

## Pan European Regional Council – PERC

### PROGRAMME ORIENTATIONS

#### 1. AIMS AND OBJECTIVES:

The PERC shall work generally to promote in the region the strategies, priorities and policies of the ITUC. It intends to contribute to the social development, to the consolidation of democracy and to a better respect of human and workers' rights in all the countries and territories listed in the Constitution. It will determine policies and action on matters that affect the interests of working people in the region, support bilateral and multilateral cooperation and promote trade union action and representation through the strengthening of the trade union movement in all its constituencies.

It will in particular:

- Strive for the universal respect of all fundamental rights at work, defend freedom of association and liberty of collective bargaining;
- Strive for a model of development that integrates decent work for everyone, and comprehensive system of social protection for all the categories of workers, particularly with the most fragile or the most precarious of them;
- Promote the value of solidarity between the different categories of people, active and inactive, but also between the generations;
- Emphasise the responsibility of the State and the Public Institutions in the development of their countries and region, in providing jobs and existence security for all; underline in this perspective the crucial role of the public services and of the services of general interests that could not be left to the only forces of the market;
- Insist on the key role of social dialogue – at all the levels – as the most democratic way to prevent conflicts and to find appropriate solutions that give the possibility to the different stakeholders to express their points of views, to defend their interests and to take part in the decisions that will affect their live, their situation and their working conditions.
- Promote an all-inclusive society by putting an end all discrimination on the basis of sex, religion, colour, nationality, ethnicity, sexual orientation, gender identity, political opinion, social origin, age or disability;
- Promote the growth and strength of the independent and democratic trade union movement by initiating and supporting action to increase the representativeness of trade unions through the recruitment of women and men working in the informal as well as the formal economy;

- Promote vocational, civic and trade union education as a key instrument to enable the workers, the citizens and the trade union members to participate in the building up of their society and of their organisations.

To achieve the above-mentioned objectives, the PERC will focus **on the three following priorities:**

1. Strengthening and consolidation of the trade union organisations;
2. Promoting the full respect of trade union rights and the establishment of an effective social dialogue
3. Formulating economic and social policies that should contribute to the implementation of the ITUC general policies on the continent, and promote in particular the values and principles embodied in the “European Social Model”.

The PERC will implement these priorities through bilateral and multilateral programmes that will be adopted by its Executive Board, and in close cooperation with its members and of the activities and actions that they will implement taking into consideration also their own different priorities. The PERC considers that, in this perspective, the concept of “networks” – that could combine decentralised approaches, responsibilities of the partners, and mutual exchanges between the partners involved – is particularly relevant. It will therefore continue to encourage and support the existing “networks” that had been set up in the framework of the ETUC, the WCL and the ICFTU, and examine the new forms they should take in the framework of the PERC.

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## **2. PROGRAMME ORIENTATIONS**

### **2.1. Strengthening and Consolidation of the trade union organisations**

#### **2.1.1. Organising and recruiting:**

The strength and the capacity of the trade union movement lays in its membership, i.e. on the representativeness of its different organisations and on the active involvement of its members in its activities and actions.

In many countries of Europe, the trade union movement is today confronted with a set of challenges that have to be taken very seriously. In some of the countries, it can be said that it is even the future of the trade union movement – in its national and inter-professional dimension – that is at risk.

The main challenges are the followings:

- Persisting decline of the trade union membership. In some countries, the trade union density comes close to 8 % of the workforce, and this trend may continue.
- Uneven distribution of the trade union coverage. In some sectors – education, public services, in general, but also in the former big-state owned companies, where trade unions were traditionally well-represented – trade union density is still substantial. This is unfortunately not the case in many other economic sectors. In the private sector, in SMEs in particular, very often in the MNEs, in the sector of services, trade unions tend, sometimes, to come close to inexistence. This is particularly worrying, considering the evolution of the structure of the economy in Europe.
- Fragmentation and “casualisation” of labour relations, with the multiplication of temporary contracts, multiplication of the employees status – including the trend to engage employees as “independent workers” even when there is a clear and obvious relation of work subordination, increase of the number of workers working without any contract (“informal economy”).
- Poor integration in the trade union movement of young workers and of members of minority groups; the low level of representation of women, young people and members of minority groups in leadership posts within the trade union movement.
- Fragmentation of the trade union movement: lack of interest from local unions to join a national TU centre; multiplication, and sometimes unhealthy rivalries between professional unions; divisions of trade union centres, related to various crises; competition between trade union centres, etc.

