human resources, structural changes are necessary. 14 million unemployed people in the European Union and the Commission estimates that there are 65 million poor people in the Union. In this perspective the ETUC Congress in Helsinki 1999 underlined just how much “Fiscal systems must become fairer on the social scale and more in favour of jobs and in particular in favour of the employment of women. The ETUC renews its support for a coordinated fiscal policy which replaces the fiscal charges which affect labour to capital, savings, environmental and energy taxes and adapting VAT to take account of social needs and promote jobs.” Moreover, the ETUC supports the importance of the reorientation of certain Community policies, for example: The Common Agricultural Policy towards quality objectives and to guarantee a high level of Food Safety and in this perspective, transport policies must be redefined in depth. The ETUC awaits the construction of the orientation of a future research programme (6th framework programme) in function of these objectives.

7. Moreover, the ETUC considers that this situation results, on the one hand, from the pressures of the financial markets and companies which are too focused on short-term results and, on the other hand, from a lack of innovation to meet the environmental and social challenges. This situation is also the result of the failure of governments to recognise the role of the public sector in society, which has led them to reduce the labour intensive social services which are essential for ensuring access to fundamental services in the framework of sustainable development: education, health and resources such as energy, water and food.

8. The ETUC insists on the need for any environmental transition process to integrate such a policy reorientation.

To that end, the ETUC welcomes the Commission’s guidelines issued in September 2000 in a Communication for the integration of environmental questions in economic policy and its recognition of the need for structural measures to help the sectors for which this transition process may cause problems.

9. The European trade union movement wishes to emphasise the fact that such a policy reorientation cannot succeed without recognition of the essential contribution of workers and the social partners.

At the current time, Community environmental policies continue to ignore the role of workers, especially in companies, whereas their experience, motivation, skills and actions are essential in order to implement environmental policies. Likewise, Community programmes in the field of the environment fail to recognise the role of workers as essential actors in this reorientation of policy.

10. Such a reorientation of sustainable development policy must focus on achieving a more cost-effective management of resources, a health policy based on prevention and greater social justice. Common policies are needed to achieve such objectives.

11. Certain fundamental principles must be followed by the European public authorities within the framework of an environmental transition process:

- the recognition, promotion and respect of fundamental social rights, in particular the individual and collective rights of workers. The ETUC calls for the rights concerning the information and consultation of workers to be enlarged to include the environmental aspects. Certain countries extended the scope of these rights when transposing the Framework Directive 89/391 on measures to improve the health and safety of workers. These rights must be extended to all Member States and the rights of information and consultation, including the aspects relating to the environment, must be applied in all companies.

The recent revision of the EMAS regulation is a step in the right direction. It recognises the role of workers and their representatives as actors in the management of the environment. The ETUC considers that the European social partners must play an active role in promoting and supporting the development of such eco-management systems, in particular through the promotion of policies for training workers:

- the recognition of the role of the social dialogue and, in particular, identifying in the framework of the different sectoral policies, alternative ways of promoting employment: “green jobs”, defining joint objectives for the improvement of the working environment, the promotion of clean technologies.
- the adoption of economic and fiscal policies which stimulate the private and public investment that are indispensable to the development and use of cleaner and more cost-effective technologies as well as the reduction of the difference between market costs and labour costs. Clean technologies and products which respect the environment must be promoted and supported in public procurement policies. In this context, the proposals to reduce the subsidies that exist in different sectors (for example, energy, transport, agriculture, etc.) must be examined in the light of their impact on employment, as well as the alternative solutions.
- the involvement of Non-Governmental Organisations at Community level.
- the establishment of common legal principles which translate into concrete terms the principle of polluters/payers, in particular in terms of environmental responsibilities and the implementation of the principle of prevention.
- the recognition of the principle of the hierarchy of standards and the key role of the public authorities and the management of voluntary actions.

12. In its preparatory document, the Commission has identified a series of priority themes which require action in the framework of a European strategy of sustainable development. The ETUC can contribute, based on the above-mentioned principles, its support for these choices while not losing sight of the fact that the integration process must not undermine the existing co-ordination process. The ETUC, as an organisation representing not only workers but also FERPA (European Federation of Retired and Elderly Persons), is active, both at European level and nationally, in areas such as combating poverty and social exclusion and on questions concerning the ageing population.

13. In the framework of this consultation, the ETUC has emphasised its views on two themes in particular: the issues of health and climatic changes.

14. Health is a key issue for the European trade union movement, which has stressed the importance of common policies throughout the European integration process.

The trade union movement has implemented actions at all stages of industrial development to encourage the public authorities and employers to assume their responsibilities in preventing accidents at work and ensuring compensation for victims. The European trade union movement has been an important actor, both nationally and at European level, in the adoption of laws on protection of workers and in setting up social protection systems.

Today, the concerns of consumers on food safety, as well as national reports and those of the WHO-Europe on the growing inequalities in terms of life expectancy in Europe between the different socio-professional groups, and also the reports of the European Foundation of Dublin on working conditions, confirm that the traditional risks still exist and that the changes in the organisation of work and the job insecurity in work relations are at the origin of new health problems for workers: stress, MSD, repetitive work, moral harassment.

15. The European trade union movement considers that a European health policy should be based on a European activity co-ordinated on health factors as well as on the supply of health services. The actions of the public authorities must in principle be guided by the principles of prevention. Most of the risks to which workers and the populations are exposed are known, as are the means to reduce the inequalities between professional categories, regions and the different social groups. This requires vigorous actions in all areas affecting health (the quality of the environment, living conditions, housing etc.) and with regard to the collective aspects of working conditions.

Today, chemical products and substances are, by their properties, their number, their use and absence of data, important risks for both workers and populations as a whole. The European Commission has just adopted a new strategy for chemical products. The ETUC considers that such a strategy must focus on reducing the risks to which workers are exposed by applying the principles of prevention and, therefore, of substitutes for cancer-producing substances. This comes directly under the burden of the manufacturer.

The ETUC calls for the strategy to take into consideration explicitly the questions and needs of the protection of workers.

16. The issue of climatic changes and new sources of energy is of major interest to the ETUC. In fact, the different projects carried out by the ETUC over many years show that the policies to reduce CO₂ emissions and develop renewable sources of energy can have positive effects for employment and also on the competitiveness of companies and economic development.

Accordingly, the ETUC calls on the Heads of State and Government to ensure that the Kyoto protocol is ratified quickly without diluting its objectives and to define a European strategy for its implementation. A European strategy must fix targets for reductions in the gases covered by the protocol and for the use of renewable energies, as well as establishing a fiscal strategy to encourage energy savings.

17. With regard to the instruments for the implementation of such a strategy, the ETUC wishes to emphasise the key role of directives and the importance of defining quantified objectives, both in the framework of the 6th environmental programme and as part of an open co-ordination procedure. Moreover, the ETUC considers that the voluntary sys-

tems set up by Community regulations can be useful tools for the implementation, at company level, of innovative strategies, practices and systems for the cost-efficient management of resources.

Moreover, companies have set up their own systems of environmental and/or social self-declarations which can also possibly involve sub-contractors in countries either from within or outside the European Union. In certain cases, these declarations are made without any third party control, while in other cases the controls are carried out by a private body under a contractual relationship.

It is also important to point out that non-governmental development organisations have set up self-declaration compliance systems concerning business relations with producers. Some of these systems have been introduced in co-operation with trade union organisations, for example in the management of forests (the Global Forestry Programme of the International Federation of Building and Woodworkers).

A Swedish trade union organisation issues quality control labels to manufacturers on the basis of a system of references that it has drawn up (TCO on monitors, software, etc.).

18. The ETUC considers that in the framework of a European strategy, the public authorities must widen the framework for voluntary initiatives by sectors issuing declarations intended for consumers or public or private buyers. Such declarations must involve trade unions in the elaboration and implementation of policies during the control phases. Systems cannot be used simply to rubber-stamp self-declaration practices. In any event these systems of voluntary declarations cannot be used to replace the supervisory role of the public authorities. The environmental objectives must be defined by the public authorities.

19. In conclusion, in the framework of the evaluation and revision of the 'Guidelines for employment', the ETUC calls for the fact that experience shows that environmental activities generate new jobs to be taken into account. In this connection, and in order to satisfy these needs, appropriate education, training and qualification policies must be developed:

- creation of new training programmes specifically adapted to environmental jobs,
- recognition of new professional diplomas and qualifications,
- setting up environmental-related training programmes.

20. The ETUC insists on the need for Europe to be driving force at international level. In this context, the conclusions of Göteborg must represent the European Union's contribution internationally, not only at the Rio+10 conference but also within the WTO. It is increasingly apparent that the different international instruments in the field of environmental protection, whether in the field of climatic changes or biodiversity, the relevant national implementation measures, as well as national decisions for the protection of the environment, can be referred to the WTO under the procedure for resolving differences. Several complaints have thus been filed: the complaint of Canada against France with regard to the ban on asbestos is a recent example. The panel's decision is not reassuring as to the possibility of subsequent actions by the WTO to limit preventive measures taken by authorities on the basis of the principle of precaution. The decision of the appeals body confirms this concern. In addition, conflicts of competence between different international instruments could arise, for example the Kyoto protocol which contains trade policy provisions.

The European Union must act in order to clarify the relations between the instruments concerning the environment and trade. The aim of this action must be to obtain WTO recognition of the international social and environmental agreements which are essential to sustainable development.

1 On top of the human suffering and the threats to world peace, the despicable September 11 terrorist attacks could have devastating effects on consumer and business confidence across the world. After an all too brief recovery, Europe was already facing a new downturn, partly as a result of inappropriate policy responses, but the danger now is of a full-blown recession with unemployment rising once again.

2 The ETUC insists that this outcome is not inevitable. The immediate and internationally concerted reduction of interest rates after the attacks showed the way forward. In the absence of inflationary dangers, the ECB and the world's other central banks can and must be proactive in making further reductions to restore and to sustain confidence.

3 However, central bankers cannot succeed by themselves. In the USA this is recognized and a major budgetary recovery package is also underway. Within the EU, too, the stability pact must live up to its formal name and become a genuine 'Growth and Stability Pact'.

4 Given the rapidly escalating nature of the economic crisis, the ETUC proposes that instead of EU Member States acting in isolation, as is too often the case now, the Pact's framework be used to prepare and implement a European package of economic and employment measures, directed both at sustaining purchasing power and at increasing investment. The automatic stabilisers must be allowed to function as intended. A stimulus of one per cent of GDP - roughly equivalent to that in the US - would assist in getting the EU's annual growth rate back on to the 3 per cent path which the Lisbon and Stockholm European Councils agreed was necessary to achieve full employment and to create the world's most dynamic and competitive economy.