The issue has been discussed repeatedly in various ETUC, WCL and ICFTU meetings over the years. Even if the organisation of the workers lays in the first place on the responsibility of the national trade union organisations, the regional and international organisations could not stay indifferent to this reality, as it questions also the capacity of the trade union movement to act as a whole.

In its founding Congress, in Vienna, the ITUC adopted different recommendations related to this issue. It emphasised in particular:

*“the urgent need for working women and men to organise, now more than ever. The benefits of joining trade unions have never been greater or more important. Organising workers is and remains the fundamental task and the top challenge facing all ITUC affiliates, with freely negotiated collective agreements constituting the essential means of realising their members’ demands. With organising increasingly taking on an international dimension in the globalised economy, the Congress calls on the ITUC, in close cooperation with the GUFs, to provide all support to affiliates’ organising activities and to strengthening their capacities (...).*

*Organising is the bedrock of trade union strength and influence, and provides the basis upon which the global trade union movement can be a genuine countervailing force in the global economy.*

*The Congress declares that solidarity requires that trade unions extend the opportunity of trade union membership to the unorganised and that they should organise all workers in their spheres of activity, including the hundreds of millions working in the informal economy, or in non-traditional or atypical situations, such as part-time or temporary work, through extension of full rights and protection to those performing precarious and unprotected work. This must involve renewed commitment to reflect diversity in trade union membership and to organise women and youth”.*

To implement this recommendation, the PERC shall:

- Analyse the evolution of the trade union membership in the different countries - including gender and age composition, in correlation with technological, economic and political development;
- Assist the national unions in designing their own approaches and to define where accumulated “best practices” could be further referred to, pilot actions initiated, and training programmes could be implemented or encouraged;
- Support and encourage development of confederal strategies which enhance organising, prioritise the need for evolution of the structures, their professional services and financing, liaising with their members and potential members;
- Establish cooperation with the EIFs/ GUFs and their affiliated unions, at cross-border and regional level, be it within certain MNEs or targeted on specific professional groups; promote strategies among affiliated organisations to organise, represent and protect the most vulnerable working women and men, such as those employed by small and medium-sized enterprises, migrants and those engaged in informal economic relations; work for the organisation of workers employed in special economic zones and in other situations where international support is especially important;
- Work for the unionisation of young workers, whose entry into the job market is increasingly insecure, in order to help them attain lasting employment, and women, through specific campaigning activities and networking;
- Strive against the informal economy; promote a “rule-of-law” approach in all labour relations; promote the inclusion of all categories of workers into social protection systems; encourage all workers that are in a de facto relation of labour subordination to organise and to join unions;

- Encourage the building of trade union identity, through encouraging cross-border representation mechanisms and bilateral cooperation and exchange of organisers with the aim of organising migrant workers

### **2.1.2. Renovating and Consolidating the TU structures**

“Organising and Recruiting new members” questions all the structures and the practices of the trade union movement and urges reflection on the rigidities of the trade union structures in an ever changing world of labour. New strategies should be defined to develop trade unionism in the new economy, to open it to categories of employees often insufficiently represented in the trade unions (women, young people, migrants), or to implement trade unions among “informal economy”. While more women are joining unions than ever before, they are still under-represented in the trade union organisations, and particularly in the decision-making structures. Urgent and comprehensive actions are needed to address this gap. The union movement of the continent is ageing rapidly, and the future strength of the movement is threatened. Millions of workers are migrating to or within Europe with only a small group of them being integrated in national societies and professional associations. Domestic, posted, seasonal workers have little perspectives for benefiting from traditional collective representation and bargaining. Meanwhile their numbers are growing.