5 Better coordination and concerted action is required at all levels:

- each Member State's room for manoeuvre is different, but acting together, rather than unilaterally, will enhance what each - and the Union as a whole - can achieve without breaching budgetary consolidation objectives: action is particularly necessary to counter negative tax competition which has been reducing the means available to Member States to pursue active policies

- the Cologne macroeconomic dialogue must be used to ensure that there is cohesion and coherence between those responsible for the overall policy mix: the ETUC is confident that provided the monetary and budgetary authorities play their parts in getting the Lisbon growth, competitiveness and employment strategy back on track, then trade union wage bargainers will also continue to act positively

- and at the international level, the coordination of US and EU packages should help lift the world economy, encourage other countries to take similar measures, and so make the situation better for all - including for America and Europe themselves.

6 Within the EU, the discussion now beginning on the 2002 Employment Guidelines provides the opportunity to ensure that structural measures in this area play a major part in the recovery package. To send strong and confident messages to public opinion on three of the key notions which have underlain the Strategy since its inception - prevention, activation and fairness – the Guidelines should be strengthened:

- to address de-industrialisation and sectoral employment problems, such as in aviation and in other badly hit sectors: the loss of jobs for just short term reasons must be prevented so as to maintain, viable and experienced workforces.

- to ensure that where lay-offs do take place the public authorities, with the Social Partners, redouble their efforts to make unemployment 'active' and not 'passive' - that the unemployed are able to get back into employment as quickly as possible

- to promote resolute action to reduce the gender pay gap

7 More specifically, the ETUC proposes that the following changes be made to the Guidelines:

- the individual right to life long learning, skills development and to labour market assistance generally should be recognised, with the appropriate mechanisms for implementing this right being established through legislation and/or social partner agreements.

- young and long term unemployed people should be offered a job, work experience or other employability measures before reaching 3 months and 6 months of unemployment (instead of 6 and 12 months)

- the proportion of the unemployed benefiting from activation measures should be doubled from 20% to 40%, so bringing it close to the level reached by the best three performing states

- the right of the unemployed to a decent income should be recognized

- the contribution made by Social Partners to employment programmes should be eligible for co-financing under the rules of the European Social Fund

- the Commission's strengthening of guideline 17 on the gender pay gap should be maintained.

8 Finally, the ETUC recognises that the existence of the single currency since January 1999, together with the internal market and the accompanying social and employment dimensions, played an important part in Europe's recovery by shielding the euro-zone from external shocks. With the physical circulation of euro notes and coins taking place from 1 January 2002, it is essential

- that the utmost vigilance is exercised by the public authorities to prevent unscrupulous companies using the changeover to make inflationary price increases

- that all workers, and particularly those in the 'front line' - such as workers in shops, banks, money distribution, and note and coin pro-

duction - receive both proper training and compensation for all the extra effort that will be involved

■ that the operational details of introducing the euro are the subject of negotiations between the social partners concerned, and that the public authorities at regional, national and European levels promote this.

SOCIAL POLICY



4

“THE COMMUNITY STRATEGY IN THE FIELD OF HEALTH AND SAFETY”

Executive Committee 13-14/6/2001

The preparation of the Commission's new programme concerning health and safety at work must bring this programme within the framework of the general employment strategy, as defined in Luxembourg, Lisbon, Nice and Stockholm, for more and better jobs, with the emphasis on the quality of employment and the modernisation of the organisation of work.

In this integrated strategy the responsibilities of the different actors and levels of actions must be clearly established; this means emphasising the central role of the public authorities in the area of standardisation and co-ordination and the need for the social partners to more closely involved in the management of the changes.

The ETUC supports a strong European programme for health and safety at work focused on efficient legislation implemented at the work place and progress through evaluation and control, the use of open co-ordination based on benchmarks, indicators and objectives to be achieved, the strengthening of the role of the social partners, the attainment by the public authorities of the highest health and security standards for their own employees, the improvement of worker representation, the development of the information, consultation and participation of workers and their representatives concerning decisions in the area of health and safety and the organisation of work.

The workers group of the Luxembourg Consultative Committee has worked with the TUTB and the ETUC Secretariat to finalise a document on Community strategy in the field of health and safety (see annex).

This resolution summarises the key points of that document, the ETUC commitment to ensuring the successful implementation of that strategy and the priorities in terms of action.

The realities

The statistics concerning accidents at work show over a long period a clear improvement in the situation, but at the same time there is a worrying trend in certain sectors and forms of employment and there has been a deterioration in working conditions and an increase in occupational ill-health (including devastating increases in death resulting from exposure to asbestos).

This apparent contradiction demonstrates the inappropriateness of the evaluation instruments.

The risks and categories concerned have changed and are not or only partly reflected in the studies and statistics established. The deterioration in working conditions is focused on certain categories of workers, companies and new symptoms.

There are five main reasons for this situation:

- the fragmentation of work and the increasing lack of job security;
- work is more intense;
- the out-sourcing of certain risks;
- the development of new technologies and new products;
- new means of organisation of work.

The political context

The Lisbon employment summit in March 2000 established the objective of full employment through a strategy aimed at developing both the quantity and quality of employment.

The Nice Council in December 2000 adopted a Social Agenda establishing the Community social policy for the next 5 years and which is an integral part of that strategy.

The Stockholm employment summit in March 2001 consolidated that strategy, in particular in the area of lifelong learning.

The forthcoming Belgian Presidency will place the emphasis on the quality of employment.

It is therefore necessary that the Community strategy in the field of health

and safety should be closely co-ordinated and integrated with this global strategy, by leaving the national and European public authorities ample room for manoeuvre as regards initiatives, control and evaluation procedures, and by increasing the involvement of the social partners.

SIX ACTION GOALS

Promoting a better work environment

Beyond the framework-directive, the Community policy in the field of health and safety has until now mainly been aimed at the removal of risks or hazards at the work place. The new programme should highlight the improvement of the work environment in order to better prevent risks such as stress or bullying or mobbing. The European Court judgement on the working time Directive created opportunities to establish new legislative and contractual requirements not only for better jobs but for jobs of better quality.

Evaluating, adapting and supplementing Community legislation

Ten years after the transposition and application of the framework directive it is, in our view, important to review the progress achieved in implementing this directive and those which have been adopted subsequently in this area not just into national legislation but in practice at the work place level.

This evaluation should focus on identifying the difficulties encountered in their implementation, checking whether an adaptation or additional legislation is necessary and examining how the social partners have been involved in the transposition process. This exercise should also allow identification of the necessary improvements to the directives, particularly concerning their aims on prevention and all workers being covered by information and consultation rights. But such an evaluation should not be any reason not to press ahead with new legislation or amendments.

The CCHS should be a driving force in this evaluation process.

Reinforcing the involvement of the social partners to promote the quality of employment, improving the organisation of work and reducing social inequalities in the field of health

Health and safety are key elements in the quality of employment, but they are also a way, through a good organisation of work and jobs, of improving access to employment and protecting jobs held by women, older workers, disabled people, etc. In particular, the ETUC believes that health and safety legislation and practices should be gender sensitive, rather than gender neutral.

It is necessary to establish best practice benchmarks to be used to define convergence targets with an evaluation procedure. A health and safety policy should never be an exclusion policy but must, in the contrary, be a policy of adaptation, readaptation and rehabilitation leading to the development of disabled people employment.

It is necessary to continue, by way of negotiations or legislation to regulate new forms of work, for example, the social partners played a key role in regulating part-time work and fixed-term contracts and the European Union must take the lead with regard to temporary work. It is primordial for the quality of the employment and health/safety of these workers to ensure equal treatment and good conditions preventing the abusive use of such contracts. As the two framework agreements signed assert “fixed-term contracts are and will continue to be the general form of work relations... and contribute to the quality of life of the workers concerned and to an improvement in their level of performance”.

The Community strategy in the area of health and safety must be co-ordinated with the Commission’s communication on the modernisation of the organisation of work. The role of the social partners is therefore fundamental in order to create the best possible working environment over and above their involvement in health and safety policy. In this context, the role of the social partners should be enhanced at European, national, industry and work place level. Union representation over health and safety should be extended to cover all workers, especially those in small firms.

In recent years, we have noticed an increase in the social inequalities in the field of health, namely in terms of life expectation. A health and safety policy must contribute to the reduction of these inequalities.

Creating the right conditions for the accession of candidate countries in the field of Community “acquis”

The Community “acquis” in the field of health and safety is important and requires providing specific means to the accession candidate countries and the active involvement of the social partners in those countries.

The ETUC has long advocated that observers from the social partners in the candidate countries should be associated in the work of the CCHS. This must be made effective with the new programme.

The Bratislava conference on the social dialogue in the accession candidate countries, organised by the ETUC, UNICE and the CEEP on 16 and 17 March 2001, emphasised the importance of supporting and consolidating the role of the social partners in the integration process.

Developing, harmonising and co-ordinating the means of action and evaluation and establishing new ways to promote and measure success

It is necessary to achieve greater synergies and complementarity at national, European and international level.

In particular at European level, the work of the Dublin Foundation and the European Agency for Safety and Health at Work in Bilbao must be co-ordinated and complementary, taking into account their specific missions.

This should not substitute for the central role over policy of the CCHS and the Commission itself in matter of initiative and elaboration of the Community health and safety policy.

Ensuring the complementarity and links between the responsibilities of the public authorities as regards standards, open co-ordination and the area of the social dialogue

The role of the public authorities must remain at the heart of health and safety policy in order to ensure the effectiveness of the standards introduced and their consistency with other public health, environmental and internal market policies.

The open co-ordination process in concertation with the social partners can help to achieve convergence between working conditions and protection situations and precise quantitative and qualitative objectives established on the basis of common indicators.

The social dialogue must provide a way of ensuring the right conditions for employment. The trade unions must be provided with the necessary resources to be able to participate more actively in European technical standardisation, according to subjects of interest to be determined by them.

TWELVE PRIORITY PROPOSALS

Evaluating the results of the application of the directives, especially the framework directive. This evaluation must be completed in the first year of the implementation of the programme and discussed at a conference to be organised by the CCHS.

Adopting, before the end of 2002, a support programme for SMEs and the social partners of the SMEs on the implementation of the Community regulations, with the contribution of the European social partners and the interested groups of the CCHS, particularly by extending, on a multi-annual basis, the SME programme adopted by the European Parliament on the 2001 budget. Developing a pragmatic approach at sectoral and territorial levels.

Ensuring the adoption of legislative proposals already submitted to the European Council, revising and supplementing the regulatory provisions and ensuring their co-ordination with the Internal Market directives (maternity, noise, asbestos, musculo-skeletal disorders, physical risks, chemical and cancer-producing risks, stress, etc.).