Unions need to reach out to new workers in new industries and in the service sectors. To increase the diversity and representativeness of the union movement, the membership levels of women, young people, migrant workers and others, must be increased. .

In almost every organisation of the continent there is a discussion undertaken and many organising initiatives have been implemented, with various outcomes, but nobody can say that their model of organising and operating is the best one. It is obvious that in the entire region there is a serious work needed to find the best solutions, on all the levels. Organising is a responsibility which should be shared by all the trade union actors: confederations, professional and regional branches, and their associations. There should be a common strategy, with defined and complementary roles and tasks for each of these partners.

In many organisations structural reforms and changes shall be encouraged in a view of adapting existing trade union structures to working with different categories of workers, including young, women, workers engaged in informal economic relations, migrants, employees of MNEs or SMEs; consolidating efforts of different components of trade union movements – local, territorial or branch – and exploring respective mutually reinforcing approaches, in cooperation with professional structures; long-term financially reinforced planning, which includes definition of responsibilities and mandates, professional staffing, and coaching of the unionised workers for efficient collective representation and bargaining.

In this perspective, the PERC shall:

- set up bilateral and multilateral programmes to support the analysis of its members about the adequacy of its structures to achieve its objective, and to engage the reforms that they consider necessary;
- support the trade union networks that have been established for ensuring exchange of views and cooperation between women and young trade unionists, and in particular

the related programmes aimed at strengthening organising and recruitment of such workers;

- cooperate with the EIFs/GUFs to make sure that all the actors of the trade union movement cooperate in the process of reforms and consolidation of the TU structures;
- evaluate with its members the success and the difficulties of the reforms engaged to integrate better the different categories of workers and to increase their representativeness, identify the methods that are transferable outside the organisations that used them, organise the exchange of “best practices”.

### **2.1.3. Strengthen trade union education.**

Education is a key dimension of the trade union movement, both at the national level and at the international level. Familiarisation of members with the values and principles, circulation of new ideas, transmission of specific skills or knowledge, development of critical analysis capacities, training of the leaders and of the activists about their tasks and responsibilities, consolidation of the internal trade union democracy... all these objectives that are necessary to consolidate the trade union movement, and to prepare the new generations for the future could not be implemented without a systematic and comprehensive education strategy that has to be organised at the different levels of the trade union movement. TU education is and should be considered as an integral part of the building up and the development of the trade union action and structures. In its founding Congress, in Vienna, the ITUC emphasized this aspect by highlighting that *“trade union education is a vital instrument for building the capacity of trade unions and their members to enable them to improve and strengthen their organisations, and to play a constructive, purposeful and creative role in their workplaces and societies”*.

TU education lays first on the responsibility of the national trade union centres and of their different professional and territorial structures. However, exchange and support between the organisations to promote new instruments, new methodologies, material... to organise contacts and cooperation between the different TU education actors is an important element of consolidation and modernisation of TU education. That’s why the ITUC Founding Congress called *“on the ITUC to empower working women and men and strengthen affiliates, particularly in developing countries, through international programmes of education. Such programmes should reflect the main lines of action of the ITUC and be an integral part of its strategy to address the current globalisation process”*.

To implement this recommendation, the PERC shall:

- Emphasise with its affiliates the necessity for each organisation to “invest” in education, to make sure that it becomes an integral part of their trade union action. Underline the necessity for each organisation to establish a long term and sustainable education strategy that could contribute to the development and the strengthening of the trade union action;
- Assist its affiliates to develop their own education capacities, in terms of teams, programmes and materials. Provide the expertise that they may need to evaluate and improve their trade union policies;
- Support a closer integration between education and the various challenges to which the trade union movement is confronted;

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- Develop specific programmes and initiatives aimed at promoting equality between the various categories of workers, and at increasing the participation of women, young workers and members of the minority groups into the trade union movement;
- Support comprehensive and balanced strategies that combine the capacities of the professional and inter-professional structures of the organisations;
- Encourage exchanges between trainers and leaders of the different organisations of the region. Promote inter-organisation cooperation, programmes and activities;
- Stimulate participative and innovative approaches.

For this, the PERC will coordinate with the ETUI-REHS and the ITUC education teams and experts. It will also establish cooperation with the ILO (ILO-ACTRAV, ILO Turin centre, in particular), and with all the friendly – national or international - organisations that are interested in promoting trade union education in the region.

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## **2.2. Promote the full respect of trade union rights and the establishment of an effective social dialogue**

### **2.2.1. Promoting Trade Union and Fundamental Workers' Rights**

Europe is the region where international legal protection of trade union and fundamental workers' rights is one of the strongest:

- All countries are the members of the International Labour Organisation. Most countries have ratified all the Fundamental Conventions of the International Labour organisations, while all countries have ratified the ILO Convention No. 98 on the Protection of the Right to Organise and Bargain Collectively and all but Uzbekistan have ratified the ILO Convention No. 87 on the Freedom of Association and the Right to Organise; Conventions 138 and 182, abolishing child labour have been ratified by all states, except Uzbekistan and Turkmenistan. Czech Republic and Estonia have not ratified Convention 138;
- All countries but Belarus and those in Central Asia are members of the Council of Europe. Most of the countries have ratified either European Social Charter of 1961 or the Revised European Social Charter of 1996 and accepted the provisions on the right to organise and the right to bargain collectively – these provisions provide equivalent or even higher level of protection than the respective ILO conventions;<sup>1</sup>
- 27 countries are now members of the European Union, which means, for the new members states, that they had to undergo a pre-accession scrutiny of the situation with fundamental human rights. The Charter of Fundamental Rights of the European Union of 2000, though still non-binding, is applicable to these countries;
- Non-EU states are nevertheless under the scrutiny of the European Commission: trade union rights are taken in consideration before the decision to grant trade benefits under the Generalised Special Preferences (GSP) system, and some of the states are being assessed by the Commission for other purposes, such as tentative pre-accession negotiations with Balkan countries and the European Neighbourhood Policy with Eastern Europe;
- Several countries have retained legislation that gives trade unions a range of rights and powers at the workplace.

However, serious problems persist. In Belarus, ten years of international pressure still fails to bring substantial progress for the freedom of association. Turkmenistan is a blank space, in terms of respect of basic trade union and human rights, and the ITUC does not have even any contact in this country. In Bosnia and Herzegovina the conclusions of the ILO Committee on Freedom of Association have never been implemented. In different countries of the NIS, the state still does not accept the independence of the trade union movement, and interferes regularly – directly or by trying to confiscate for example TU properties - in the trade union affairs. Many countries have implemented laws restricting trade union rights and the enforcement of existing laws remains weak. Harassment of trade unionists remains common in the CEEC, SEEC and NIS, sometimes even resulting in physical assault.

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<sup>1</sup> Countries that have not ratified either Social Charter are Bosnia and Herzegovina, Serbia and Montenegro, Russian Federation, the Ukraine.

International and European standards are not identical. The ILO conventions are international minimum standards that are designed to suit the countries all over the world. The European Social Charter, on the other hand, reflects a consensus reached between the European countries that have achieved a certain level of economic and social advancement, a certain level of understanding of basic human rights and democracy. Therefore sometimes a country may receive more criticism on the basis of the European Social Charter than on the basis of the ILO conventions. What matters however is that neither standards replaces or abolishes another one. For example, a EU member state that had also ratified the Revised European Social Charter and the ILO conventions on trade union rights is accountable for all the instruments, but the Council of Europe's European Committee of Social Rights would examine compliance with the Social Charter, and not with the ILO Conventions – and the other way around. Through the ILO, the European Social Charter or the various EU instruments, the trade union movement has therefore at its disposal a whole set of instruments that it can use to promote trade union and fundamental workers' rights.