Extending, before 2004, the scope of legislation in the field of the health and safety to self-employed people and to domestic workers.

Reinforcing immediately the participation of trade union experts in the process of fixing technical standards, according to the interest of workers.

Setting up in 2003 an minimal harmonization of the systems for the recognition of occupational illnesses.

Establishing a system to monitor on an ongoing basis working conditions and risks through closer co-operation and harmonisation between national and European institutions.

Establishing in 2002 common guidelines with concrete objectives, in accordance with the open co-ordination method, for the development of prevention services in order to improve employee protection to the level of the 3 best countries.

Developing a social dialogue at all levels on the organisation of work, by establishing guidelines at European, sectoral and cross-industry levels.

Setting up a four-year programme to provide support for accession candidate countries and the social partners in those countries on the integration of the Community "acquis" in the field of health and safety and the organisation of work.

Ratification by the Member states of the European Union of the ILO conventions 155 and 161 and their recognition in international trade agreements.

Reinforcing the role of the CCHS in accordance with the proposals put forward by the social partners in October and increasing the means of the Commission's internal services.

The Executive Committee asks the Secretariat to prepare a European awareness Campaign on a theme of Trade Union action with the support of the TUTB and the ACHS Workers group

Lifelong learning for all: a challenge for Europe

1. The European Union is facing major challenges as a result of the globalisation of markets and economies and the introduction of new technologies, especially information and communication technologies (ICT). These challenges have a direct impact on job creation, as well as on the organisation of work, services and production.

2. The promotion of innovation, the strengthening of social and territorial cohesion, access to knowledge and information, the promotion of social inclusion and integration into employment must be part of any successful solution to these challenges. Every citizen must make a meaningful contribution if the objectives of full employment and the creation of a knowledge-based society are to be achieved.

3. The ETUC considers that the knowledge-based society represents new opportunities for everyone, but must not create new categories of social excluded and must ensure that individuals can acquire the knowledge, skills and qualifications - the instruments - to enable them to react in the face of the rapid evolution of society and the labour market, by providing the right response at the right time to each citizen. Access to lifelong learning contributes to individual development and individual fulfilment, the promotion of equal opportunities, the development of active citizenship and promotes greater social cohesion and integration in the context of societies which are becoming increasingly multi-cultural; it also stimulates economic development. In a word, it is essential to strengthen the European social model. That is why the ETUC does not accept the essentially employment-related view that is often adopted as regards the role of lifelong learning.

4. Europe must construct a new culture of lifelong learning. In order to accomplish that, it must develop innovative and integrated approaches, as well as greater synergies between the different policies and the authorities responsible for their implementation, both nationally and at European level; this means defining the new objectives, new rights and new responsibilities of the actors concerned. It is obvious that the promotion of a high quality lifelong learning policy will not be enough on its own to solve the serious problems of unemployment, social exclusion, poverty and under-development in certain regions, as well as the mismatch between qualifications and skills in relation to the labour market's needs.

5. The ETUC considers that this new approach involves not only far-reaching changes as regards education and vocational training systems, which must be reformed, improved and modernised in order to satisfy the needs of the individual, of society and of the economy, but also requires greater co-operation between the different actors and new forms of management, information, consultation and participation, in order to contribute fully to the European objective of full employment, a better distribution of income, the promotion of high qualifications and to achieve a better balance between professional life and family life.

6. The European strategy in favour of employment, in which education and vocational training are a transversal objective in the employment guidelines, the conclusions of the Lisbon Summit (emphasising its importance for a successful transition to a knowledge-driven economy and society), the conclusions of the Feira Summit (inviting the Member States, the Commission and the social partners to define consistent strategies and practical measures to ensure that lifelong learning is accessible to everyone), the conclusions of the Nice European Summit and in particular the adoption of the Social Agenda and those of the Stockholm European Council (calling for an action plan in favour of lifelong learning to be presented to the Barcelona European Council in March 2002) and the European Commission's Memorandum on Lifelong Learning, can be considered as providing the basis for a new start and for a real European strategy guaranteeing the establishment and implementation of mechanisms to ensure that lifelong learning becomes a reality, as the ETUC has demanded for several years.

7. In its Communication to the Stockholm European Council entitled “Realising the European Union’s potential”, the Commission recognises the lack of progress achieved in the framework of the European employment strategy with regard to the implementation of lifelong learning, in particular with regard to the fixing of national objectives. The urgency of the challenge highlights the need to involve in a concrete way all the actors that share, albeit to differing degrees, the responsibility for lifelong learning at the different levels: the European institutions, the national public authorities, the social partners, the bodies responsible for education and training, as well as the individuals. Their roles and responsibilities, as well as their rights and duties must be clearly defined.

8. The time has come to translate words into actions, and in co-operation with its affiliated organisations, but also in the framework of the European social dialogue, the ETUC has clearly demonstrated its strong commitment to action.

Structural conditions required

9. The implementation of lifelong learning and its contribution to meeting the challenges of an increasingly complex social and political world, require that the appropriate structural conditions are established, in particular with regard to issues such as access, investment and partnerships.

Access to lifelong learning

10. For the ETUC, the first of these conditions concerns the recognition, at national and European levels, of the individual right of access to lifelong learning. Independently of their status, workers must be able to capitalise and transfer this right, especially in the context of increased geographical and professional mobility.

11. This individual right of access to each individual irrespective of his or her status must be collectively guaranteed and must be conceived in terms of time and resources. It implies a new vision of the “time” factor, culminating in establishing a better balance between time devoted

to private life, work and apprenticeship, going beyond the objective of merely increasing employability, and also means devising innovative forms of investment and new ways of using the resources available. In addition, it must involve a redefinition of curricula, be of high quality, concern all phases of education and training (nursery school, primary school, secondary school, higher education, training for adults) and deal with questions such as the relations between formal, non-formal and informal education, while recognising the need for all individuals to receive ongoing training, irrespective of their age, their specific individual needs and the time and place when they acquire skills, which are increasingly diversified.

12. At company level, access is still very much restricted to those who already have a fairly high level of qualifications and access remains practically impossible for older workers, those with atypical contracts (in particular women), seasonal workers, ethnic minorities, disabled people or those having a low level of basic qualifications.

13. Access to lifelong learning is also closely linked to each individual’s motivations: career advancement, with obtaining new qualifications, skills or a better salary, geographical or professional mobility, enhanced employability, the quality of the training available which must take account of previous training experiences, irrespective of whether they have been successful, or simply self-fulfilment.

14. Employers must also be motivated and consider access to lifelong learning in terms of its strategic potential as a way of improving a company’s performance and labour relations.

15. Trade union organisations must also play an essential role in motivating employees with regard to the benefits of lifelong learning. Through collective bargaining or trade union training programmes at all levels, trade union organisations must contribute to increasing the awareness of workers and trade union delegates of the challenges posed by the knowledge-based society.

Increased investment in human resources

16. Meeting the challenges of the information society, where training is no longer limited to a single event, but becomes an integral part of life, where training satisfies not only a need to adapt to a job, a specific task or for reasons of career development, but also corresponds to the strategic objectives of a company or society and helps to enhance the employability of individuals and their social integration, implies greater personal motivation and investment, in terms of both quantity and quality.

17. Today, it is widely acknowledged that the level of investment of governments and employers in lifelong learning is far from adequate, both as regards more “traditional sectors” and ICT (research and development, software, telecommunications, etc.).

18. The level of public expenditure in the field of education continues to be far below the requisite level, in particular with regard to the commitments entered into at the Lisbon European Summit. Member States did not set specific targets in terms of a substantial annual increase in the percentage of GDP to be invested in the development of human resources.

19. The use of structural funds and notably the European Social Fund, as well as other Community programmes in the area of education, training, employment as well as R&D, confirms the need for concerted action at all levels involving the participation of all actors.

20. For the ETUC, the traditional model used for determining the responsibilities of the different actors in terms of investment needs to be revised: employers responsible for training within their company, individuals paying for personal training courses, the public authorities responsible for training for unemployed people and social excluded. The interests of companies and those of individuals as regards training are becoming increasingly inter-linked. The ETUC believes that the provision of concrete solutions for individual or collective needs as regards training, including in SMEs, requires new models and a combination of different sources of financing for lifelong learning. The situation of SME, specific because of their size and their need for qualified workers, must be taken into account in this context.

21. In this regard, the Memorandum on Lifelong Learning sets out a series of ideas and incentives, either for companies (in particular by way of tax breaks), or for individuals (learning accounts, subsidised training leave, systems of “competence insurance”, etc.). The ETUC wishes to emphasise that an investment in human resources must not be seen as a cost for companies, but as investment enabling companies to innovate in terms of products and organisation, increase productivity and competitiveness, maintain and develop the employability of their employees, as well as providing a way of absorbing unemployed people into employment, as emphasised in the report drawn up by the Gyllenhammar high-level group on the management of industrial change.

22. However, recent research data obtained by the European Commission do not seem to confirm that companies are increasingly aware of such benefits. According to the data, 45% of blue-collar workers and 73.5% of white-collar workers use a computer in the normal course of their work; nevertheless, only 22% have received ICT training and only 16.7% have followed a training programme paid for by their company. This demonstrates clearly that individuals are financing their own training, without the support of the public authorities or employers. If employers persist in this policy, it will be very difficult, as the ETUC wishes, to include in the framework of the collective bargaining process at different levels, the implementation of the conditions to allow every worker to acquire, by the year 2003, an information society culture, as recommended by the employment guidelines.

23. Alongside the responsibility for financing from public authorities which remains essential, two major patterns are emerging as regards the question of investment: the use of collective funds, resulting from bipartite or tripartite agreements and the use of individual “learning accounts”.

24. While recognising the need to implement an approach based on shared responsibility as regards the financing of lifelong learning, where the individual also has part of the responsibility, notably in relation to his or her own motivation and learning capacity, the ETUC cannot accept that the main responsibility for this financing should lie with the individual, thereby ignoring the primordial role and principal responsibility of the public authorities and employers in this area. Thus, the

individual “learning accounts” are one of the elements of financing training and are above all appropriate for financing learning programmes freely chosen by the individual.

25. Moreover, this investment must not be limited to the “money” dimension. Alongside the financial resources, other resources must be taken into consideration, such as learning time, the recognition of the results of training and the organisation of work and training.

Time for training

26. Learning and training requires time, whether it be free time or working time. Thus, the lifelong learning policy and working time policy must be related and the social partners must negotiate a new balance between working time and training time.