These rights are fundamentally basic human rights. That's what the ITUC, during its Founding Congress in Vienna, asserted with strength:

*“The Congress reaffirms that trade union rights are a key part of human rights at work, that universal and full respect of trade union rights constitutes a key objective of the ITUC and that globalisation adds to the urgency of its achievement. Respect of trade union rights is a precondition for justice at the workplace, in society, and worldwide. Only when workers are able to organise and to bargain freely can they claim a fair share of the wealth they create and contribute to equity, consensus and cohesion in society, and to sustainable development. The violation of trade union rights – still widespread – is a source of unfair competition in the global economy and needs to be prevented on economic as well as human rights grounds: repression anywhere constitutes a threat to liberty everywhere.*

*The Congress pledges the ITUC to combat trade union rights violations wherever they occur, and without distinction, in the conviction that trade union rights are an integral part of the human rights of all workers, in all countries, in all circumstances. It will not be deterred by the power and influence of those responsible for abuses or who benefit from them, nor by the bogus arguments they use in self-justification (...). It commits the ITUC to make the fullest use of the opportunities offered in all relevant UN bodies, including the new Human Rights Council, ECOSOC and the General Assembly”*

In line with this recommendation, the PERC will:

- Promote a better knowledge, among all its affiliates, of the TU and Fundamental Workers' Rights, as well as the International and European institutions and mechanisms that exist and that can contribute to their enforcement;
- Campaign for the ratification of the international conventions that have not been ratified, and of the European social charter in the different countries where loopholes still exist;
- Promote the expertise of the different affiliates on legal, international and European issues; put the collective expertise of the ETUC and the ITUC and of their affiliates, in-

cluding through the different “networks” at the disposal of the organisations that may need it;

- In cooperation with the ETUC and the ITUC experts, as well as, when needed, with the EIFs/GUFs, assist its affiliates in using all the existing procedures and mechanisms to make sure that trade union and fundamental workers rights are fully respected; mobilise the European and international institutions whenever a country or a government systematically violates these rights;
- Encourage the organisations to work with other civil society organisations aiming at promoting human rights and the rule of law;
- Organise concrete campaigns and solidarity action aimed at promoting the respect of international standards and the rule of law in all the countries and in all the companies of the region.

### **2.2.2. Strengthening social dialogue at all level**

Social dialogue is at the core of the “European Social model”. It consists in the recognition of the legitimacy of the social partners to express their point of view in the various areas where the interests of their members could be affected, and in the strong conviction that any reform, to be sustainable, should be built on a consensus whose terms have to be discussed beforehand by the representatives of the workers and of the enterprises.

Institutions exist in most European countries to organise the social dialogue, bipartite and tripartite. The ILO, in particular, has played a key role in the CEEC, in the SEEC and in the NIS to promote social dialogue structures – that exist, at least at the tripartite level – now everywhere. As it could also be seen from the situation of some Western Europe Countries, it is however not enough to have structures. In many countries indeed these structures do not function, or do not function in the effective way that should normally be expected.

The main obstacles to an effective social dialogue are:

- The reluctance of governments that consider to be the only depository of the popular legitimacy to accept to submit their reform proposals to consultation and negotiation with the social partners;
- The weakness of many employers organisations, often coupled with their reluctance to engage in serious and responsible social dialogue with the trade unions;
- The temptation to dilute the specificity of the social dialogue – that should normally lead to binding collective agreements – into a general and vague consultation with civil societies representatives;
- The weight of the international institutions that do not hesitate to dictate to the governments their policies, and that consider that the social dialogue should be kept as much as possible at the company level, and in any case should be objected-to whenever it could limit the generalised flexibility that they support;
- The deficit of expertise of the trade unions, particularly on global social and economic policy issues;
- The weakness of the trade unions – at least in the countries where their representativeness becomes critical;
- The failure to integrate gender policies adequately and, in particular, to develop social policies aimed at reconciling work and family life;The economic and social difficulties,

related to the globalisation of the economy, the transition process, and in some countries to post-war situations.