27. While recognising the diversity of situations and practices at national level including the size of companies, ETUC considers that new models for the organisation of time in companies must be developed and negotiated through “time credits” for each worker, whereby for example, overtime is recorded in special “accounts” which can be used for rest periods or training periods that can be capitalised, leading to a distribution of training time between employers and workers, or alternatively through an agreement, negotiated with the social partners, fixing a minimum number of hours per year to be devoted to vocational training.

28. Training leave is another important instrument. Even if experience shows that, in order to be effective, this right must be linked to a human resources development policy and measures to provide information to participants, the ETUC considers that the right to be absent from work to follow a training programme is one of the cornerstones of the European social model and the construction of a knowledge-driven society. The right of individuals to training leave is an important part of any active labour market policy, in particular in the framework of any job rotation system, and can contribute to reducing unemployment and modernising the economy.

The recognition of the results of learning: formal, non formal and informal learning

29. Promoting the recognition of the results of learning is a complex but very important task, to the extent that it is a way of guaranteeing the transferability of qualifications to other work contexts, other companies, or within the context of geographical mobility, thereby contributing to individual motivation and employability.

30. The ETUC considers that the solution to this challenge lies in the training policy itself, together with collective bargaining and the reorganisation of work.

31. Non-formal learning, notably that acquired in the workplace, will become as important as formal learning. A successful lifelong learning policy implies above all meeting its cultural challenge, increasing awareness of its needs among all the actors and above all in establishing greater co-operation between employers and trade unions in the field of learning at the workplace.

32. Ensuring the recognition of the skills and qualifications obtained in a non-formal context, as well as the “accreditation of prior learning” (acquired at work or in another context) falls within the scope of the responsibilities of the social partners, at the most appropriate levels; this means that they must be in a position to contribute to the definition, accreditation and recognition of such by the institutions responsible for education and training, as well as their inclusion in national systems.

The organisation of work and training

33. A new organisation of work implies the creation of conditions that are favourable to learning in the workplace.

34. The identification of needs in terms of training and qualifications within the company, together with the information, consultation and active participation of workers and their representatives, is a key element in a modern human resources development strategy, leading to the promotion of a high level of skills within the company, increased

productivity and competitiveness, as well as the development of “learning organisations”. These results must translate into greater motivation among employees, an increase in the quality and safety of jobs, as well as a new definition of pay systems.

35. The ETUC believes that the social partners must negotiate several instruments to facilitate the identification of training needs as well as access for everyone to lifelong learning within companies: the establishment of training plans, the identification of the company’s needs as well as individual needs, through regular skill evaluation programmes, are clearly part of this strategy.

A new partnership concept

36. For the ETUC, a strong and dynamic partnership between all the actors concerned in the promotion of lifelong learning is a fundamental condition for the successful implementation of the policies.

37. While recognising the shared responsibility of individuals, the social partners and the bodies responsible for education and training, the public authorities at different levels are responsible for ensuring social equality, through consistent policies, appropriate financing, equal access, the quality of educational and vocational training systems, as well as their capacity to anticipate and adapt to changes and new requirements.

The role of education and vocational training systems - skills for every individual

38. The systems must provide the right answers at the right time in order to satisfy individual needs and those of the economy and of society.

39. The changeover from the concept of learning being limited in time to seeing all learning as a seamless continuum, with the dimension of such learning and the time devoted to it being an integral part of reconciling professional life and private life, means attaching increasing importance to the decisive role that information, guidance, support and advice must play, as a service permanently accessible to all and increasingly tailored to the needs of individuals.

40. The ETUC considers that it is necessary to analyse existing services with a view to making them more consistent and efficient with regard to the new needs, by consolidating the links between the different types of learning, between school and the world of work, and by establishing a closer relationship with the social partners, in order to reduce the mismatch between supply and demand in terms of qualifications.

41. It also necessary to ensure greater mobility and more flexible options between the different educational channels, including at university level, and vocational training, through the promotion of modular systems.

42. The ETUC considers that the education and training systems must also develop new approaches in relation to their capacity to provide each individual with the “traditional” basic skills, as well as the new technical and social skills, essential to the construction of the knowledge-based society.

43. Local authorities remain primarily responsible for basic education, in terms of quality as well as access. Young people must succeed at school and in their initial training, which should provide them with comprehensive basic skills. They must also obtain adequate basic qualifications that are recognised by the labour market, including linguistic, technological and social skills. Adults with low levels of qualifications must have the right to acquire a basic education equivalent to that of young people completing their compulsory schooling.

44. A common framework must be established at European level in order to define the new basic skills, while recognising that technical skills must be part of a wider programme of general social and employment-related skills, that supplement specialist know-how.

45. While recognising the importance of the new ICT skills, the ETUC wishes to point out that the so-called “traditional” sectors of the economy also have new needs in terms of skills and qualifications, in particular in areas concerning social needs which are as yet not adequately satisfied, such as for example care to elderly people or to children or

in relation to the development of active European citizenship, characterised by common values and by the construction of an increasingly multicultural and multilingual society.

46. The ETUC considers that the dynamism and the ongoing evolution of the knowledge-based economy require an equally dynamic analysis in terms of qualifications needs. In order to be able to respond to present and future needs, it is necessary to create tools for anticipating changes; this is a prerequisite for monitoring needs in terms of skills and qualification and establishing appropriate guidelines, instead of allowing them to be determined by purely technical factors.

47. Europe is faced with a skills gap and a mismatch between the professional qualifications available on the market and the needs of several sectors in the “new economy”. Beyond the projections, which indicate that in 2003 the skills gap in these sectors is expected to involve around 1.7 million jobs, it is essential that, in the framework of the European employment strategy, measures are taken in order to reintegrate into the labour market all those people who are currently excluded from the market, through appropriate guidance and vocational training measures, thereby helping to reduce skills gaps as well as unemployment.

48. Accordingly, the ETUC agrees that there is a need to anticipate changes and identify new needs in terms of skills, by relying above all on the new European Observatory on changes, as well as on a wide range of bodies at European and national levels, in which the social partners must play an active role.

Innovation in teaching and training methods - the role of teachers and trainers

49. The development of new teaching and training methods, capable of meeting individual needs implies teaching material with contents suited to the needs and learning speeds of the different target groups and the growing use of ICT, as well as the expansion of different forms of training, as is the case for e-learning. The ETUC considers that the consolidation of infrastructures and access to ICT, with the need to ensure at the same time the quality of the methods and contents, is a major challenge.

50. Over and above this major concern as regards quality, the new methods must motivate, encourage the development of a critical mind and stimulate the commitment and active or interactive participation of not only the students, but also of teachers and trainers. They also have a significant impact on the organisation of work of teachers, trainers and other people employed in the education sector; this organisation of work must be the subject of negotiations between the social partners. In this case, there is an urgent need to develop appropriate ICT qualifications for teachers and trainers.

51. Several European countries are faced with the problem of a lack of skilled workers in several sectors, notably in the areas of education and training. This situation requires a co-ordinated response at the level of the Member States and the European Union. Over the next ten years, approximately two million teachers and trainers must be trained and recruited merely for the formal education sector. This situation represents an opportunity to promote the European dimension in this profession, while respecting the national responsibility. The European Union should set up a European Teacher Training Institute with, as its main task, the promotion of mobility and co-operation between national institutes in areas such as research, as well as the exchange of good practices and supplementary training courses.

Bringing learning closer to home

52. The ETUC considers that it is of the greatest importance to bring learning closer to home and that this concern should guide all policies and economic development and social cohesion actions. It is necessary, as part of the European employment strategy, to set up local learning centres offering a wide range of skills, and also to establish, at local and regional level, mutually beneficial partnerships, including in particular the implementation of territorial and local employment pacts. This will make it possible to optimise the use of existing infrastructures, identify needs in terms of new infrastructures, both socially, thereby making a genuine contribution to the promotion of equal opportunities, and as regards ICT, the cost of access to which must be reduced. Basing the future of lifelong learning on the local dimension also means taking into account the role of companies, as well as increasing the

responsibilities of the social partners to take into consideration the needs of the labour market and the present and future development of sources of employment.

The specific role of the social partners

53. The main responsibility of the implementation of lifelong learning within companies lies with the social partners, with collective bargaining being the ideal procedure for identifying the conditions that are conducive to the promotion of access to lifelong learning and to the development of qualifications and skills for all employees, in particular those who have lower levels of qualifications, women, older workers and those who have atypical contracts.

54. The experience developed in the framework of the social dialogue at national and European levels shows that there is a large consensus in concerning any analysis of the outstanding problems and the challenges which need to be faced. Nevertheless, this consensus is more difficult when it comes to identifying ideas for joint actions, with a view to defining new rights and new responsibilities in implementing lifelong learning.

55. Since 1991, the ETUC has proposed to employers at European level the negotiation of a voluntary agreement on access to lifelong learning, but they have always rejected the idea.

56. The ETUC considers that the social partners at European level must assume their own responsibilities in this area, defining jointly principles and lines of action and committing themselves to putting forward recommendations to be implemented by their respective organisations at national level.

57. The ETUC takes very seriously the work carried out to date in the framework of the ad hoc Education-Training group of the Social Dialogue. This work should result in a framework agreement on the modalities for facilitating access of workers to lifelong learning.

The debate on the future of pensions at European level

1. The future of pensions, and more particularly the viability of pension schemes and the reforms that need to be implemented, is a subject that is increasingly debated. More particularly, the Economic Policy Committee (EPC) has produced a certain number of simulations that highlight the irreversible nature of the ageing population and its impact on public finances. Although these simulations have been widely covered by the media, the ETUC wishes to make a certain number of observations. First of all, we should not lose sight of the fact that they are only projections and not forecasts, which means that by nature, while they are certainly informative, they are relative. They are also very much open to criticism. In fact, they reflect a situation – apart from the employment and productivity growth data – which can be described as “all other things being equal”. For example, the possible impact of new technologies on productivity is not taken into account. In addition, 50 years is a long period and we do not have a crystal ball. Another European committee, the Social Protection Committee which is an advisory body of the “Social Affairs and Employment Committee”, is also examining the subject of the future of pensions and the reforms to be implemented. The ETUC position is to be considered in particular in the context of the work of that committee whose responsibility it is to study the long-term future of social protection, beginning with Pensions.

Assuring the viability of public pension schemes

2. The ETUC considers that assuring the viability and quality of pensions means, first of all, guaranteeing and improving public pension schemes, which are principally financed using the pay-as-you-go technique, which is based on the principles of equity and solidarity within and between generations to which the ETUC attaches particular importance.

The impact of the ageing population on pension schemes

3. The ETUC does not ignore the impact of the ageing population on the financing of pension schemes both public and funded ones. However, the ETUC believes that it would be a mistake and over-simplistic to base any reforms solely on the financial consequences of the ageing population. The approach adopted must not disregard the social policy objectives which pension schemes reflect and must continue to reflect.

Other factors such as changes in the world of work and family models must also be taken into consideration in the debate and in the reforms to be implemented.

Guaranteeing a high level of quality employment

4. In order to ensure the sustainability of pensions, the ETUC supports the objective of full employment, as defined at the Lisbon European Council - that is to say 70% of the active population and 60% for women - as well as increased productivity and economic growth. That approach, provided that the increase in employment is not accompanied by increased job insecurity, is a step towards providing a solution to the problem of financing future pensions.

5. However, a high level of employment is not guaranteed in advance and supposes that more women will work. Therefore, for the ETUC, it is essential that, in addition to employment-related measures, such as the development of child-minding facilities, care facilities for dependent persons and paid parental leave, pension rights should be guaranteed during periods of care.

Likewise, as the knowledge-based economy requires lifelong vocational training, workers must be able to preserve their pension rights during such training periods. Just like the periods of unemployment are taken into account to have the right to a Pension, the need to safeguard rights, related to career breaks, falls within the scope of social protection and we reiterate our conviction that any reforms must take it into consideration.

Combating the exclusion of older workers from the labour market

6. Guaranteeing a high level of quality employment also supposes, for the ETUC, that older workers (between 50 and the legal retirement age) can pursue their professional career. However, the ETUC notes that, at the present time, they are the most affected in terms of exclusion from the labour market.

In order to avoid older workers being systematically excluded from the labour market, the ETUC calls for a different approach to managing human resources, by introducing provisions taking into account the needs of those workers. This could include progressively reducing working hours, allowing people to work on a three-quarters time, two-thirds time or part-time basis. The ETUC calls for the principle of progressive retirement to be introduced at European level through legislation, and/or by means of an agreement between the social partners, to be subsequently implemented at national and sectoral levels.

Those 'progressive retirement' measures must also be introduced in a flexible way. This means for example that the age of the beneficiaries can vary according to their working conditions. Likewise, thought should be given to the means of financing these measures (in certain countries, they are financed by unemployment benefits). However, in any event, in terms of financing pensions, the induced cost will be lower than the practice of exclusion.

However, the ETUC believes that early retirement provisions must remain in place for certain categories of workers, notably depending on working conditions and in certain situations, following redundancies and restructuring.

For the ETUC, an employment policy which takes into account the situation of older workers, implies reflecting on new ways of organising work in companies, facilitating flexible formulas progressively leading to

retirement, reducing stress, improving working conditions and promoting anti-discriminatory practices with regard to recruitment and vocational training. In no circumstances can extending the legal age be considered as a solution to the problem of funding pensions.

Co-ordinating macro-economic policies

7. The viability of pension schemes requires the co-ordination at European and national levels of macro-economic employment, social protection and fiscal policies. Pension reforms must be seen in the context of employment, economy, fiscality and social protection.

So, for the ETUC, it is necessary to find additional sources of taxation, other than those based on earned income, in order to finance public schemes. It goes without saying that this requires fiscal co-ordination at European level to curb the erosion.

8. Other elements must be taken into account in discussions on financing pension schemes, such as the role of public finances, the reduction of debt and the interest burden, the reduction of unemployment benefits and family allowances, the shift from derived rights to direct rights, but also the preservation of pension rights during career breaks (care and vocational training), progressive retirement. Nor must we lose sight of the impact of the various measures to reduce employers' social security contributions as well as tax exemptions related to occupational pensions and the individualisation of saving. The creation of demographic reserve funds is another measure which could be envisaged.

9. In order to respond to the objectives of equity and solidarity, it is essential that pensions are linked to the evolution of prices and salaries.

For the same reasons, it is indispensable to establish at national level, but in all the Member States, a minimum pension, which in accordance with the indexation of prices and salaries must be regularly readjusted.

Occupational pension schemes accessible to everyone

10. The democratisation of occupational pension schemes, that is to say the access of all workers, is an indispensable condition for the introduction and/or preservation of occupational pensions schemes. In addition, a European or national regulatory framework must stipulate that these schemes will be the result of agreements negotiated at the appropriate level and that the social partners must be involved in the strategic choices of the pension funds set up and in controlling them.

It is pointless to introduce and preserve occupational retirement schemes if, at the same time, they do not guaranteed to take into account the rights in the case of the mobility of workers. That is why the ETUC reiterates its demand for a regulatory framework in this area. This signifies that we must guarantee the acquisition, the maintaining and the transferability of the rights of the workers concerned, the possibility of cross-border affiliation, the abolition of vesting periods required before the definitive acquisition of the rights to a pension, the re-evaluation of the paid pensions and of life annuity.

11. During the open co-ordination at European level, the ETUC will attach great importance to the indicators, concerning inter alia differences in income between pensioners, men and women, distinguishing the different component parts of income (public, occupational), the amount of benefits paid to atypical workers, the minimum pension amount as well as the percentage of workers having access to occupational retirement schemes and the preservation of rights during career breaks. These indicators contribute to clarify, at European level, the objectives of social convergence that the ETUC claims in the area of Social Protection.

12. In conclusion, the ETUC believes that in any reforms implemented, the quality of pension schemes can only be assured when they satisfy the following objectives of equity and solidarity:

- to provide retired people with a guaranteed income which replaces that which they received during their working life, taking account of their standard of living, as well as the standard of living of the population;

- to reduce differences in income, related to different pension benefits between pensioners, men and women;
 - to guarantee correct retirement cover to workers with atypical jobs, notably part-time workers;
 - to preserve pension rights during career breaks.
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1. The European Commission published in July a Green Paper , the objective of which is to open the debate on “how to build a partnership for the development of a new framework for the promotion of corporate social responsibility, taking account of the interests of both business and stakeholders”.

2. This proposal is based exclusively on the voluntary nature of corporate social responsibility.

3. The ETUC has noted with interest this document, but emphasises the Commission’s assertion in paragraph 22 based on the fact that “corporate social responsibility must not be seen as a substitute to regulation or legislation concerning social rights or environmental standards, including the development of new appropriate legislation”.

4. The debate on CSR must be developed in the framework of the European social model and the common values of the EU Member States, including in the context of enlargement and globalisation. The European Commission’s Communication on fundamental social rights in international trade, also published in July, is an interesting contribution in this direction, but must be translated into concrete action.

5. The ETUC would like to dispel three elements of confusion and illusion in the Green Paper in order to approach the debate on corporate social responsibility in the most positive way possible. These three elements are as follows:

- The illusion that CSR would mean an end to conflictual relations with a dilution of the employer’s responsibilities;
- The illusion that all the stakeholders are equal partners in this policy;

■ The illusion that the “voluntary” and “exemplary” behaviour of several more or less virtuous companies will suffice to further corporate social and environmental responsibility in general, including in developing countries.

6. Nevertheless, the ETUC affirms clearly that companies do have an internal and external social responsibility, not only in relation to companies forming part of a transnational group, and especially when these are in developing countries, but also in relation to their subcontractors and other companies.

7. The context of globalisation reinforces the need to impose rules for corporate responsibility which promotes the respect for rights in companies in developing countries. Such rules are needed to prevent the export of bad practices and dangerous and polluting industries to regions where the level of protections are weak or non-existing, or where trade unions are attacked and democracy is called into question, as well as to promote social progress in parallel to economic progress.

8. For the ETUC, corporate social responsibility must be developed in a legislative and / or contractual framework, adapted on an ongoing basis. But it is also a dynamic process which draws on this framework, allowing it to play a key role in improving social situations, the quality of products and services, respect and the improvement of the environment, social and civic democracy.

9. This CSR must be based first and foremost on:

■ the development of quality employment and the constant development of workers’ skills and qualifications through vocational training which is considered as a corporate investment;

■ the possibilities for information, consultation, participation of workers and their trade union representatives and for collective bargaining;

■ the anticipation of industrial change and restructuring;

■ the respect and promotion of fundamental social rights, such as found in the Nice Charter and in fundamental ILO Conventions but equally on the recommendations of the OECD.

10. These actions must put an emphasis on laws and / or collective agreements.

11. As part of a transition process, codes of good conduct, charters and labels can be drawn up insofar as control and evaluation procedures are clearly established with legitimate, representative actors. These transitory instruments cannot be substitutes for the necessary regulations established by international bodies (WTO, ILO, OECD, Council of Europe, European Union, etc.) and national bodies. The European Commission should in particular continue to adopt a firm stance in order to impose in the framework of the debate within the WTO, an enhanced role and powers for the ILO.

12. The European trade union movement must pay attention to the promotion of ethical investments and to the social and environmental evaluation criteria to be used for social audits of enterprises. We must be watchful with regard to the levels of objectivity and expertise applied to these social audits.

13. Finally, the ETUC wishes to emphasise the exemplary role that the cooperatives and mutual benefit societies can play, given their principles which favour services to their members and to the community, rather than profits, and their more participative and democratic management methods which give priority to people and work in the distribution of income. The ETUC’s past and current activities in this area, and in particular those of CECOP, which represents producers’ cooperatives, provide an interesting basis for reflection on corporate social responsibility.

14. The ETUC is in favour of a partnership with independent NGOs, that are legitimate and representative, and which can play a complementary role in the structuring of internal and external corporate responsibility.

15. Corporate social responsibility must be developed in a legislative and contractual environment, in a constructive, democratic way, within the framework of the European social model, respect of national rights and a market-based social economy.

There now exists a legislative context, not least in the Amsterdam Treaty (Title IV, Visas, asylum, immigration and other policies related to free movement of persons. Three States requested an opt-out, Denmark, the United Kingdom and Ireland), and a policy framework (the European Council of Tampere, 1999) which give the Community institutions powers in immigration and asylum matters. In November 2000 and July 2001, the Commission also issued two Communications to fuel the debate. It has also put forward legislative proposals, inter alia concerning the right to family reunification and the status of long-term residents.

However, these two Communications do not tackle immigration problems within the context of enlargement, or problems of mobility within the EU.

Observations

1. In the view of the ETUC, economic globalisation has intensified migratory pressures. Over the past 20 years, inequalities of income between countries can be seen to have increased considerably while the increasing flow of capital and products has failed to satisfy the employment needs of “developing” countries.

Against this background of poor development, to which must be added policies which fail to respect the rights of ethnic minorities, restrictive EU immigration policies have failed to reduce the number of migrants. On the contrary, they have contributed to a migratory model which encourages human trafficking.

2. Though the Commission links migratory phenomena to demographic developments, it should be acknowledged that we have been spared the lecture on immigration as a solution to the problems of an ageing population. It merely notes that strains are appearing in the labour market and, in this context, call for a review of zero immigration policies.