Europe is part of the world. A world that is now more and more global. Transition in Eastern Europe, during the last 15 years, is part of this process. The trade union movement does not reject globalisation. It wants globalisation to work for the development of every human being, every worker. Social dialogue is the instrument through which the trade union movement considers that it could influence this process, and shape therefore a better world for everyone.

At the international level, the ITUC, during its Founding Congress, stressed the importance of a renewed dialogue that should put an end to the “*the policies of free market neo-liberalism*”, and to “*the manifest failings and incoherence of the international community in respect of the current process of globalisation*”. It pleaded for a social dialogue that would put at the top of its agenda the following concerns:

- “*Combines the three pillars of sustainable development - economic, social and environmental;*
- *Guarantees universal respect of workers’ fundamental rights;*
- *Generates decent work for all;*
- *Puts an end to mass poverty and substantially reduces inequality in and between nations;*
- *Promotes growth with equitable income distribution”.*

These concerns are also at the core of the ILO priorities, defined under its “Decent Work Agenda”.

*“The overarching objective of the ILO has been re-phrased as the promotion of opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity. Decent work is the converging focus of the four strategic objectives, namely rights at work, employment, social protection and social dialogue. Decent work is an organizing concept for the ILO in order to provide an overall framework for action in economic and social development”.*

These general objectives have of course to be adapted to the social and economic development and of the standards – different as they might be from one sub-region to another – of Europe. Moreover, for the trade union movement, social dialogue should be seen in a broad perspective. Social dialogue should include all the issues that are of interest for the workers, and the population in general, and that could affect their working conditions, their existence and their dignity. At the core of this conception, there is a vision of a State that is responsible for the jobs, the rights and the welfare of his citizens, and that engages active policies to meet the objectives that it will have defined after active consultation – and when necessary negotiation – with the different social actors.

PERC will work with its different constituencies to promote this conception of social dialogue. It will in particular:

- Monitor the development of social dialogue in the different countries, analyse the obstacles to the social dialogue, and work with the other partners, as well as with the European and international institutions to promote a more effective social dialogue;

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- Emphasise the central role of the trade unions in the implementation of the social dialogue, a role that could not be undermined by the establishment of other institutions or by the involvement of other organisations or associations. Encourage however, at the same time, a proactive attitude of the trade unions in using these institutions – workers' councils, etc... - and in establishing partnerships with other organisations of the social and civil society to promote common interests;
- Support bipartite dialogue, both at the company and at the sectoral level, as an integral part – and a necessary dimension – of the national tripartite social dialogue;
- Assist its members, through multilateral and bilateral programmes, in acquiring the necessary expertise to take an active and well-informed part in the social dialogue; encourage exchange of experience and expertise;
- Cooperate with ILO and with other organisations or institutions to promote social dialogue and “Decent Work Country Programmes”;
- Promote the importance of social dialogue, as a key dimension of any European and other international organisations programmes; and liaise with the ETUC and the ITUC on this;
- Organise meetings, task groups or specific programmes in order to prepare, with the interested affiliates, positions or initiatives that could strengthen the position of trade unions in programmes or actions set up by the European, regional or international institutions.