The ETUC believes that these tensions are not solely the result of demographic problems, or a failure to match supply and demand, but are also caused by problems in vocational training systems and deteriorating working conditions.

In consequence, improvements to working conditions and better access to effective vocational training should provide the first approach to resolving the problem of tensions in the labour market.

3. Alongside illegal immigration and the scourge of human trafficking, which benefit some employers as well as the traffickers, an “other” model of immigration is emerging through the freedom to provide services. This model is inherent in the internal European market and is also encouraged by the WTO, through the General Agreement on Trade in Services (GATS). This is no longer a matter of long-term immigration, but the temporary residence of third country nationals, workers and managerial staff on secondment and seasonal workers. However, it must be recognised that using the many forms of subcontracting may supply the illegal labour market.

The real immigration impact of the freedom to provide services is not taken into account either in the Commission's Communication or in the Commission's policies for enlargement and mobility.

4. Cutting across these models of immigration, we can see that today's labour market is fragmented into that applying to better qualified workers from third party states, including managers, and the market for workers with fewer qualifications, including atypical workers.

Policy guidelines

THE MANAGEMENT AND REGULATION OF MIGRATORY FLOWS

5. Firstly, at European level, the ETUC can support the approach put forward by Commission: namely the ending of the zero immigration policy by drawing up common standards and an immigration policy coordinated at European level through reporting, exchanges of information and evaluation. However this evaluation must take place against the background of the European employment strategy and the implementation of European Union agreements on sustainable co-development. The link with these two policies is of prime importance at the European level. The social partners should be involved in drawing up the reports, as proposed in the Communication.

6. Secondly, at national level, a clear distinction must be drawn between migration resulting from the freedom to provide services and the other model of “migration”.

In the case of the first ‘model of migration’, the Posting of Workers Directive, under which the employment and working conditions of these workers must correspond to those normally prevailing in the sector concerned, should be applied. The application of this Directive today leaves much to be desired. Furthermore, it does not cover all sectors. For these reasons, the ETUC is calling for regular monitoring by the labour inspectorate – which will require cross-border cooperation – and for a revision of the Directive.

The second “model”, as has already been said, should take place within the context of the European employment strategy and the sustainable co-development agreements, even though decisions may be taken at national level.

Nor can this be left to employers and governments. Consultation of the social partners, and hence of the trade unions, is vital if the deterioration of working conditions and vocational training, and competition between workers are to be avoided. As the social partners' role in social and economic policies varies from one country to another, it may be that some consultation will be replaced by - or culminate in - genuine agreements between the social partners. These agreements could sometimes involve several countries, between States of origin and host countries. Support

systems for language learning or vocational training, housing, access to education, registration of children in local schools and other access to social and cultural benefits available to new migrants are also required.

7. The ETUC believes that using foreign labour makes no sense if there are already out-of-work immigrants, legal as well as illegal, living in the host country, especially if they have the qualifications to do the job.

Vocational training for unemployed immigrants, and measures to regularise the position of illegal immigrants, should be a priority.

Europe-wide coordination of these measures is needed, establishing common criteria. Today each State handles these problems in its own way, and there exists a mosaic of different policies. The Communication does not tackle this subject.

Some types of work, such as domestic and household work, must be freed from their illegal status. European legislation to regulate work of this kind, coupled with the regularisation of the labour force involved, is also essential.

8. The ETUC has no wish to divorce European immigration policies from European policies for development cooperation, in other words sustainable co-development. The Euro-Mediterranean agreement and the bilateral agreements between these States and the EU and the ACP-EU Cotonou agreement should all aim at improving the living and working conditions of peoples through job creation and educating the work force rather than at protecting European investments.

Immigration questions would then become an aspect of these policies for sustainable co-development. This means, *inter alia*, that there should be a policy of information and support for would-be immigrants in their countries of origin as well as in host countries. These agreements should also contain clauses guaranteeing equal treatment for migrants and the maintenance of social security rights.

Further, as the Communication suggests, it makes sense to encourage immigrants to maintain and strengthen their links with the country of origin, not only by sending home money but by supporting or starting up development projects. As the Communication acknowledges, it is imperative to ensure that they should be able to return home without losing their status in the host country, and to move between the two countries in accordance with developments in the country of origin.

THE TREATMENT OF THIRD COUNTRY NATIONALS

Conditions of entry and stay

9. The ETUC supports the Commission's proposal to draw up a joint procedure relating to the conditions of entry (or admission) and stay for third country nationals (for example, a common list of countries whose citizens need to obtain a visa to cross external frontiers, (excluding the applicant countries) – a visa easing the way to obtaining residence and work permits). It is however clear that regulations governing the right to a long term visa for professional reasons must be considered in the context of the management of migratory flows, and after trade union consultations on the indicative objectives. There is now a proposed directive on this subject, which includes among the criteria for granting a visa the concept of “economic necessity”. The Commission suggests that “economic necessity” is established when a job has been published without response by the State employment services within the EU. This criterion is not acceptable to the ETUC and flies in the face of the social partners' agreements. The conditions for granting a visa should be in accord with the social partners' decisions under national employment plans and the agreements on sustainable co-development. For example, a visa can be granted to carry out work in a particular company for a specific employer, or to seek work in a given sector, under the following conditions:

- the prior agreement of the social partners when national employment plans are drawn up, identifying indicative objectives for the sector
- when a post has been vacant for a period to be decided. This means that a given post remains vacant after being advertised through the public employment services in EU and applicant States for a period which has yet to be determined.

Support measures in the State of origin (for example, information regarding rights) and in the host state (e.g. language training and vocational training under EU agreements for sustainable co-development) are essential.

Under no circumstances should the use of foreign labour be an alternative to improving poor working conditions and/or inadequate vocational training.

10. The right to family life is a fundamental right, guaranteed by all the Treaties which protect human rights. But plainly it is not possible to enjoy this right unless members of the same family - including older people if the family so chooses - are allowed to live together. This right should be enshrined in Community legislation for both Community and third country nationals.

11. The ETUC believes that the free movement of persons, whether citizens of EU Member States or third country nationals legally resident in the EU, should be strengthened in all Member States, and this principle should also apply to internal frontier controls.

12. Turning to the rights of third country nationals within the Union who are not legally resident, the ETUC would stress the fundamental rights contained in these proposals together with the Platform of European Social NGOs for the Charter, i.e.,

“every person within the territory of the Union should enjoy the following rights without discrimination based on gender, race, social or ethnic origin, religion or beliefs, disability, age or sexual orientation: etc.”

The ETUC believes that priority should be given to suppressing illegal labour networks and the beneficiaries of this trade, rather than to pursuing and punishing their victims.

THE INTEGRATION OF THIRD COUNTRY NATIONALS

13. The key to success in immigration policy lies in the integration of third country nationals. Unless migrants living and working in the EU are given equal treatment, inter alia in terms of social security regimes, no integration is possible. A whole range of support measures is also required. The ETUC particularly wishes to highlight the need for permanent residents to take part in local and national political elections, and to have the opportunity to hold dual nationality.

14. The ETUC has a continuing commitment to the fight against racism. Its members will ensure that equal treatment in access to employment, vocational training and working conditions is implemented through collective agreements in the spirit of the Florence Declaration. This is the central thrust of trade union action. Furthermore, trade unions will be at particular pains to banish racism from their own ranks and to defend the interests of immigrant workers and those from ethnic minorities, and will involve representatives of ethnic minorities in their decision-making bodies.

The ETUC believes that the fight against discrimination based on nationality should be enshrined in the Charter of Fundamental Rights, which should be unambiguously extended to non-EU nationals.

The right to join a trade union and its corollary, the right of trade union organisations to defend workers' interests, should also apply to illegal workers.

European asylum policies

15. The ETUC believes that the main aim of asylum policy is to guarantee protection to persecuted individuals. All Member States must offer the same degree of protection to such people, and only a European policy based on the international conventions can guarantee this level of protection. Having said this, the ETUC is anxious to ensure that this European process - initially one of convergence, and subsequently of harmonisation - will improve the application of the Geneva Convention and the other international instruments.

(Today, it is sometimes difficult for refugees to obtain access to protection in Europe, because of visa regimes, the responsibility the transport companies, the list of safe States, and restrictive interpretations of the Geneva Convention. For example, a Sri-Lankan may be denied asylum by one State, because that State does not accept that persecution by a non-government organisation is covered by the Geneva Convention, but may be accepted in another State.) Situations of this kind contribute to “asylum-shopping”.)

This will call for the following legislative measures:

■ the definition of responsibilities in the matter of asylum claims; this means that claims should be examined by a single Member State, normally the first state in which the claim was introduced; in practical terms, we should start by assessing the implementation of the Dublin Convention and then adopt new measures on this basis of this evaluation. A standard interpretation of protection is required, extending to the protection of victims of violence by non-government groups and the assessment of case on an individual basis, rather than reliance on a list of “safe” States. Treatment on a case-by-case basis entails rejecting quota systems or offering preferential treatment to those with qualifications which are sought-after in the labour market.

■ common procedural criteria for the efficient and fair processing of asylum claims.

■ common reception conditions, guaranteeing a minimum level of rights to asylum seekers, including the right to equality before the law, transparency, the right to understand decisions, access to an appeal system and the right to dignity. The ETUC is particularly opposed to the detention of asylum seekers and the voucher system which has been developed in a number of States.

Member States ought to allow asylum seekers to take up paid employment - respecting agreed wage standards and not under-paying them - until their claims have been definitively rejected.

■ minimum standards for temporary protection in the event of a massive influx of displaced persons

■ measures to ensure a balance between the efforts of Member States to receive such people and the impact of their arrival

■ recognition of sexual mutilation and forced marriages as reasons for making an asylum claim. In defying dominant social mores, women cannot always rely on the protection of the State in which they live and may be forced to request asylum. This gender dimension must be recognised in the treatment of asylum claims.

16. Where repatriation, asylum policy and the fight against illegal immigration meet: readmission agreements

Readmission agreements, such as those concluded between Kazakhstan and Belgium to facilitate the return of third country nationals once asylum has been refused, vary as between the different EU Member states. The High Level group on immigration and asylum is preparing “model” agreements with countries which are the origin of certain migratory flows. The ETUC is seeking European coordination such that in the future these readmissions agreements will be concluded between third countries and the European Union. We also wish to be consulted on the content of these agreements.

9 EUROPEAN STRATEGY FOR SOCIAL INCLUSION

Executive Committee, 14/12/2001

1. Today, there is a legal and political framework for conferring powers at a European level in matters of social inclusion. The Lisbon Council, and then the Council of Nice, laid the foundations for a European strategy on this topic, interconnecting national and European levels by a method known as the “method of open coordination” (MOC). In the manner of the Luxembourg process for European employment policy, this method requires the definition of common objectives and indicators, the development of national plans for implementing those objectives and the identification and appraisal of the best practice. In so doing, the mutually agreed indicators enable Member States to know where they stand and also serve to promote best practice.

The Member States have a special responsibility in the struggle to achieve social inclusion and combat poverty. They are under pressure to translate this conviction as fully as possible into practical policy.

Participation in the European Process for Social Inclusion

2. The ETUC and its member organisations intend to participate in all phases of this process – including the follow-up and appraisal and selection of indicators – by means of true consultation and dialogue both within the Social Protection Committee (SPC) with regard to ETUC and at the level of the appropriate bodies with regard to its national organisations.

3. There is a second form of participation in which the social partners (SP) can act, namely through collective agreements. These agreements can promote diversity at the workplace. So for example, they can include access to jobs and training for the long-term unemployed and the jobless on income support or at minimum social levels. States can encourage such collective agreements with supporting measures, or by means of legislation introducing social provisions into public procurement contracts.

4. The ETUC is demanding that new financial resources be allocated, particularly at a national level, as a condition for the success of these plans. The new resources made available for implementing these plans must not, however, have the effect of jeopardising the means allocated to social security regimes. After a conciliation procedure, the European institutions have just agreed a 4-year, € 75 million, Community anti-poverty programme. This programme is designed to support research, the exchange of good practices and European networks promoting social inclusion. The ETUC wishes to underscore the importance of involving players from Eastern and Central European countries in the implementation of this programme and, in practical terms, in the annual round table that assesses progress in this area.

Appraisal of implementing measures

5. The ETUC supports the approach that seeks to find jobs for the excluded rather than leaving them dependent on welfare. Moreover, the ETUC believes that this approach must be capable of developing quality jobs to avoid such phenomena as the “working poor”. Such jobs must be capable of meeting needs that are at present not fulfilled in our societies, thus contributing to improving the quality of life.

6. However, the ETUC and its member organisations must be careful to ensure that implementation measures, which are more specific than general, are not a pretext for undermining existing labour standards and do not have an indirect market eviction effect. That is why the ETUC is asking its member organisations to become actively involved and to be especially vigilant with regard to the measures proposed and their follow-up and implementation. Such measures must be appraised on the basis of the following criteria in particular:

- effectiveness: how many people have actually found a job? What type of job? Do such jobs meet a need of society? etc.
- possible eviction effects (even if it is inevitable to a certain extent)
- compliance with labour law, pay and collective agreements
- evaluation of the effects of these measures on social security rights

Consistency of the European social inclusion process and employment

7. While the ETUC considers that the plans for social inclusion have helped draw attention to the plight of the more vulnerable and the measures in their favour, and to the necessity of coordinating services and the players involved, it argues in favour of the consistency of employment plans and social inclusion measures and for consistent follow-up and appraisal. Certain job quality indicators, for example, will have to be weighed against social inclusion indicators.

Access to resources

8. The ETUC refuses all arbitration between implementation measures and social security and welfare benefits. It is asking that future social inclusion plans attach greater importance to defining minimum income, to the number of beneficiaries, to those not entitled to a guaranteed minimum income, and especially the young and the elderly.

Risk prevention

9. The ETUC is drawing attention to the fact that social protection, and social security in particular, is an effective tool for preventing social exclusion. It is asking that future plans contemplate measures designed to increase cover against the risk run by persons employed under atypical contracts. The visibility of these employees' rights in each of the different areas of social security will help to clarify their situation.

The indicators

10. The ETUC is asking that comparable indicators be developed for the appraisal of social inclusion policies and that all the partners in general, and the trade union organisations in particular, be involved in the development and evaluation of those indicators. This evaluation may result in the revision of these measures, thus contributing to increased effectiveness in eradicating poverty.

For the ETUC, the following indicators, combined with those on job quality, are imperative:

- the poverty rate before and after social transfers
- the proportion of poor workers and old-age pensioners
- the percentage of employment contracts as a function of their duration
- the share of long and short part-time employment and risk coverage.

Moreover, these indicators must be included in the annual review of the Lisbon strategy.

The gender dimension

- 11.** The ETUC wishes to draw attention to
- the situation of elderly women and the need for an adequate minimum pension
 - the need for free child-care services for low-income, one-parent families
 - the need for suitable training programmes for migrant women

The Countries of Eastern and Central Europe

12. The Gothenburg Council asked the countries involved in the enlargement to undertake the same social inclusion exercise.

The ETUC and its member organisations are demanding that the trade union organisations in these countries be involved in a process of mutual learning, particularly with regard to the implementation of the European anti-poverty programme, and that the same forms of consultation and dialogue be introduced in the countries of Eastern and Central Europe as exist in the EU Member States.

E-inclusion

13. For the ETUC, access to new information technologies can play a significant role in the struggle for inclusion, especially as regards access to jobs (inter alia for certain categories of disabled persons) or to a social network via e-mail or the Internet. For the ETUC, new technologies are but one tool among others and are not to be considered as a magic wand for integrating the excluded. In any event, for new technologies to be an effective tool for inclusion, the ETUC is demanding that measures promoting access and training be adopted for the most disadvantaged categories of the population.

1. The ETUC Executive Committee takes note of the work undertaken by the Committee for the Coordination of Collective Bargaining in 2001 to follow-up the adoption of the ETUC Guideline on the coordination of collective bargaining which was adopted by the Executive Committee in December 2000.

2. The Executive Committee reaffirms that the implementation of the Guideline is fundamental to achieving the ETUC's aim of preventing wage dumping and supporting the harmonisation of living and working conditions in the EU and in the applicant countries through upwards convergence.

3. The 2001 bargaining rounds were marked by a sharper rise in inflation than was foreseen. The worsening economic and/or employment situation in some countries also lead to wage increases below the Guideline, as shown in detail in the attached CB annual report.

4. The impact of the current deteriorating economic situation of collective bargaining remains uncertain. As the Executive Committee's Resolution in October pointed out, a package of economic and employment measures are needed directed both at sustaining purchasing power and at increasing investment. In this context, the ETUC and its affiliates reaffirm the principles of the coordination Guideline based on the taking into account of the inflation and productivity, in order to maintain the positive increase in wages necessary for the maintenance of economic growth and to improve the living and working conditions in Europe.

5. On wage aspects, the Executive Committee notes that, in spite of a few problems in comparing data because of delays in receiving some of the national replies, the CB report shows clearly that:

- a large number of European countries are close to the Guideline in relation to wage aspects. In these countries wage increases almost equalled the Guideline whereas in others wage increases were below the Guideline. However, it should be noted that almost no country suffered a loss of purchasing power: from a global, macro-economic, perspective wages are increasing above inflation, the first prerequisite of the Guideline adopted by the ETUC (although not necessarily for all groups of workers).

- For the countries below the Guideline, the available data does not enable us to ascertain whether qualitative aspects are compensating for increases in wages below productivity. The reasons for this situation and the possible responses to deal with it will become clearer as the Guideline is implemented over a period of time.

6. As regards the qualitative aspects, the Executive Committee considers that collective bargaining should use whatever margins are available to achieve a better redistribution of wages, in order to reduce the pay gap between women and men, increase low wages and improve access to training and life-long learning. It is also important to improve transparency and ensure that the process of individualisation of wages is placed within a framework of rules which are collectively negotiated.

7. In order to encourage affiliates to be more effective on the issue of redistribution, the ETUC invites all affiliated organisations, taking into account of national and/or sectoral situations and paying particular attention to improving the quality of part-time work and employment conditions in low paid sectors, to:

- adopt in 2002 a multiannual work programme setting out key objectives for collective bargaining initiatives aimed at reducing the pay gap between women and men, with a timetable for their implementation and evaluation; and

- include a quantifiable objective regarding a reduction, in stages, in the number of low paid workers (i.e., those with 60% or less of the median salary)¹

8. The Executive Committee recalls that discussions are ongoing with European employers on the possibility of concluding a European framework agreement on training and life-long learning and skills development. These discussions should support the integration into collective agreements of the right for all workers to have access to training and life-long learning, and in particular women and low-paid workers, and support the development of practical ways to achieve this (e.g. financing mechanisms and individual training plans).

9. The Executive Committee takes notes that the CB Committee's summer seminar in 2002 will address the issue of wage developments in both EU and in the applicant countries, and that these discussions will be supported by a current ETUC project to examine collective bargaining systems and developments in the applicant countries. The result of this study will be examined during a seminar in Prague in April 2002.

10. Finally, the Executive Committee encourages the CB Committee to intensify its work on the future of industrial relations, in particular on the establishment of a European system as quoted in the 1999 Congress Resolution.

¹ A low-wage employee is defined by Eurostat as an employee whose monthly wage is less than 60% of the median salary. 70% of such workers are women, often because they work in low-paid part-time jobs and/or in low paid sectors. The ETUC supports working time patterns which enable both men and women to combine professional and family responsibilities.

FUTURE OF THE UNION



1. ETUC welcomes the Nice summit declaration launching an in-depth “Future of Europe” reform process with the focus on the “finality” of the European Union.

For ETUC, the overall objective should be to achieve a European Union built upon peace, democracy, fundamental rights, social justice, full employment and quality jobs, social and territorial cohesion, welfare, services of general interest and the European social model. Social dialogue and the autonomous role of social partners, including their role as co-regulators also at European level and the development of a European industrial relations system, must constitute a fundamental pillar of the European Union. European integration, consequently, cannot be confined to the single market and the single currency; it must be completed by economic governance, a real social union and evolve towards a political union based on democratic and effective institutions and the full recognition of civil and social rights.

2. ETUC shares the view that it is now time to make a fundamental overhaul of the treaties developed at consecutive IGCs. We likewise agree that such an initiative could respond to a clear need to increase popular backing by the citizens, of the European integration project. It needs to become a visible reality that “Europe makes a difference” in taking care of the citizens’ and workers’ interests in an era of globalisation. Overcoming transparency and democratic deficits (including at national level), clarifying the EU role and competencies and the “finality” of the EU will be important in this respect. And, as the recent international situation has illustrated very clearly, it is essential and of great added value that the EU and its Member States are able to address the common global challenges efficiently with “a single voice”. ETUC is now looking forward to the Laeken European Council in December 2001 to decide the structured procedure for a Treaty reform in 2004.

3. The immediate agenda set out in Nice includes four issues: - The role of the national parliaments, - the status of the EU Fundamental Rights Charter and its integration into the treaties, - the competencies of the EU, and - a simplification of the Treaties. ETUC agrees with the open approach expressed in the Nice declaration of the possibility to include other issues in the agenda. The debate so far and the international development itself makes it obvious that the agenda also should include EU's external role as a global player. When setting out the final agenda, it should be observed that a clarification of the "finality" of the European Union encompasses both the final political aims, competencies and the institutional framework. The current Commission initiative on European Governance should also be integrated. It should therefore be clear that the agenda needs to envisage a reorganisation of the treaties while at the same time reforming their content and institutional framework.

4. Although the differing aspirations for the finality of the Union and the factors behind the uncontested problems during the Nice IGC process itself of agreeing on ambitious reforms should not be overlooked in "future of Europe" process, ETUC stresses all the more strongly the positive point of departure in finding common European answers: -that the Member States, albeit different cultures, share common European values as expressed in the EU Charter of Fundamental Rights, -that there is basic mutual support for sustainability and the European social model, including the role of social partners and services of general interest, - and that the Member States generally also share common criteria as regards efficient and democratic institutions and decision-making procedures. The "practical" challenge and task in the coming work will therefore be to find bridging solutions and build on the European integration already achieved, taking the different constitutional traditions and political structures in the Member States into consideration. The political adoption of the EU Charter of Fundamental Rights, albeit its remaining deficiencies, constitutes a milestone in the European constitutionalisation process, and its political adoption was a highly important step towards the "finality" of the EU.

5. The main starting point for ETUC in the Future of Europe reform process is:

■ ETUC endorses the need for a genuine constitution which clearly defines the aims, jurisdiction and responsibilities of the Union according to a federally balanced scheme (simultaneously practicing subsidiarity, complementarity and solidarity). It is well understood that the existing treaties will be the starting point, ETUC however recalls its previously expressed reservations about the Commission-initiated proposal on splitting the existing treaties into two, making reference to the fact that the present treaties constitute one entity reflecting the progressive evolution of the European integration project. It will not therefore be a simple task whilst adequately retaining the global significance and thrust of the treaties together as a whole. For the ETUC it will for example be a top priority that the European social model, including the principles of Services of General Interest is anchored in the constitution, and that Social Union/Employment policy and the Economic and Monetary Union are integrated on an equal footing.

■ ETUC strongly recommends that the EU Charter of fundamental rights, including transnational trade union rights, becomes legally binding and incorporated as a cornerstone in the EU constitution. In preparation for this, ETUC proposes that a dynamic monitoring procedure is initiated by the Laeken European Council with a view to its further evolution and improvement.

■ It is likewise a top priority for ETUC to ensure that the Constitution and the policy treaty recognise and strengthen the autonomy and the role also as co-regulator of the social partners at all levels and so the development of a European industrial relations system.

6. In view of the fact that the Laeken European Council in December 2001 is to decide on the organisation of the structured debate on Future of Europe preparing the IGC and treaty reform announced for 2004, ETUC recommends that the future European treaty should take the form of a "Constitutional Pact" which reflects the whole of European society and all its citizens.

ETUC therefore supports the proposal to mandate a Convention to prepare the concrete reform proposals, with alternative options if necessary, to be submitted for final decision at the IGC 2004.

ETUC believes that the composition of the Convention should be similar to the previous Charter Convention. ETUC strongly recommends that the European social partners will be associated on a permanent basis to the Convention as observers, given their representativity of crucial socio-economic interest and their Treaty-based institutionalised role.

7. The Nice declaration highlighted the absolute need to “..encourage wide-ranging discussions with all interested parties”. ETUC underlines that such a debate must be organised both at European and national level if the objective is to be met. It is a question of practising an active democracy to secure the democratic legitimacy of the final outcome. If this is to be implemented, it will have to be reflected in the procedure and the working methods.

8. The role and involvement of EU candidate countries in the structured Future of Europe procedure is another crucial question to be clarified. To apply strict legal criteria to involve only the current Member States and their political institutions and citizens, would be wrong and counter-productive. Candidate countries which are set to become EU members in 2004 or in the near future, meaning that they will be in the process of ratification of the membership treaties, logically have a vested interest in the future of Europe reform debate. ETUC therefore stresses the need to fully involve the candidate countries in the Future of Europe debate.

ETUC requires increased public disclosure and transparency in the European Union's institutions. The Amsterdam Treaty satisfied these requirements only to a limited degree. Even the right of freedom of expression established at the summit meeting in Nice in December 2000 is insufficient.

The point of departure for all democratic control is that the leaders should be checked by the people they lead. It is the citizens who should exercise control. This requires that citizens have access to all relevant information in the decision-making process at an early stage. This is not the case today. On the contrary, secrecy is the general rule during preliminary discussions in the European Union's institutions.

ETUC confirmed earlier that the principle of disclosure and public access to information and documentation must apply to all EU institutions. Necessary exceptions should be specified and defined explicitly in law. At present, a common decision-making process is taking place where the council, parliament and the commission will determine the regulations. The European ombudsman is intended to ensure that the European Commission respects the freedom of expression for public employees.

The governments and parliaments of the member countries also participate in the European Union's decision-making process. Here, there are naturally different legal rules regarding public disclosure and secrecy. Some member countries have greater openness and transparency than others. An obvious starting point for common legislation dealing

A LARGER EUROPE

with public disclosure and transparency is that it should not limit the high levels of disclosure that have already been achieved. It should only serve to increase the level in countries where it is low.

The third important factor for openness and transparency is the freedom of expression for EU public employees. This is currently regulated by internal staff regulations. According to these regulations, public employees should always ask permission from the Commission before publicizing information dealing with the community's work. In many cases, disciplinary action has been taken against employees.

ETUC requires the following guarantees to create a more effective and democratic European Union.

1. The principle of disclosure, public transparency and access to information and documentation shall apply to all EU institutions. Exceptions may only occur when dealing with important security interests. These exceptions shall not apply to all institutions and are defined so that there is no room for discretionary decisions. It must also be possible to make a judicial judgement afterwards as to whether such an exception was objectively justified.

2. Overall legislation, regulating access to documents dealing with member countries' decision-making bodies, governments and authorities, shall be the minimum legislation, in the same way as for EC's social policy regulations. The legislation shall set a base level for public disclosure, but shall not restrict member countries' national legislation in terms of public disclosure and transparency.

3. Employees at the European Commission or other community body shall have the right to freedom of expression according to the Treaty and the Charter of Fundamental Rights, without requiring permission from the employer to make statements regarding conditions they became aware of in their work. Termination, dismissal, disciplinary action or other sanctions may not be used against employees who express themselves with good intentions to the Parliament, examining authority, press, radio or TV.



SITUATION IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Executive Committee, 21-22/3/2001

1. Recent developments in the Former Yugoslav Republic of Macedonia are threatening the still extremely fragile stability and the perspective of further positive developments in South-Eastern Europe.

2. The ETUC Executive Committee firmly condemns terrorist attacks against the integrity of the Former Yugoslav Republic of Macedonia. This aggression is an act of sabotage against all efforts of the International and European Community to bring peace and stability to the region.

3. The objective situation of the FYROM citizens of Albanian origin is absolutely not justifying this outburst of violence and aggression. Still existing problems - especially on social, cultural and language issues - can be solved in the framework of the FYROM institutions which are including since the founding of FYROM, Albanian political parties.

4. The ongoing attacks on the stability in the region are putting at risk all possible positive developments and the objectives of the Stability Pact for South-Eastern Europe. Once again common working people will be first victims of nationalistic and criminal interests. The efforts undertaken in the region to re-establish the economy and labour markets are at stake. A fifth Balkan war must be prevented by all means. The European Union and its member states have a specific responsibility to act before it will be too late.

5. The ETUC expresses its full solidarity with the people of the Former Yugoslav Republic of Macedonia and its affiliate, the Council of Trade Unions of Macedonia. The CCM has to play an important role to work for conciliation and equal treatment of all citizens of FYROM.

6. The ETUC Executive Committee appeals to all trade unions in the region to engage for peaceful solutions, dialogue and cooperation. The ETUC will continue to be active in the region and to support its trade union partners. Not nationalism but democracy, economic development and social progress, tolerance and mutual respect are the keys for a better future.

The ETUC reiterates its strong and unequivocal condemnation of the terrorist attacks in the United States as well as its firm conviction that to defeat terrorism, the international community must act beyond military action, to remove the cause of conflict and tension that the terrorist networks exploit for their criminal purposes.

To this end, the European Union must show a stronger resolve in promoting peace with justice in the Middle-East as well as in acting in all international initiatives to increase efforts to fight poverty and massive unemployment, to bring hope in a better future where today misery and despair prevail.

In this broader approach involving political, social and economic solutions, the military action underway in Afghanistan must be clearly limited to terrorist networks and infrastructures, avoiding the risks of an extension of the conflict to other countries and of inflicting further suffering to the civilian population. Urgent measures must be set in place to provide aid and shelter to refugees and displaced persons.

The present crisis underlines the need for the Trade Unions in Europe to play an active role in ensuring that tolerance and mutual respect and understanding among people of different origins and beliefs continue to be upheld and promoted. For its part, the ETUC confirms its readiness to strengthen trade union dialogue and cooperation in the Mediterranean region.

40TH ANNIVERSARY OF THE EUROPEAN SOCIAL CHARTER

Executive Committee, 10-11/10/2001

The 40th Anniversary of the European Social Charter will be celebrated on 18 October 2001 in Strasbourg. This document of the Council of Europe has enriched the social fabric of the whole of Europe since it is applied in 43 States.

Since 1961, the Charter – with the co-operation of the ETUC – has been revised and extended in 1996 and the control of its application improved in 1995 through System of Collective Complaints.

The ETUC Executive Committee, meeting in Brussels on 10 and 11 October, joins in this celebration of the European Social Charter's anniversary and:

1. reiterates its ongoing commitment since 1961 to this Instrument and its constant concern to improve its content and controls over its implementation;

2. calls upon all its organisations to lobby their governments to ensure that the Revised Social Charter and the System of Collective Complaints are ratified very rapidly and applied so as to bring legislation and national practices into line with the obligations resulting from the Charter;

3. calls upon its members to do what is required to participate in the implementation of the Charter in their country and to use advisedly the System of Collective Complaints;

4. wants social rights to be reinforced at the Council of Europe:

■ by introducing certain new rights in a new additional Protocol to the European Convention of Human Rights, such as the principle of a guaranteed minimum income, the right to accommodation, the right to social security systems that respect fully a person's dignity, etc.

■ by improving the content of the Revised Social Charter and in particular by giving a supplementary European cross-border dimension to articles 5 and 6 on trade union rights and the rights concerning Collective Bargaining.

5. The Executive Committee stresses the determination of the ETUC to contribute to give a new impetus to the promotion of fundamental rights by giving the Charter of Nice a political and legal import and by making the Revised Social Charters an identical platform for social rights guaranteed throughout Europe.

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