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### **2.3. Economic and social policies priorities.**

#### **2.3.1. Fighting Discrimination, Achieving Equality**

The first discrimination, historically, is against women. The trade union movement, and women's associations, have fought for decades to put an end to this discrimination. Substantial progresses have been achieved. In European countries, there is no longer any discrimination in law that puts female workers in an unequal position compared to their male colleagues. In practice, however, inequalities still persist. This is due to various – direct and indirect – obstacles that make it more difficult for women than for men to access to qualified functions, function of responsibilities, promotions, or to combine their family responsibility with their professional commitments. Cultural patterns have also an impact: when an enterprise restructure, it is often the women that are the first to be laid off; when an enterprise engage, women are often seen as the second category workers, and engaged only if men are not available. No surprise therefore if the unemployment rate is higher for the women than for the men, and if women are often concentrated in low-salary sectors, or have to accept more often than normal precarious contracts. Women are often also more represented in informal economy.

Cultural patterns exist also in the trade union movement. In many countries, trade unions have done during the last decade a huge effort to organise female employees in the sectors where they are more present (services in particular). But there are still a lot of companies where the trade unions are not present. Women are still under-represented, compared to their participation in the economic life. They are also under-represented in the trade union organisations, and in particular in the leading positions of the organisations. That led the ITUC, during its Founding Congress, to plead with its affiliates *“to ensure that the gender perspective is fully and transversally integrated into all its policies, activities and programmes at all levels. The Congress knows that the future strength and vitality of the trade union movement depends on women joining its ranks and becoming leaders and calls on the ITUC to adopt an action programme to promote gender parity in trade union structures and the full integration of gender issues in trade union policies, and to combat any discrimination, harassment or abuse of women and obstacles to their progress in the trade union movement. The Congress urges the ITUC to redouble its efforts at organising women in the sectors in which women are predominant, working under precarious conditions, or in which trade unions are still poorly represented (informal work, export processing zones, migrant workers and atypical jobs)”*.

To achieve this policy, an active and systematic approach is needed. In the ETUC, the ICFTU and the WCL different initiatives have been taken, organised by committees set up with this purpose. The building up of a “Central and Eastern Women Network”, for many years now, needs in particular to be mentioned. This Network, initially set up by the ICFTU but later enlarged to the WCL women sections, provides a working frame for women representatives now of 51 trade union centres, coming from 28 countries. Since the year 2000 an annual Women's Summer School has given all these representatives an opportunity to discuss their priorities and activities, and to plan their actions for the next year. Since 2005, the ETUC has participated in this Summer School.

Discrimination however do not affect only women. In many countries, in Western as well as in Eastern Europe, but in particular in the countries that have recently gained their independence and recovered their identities – sometimes after war or bloody conflicts, citizens

and workers belonging to minority groups suffer regularly from intolerance, discrimination, racism and xenophobia. People are discriminated on the basis of their community, their religion or their sexual orientation. Discriminations of this kind are violations of basic human rights, and the trade union movement fights for equal rights of all individuals to have equal access to job opportunities and to live in dignity without suffering any kind of discrimination or interference in the choices of their personal life.

To implement this policy, the PERC will:

- Set up a Women's Committee that, in collaboration with the ETUC and the ITUC equality committees, will provide advice and recommendations to the PERC EC, and will be in charge of promoting programmes and initiatives to implement these recommendations;
- Support the "Women's Network" and the "Women's Summer School" – taking into consideration the extra-budgetary resources that the PERC will be able to mobilise to these activities; define the new forms that these activities should take in the framework of the PERC;
- Campaign for the ratification and / or full implementation of all the relevant European and international instruments, such as EU directives, the Charter of Fundamental Rights and ILO conventions, to promote gender equality and oppose any kind of discrimination, be they grounded on sexual orientation, religion or community;
- Oppose any form of discrimination based on gender, sexual orientation, religion or community;
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- Oppose any kind of racism or xenophobia;
- Encourage its affiliates to analyse all the obstacles – on the labour market, in society, as well as in their own organisation – to a full equality between all categories of workers and to develop an action plan to oppose any kind of discrimination; encourage the full participation of women and members of minority groups in the activities and responsibilities of the trade unions – if necessary through the adoption of specific quotas; initiate specific bilateral and multilateral programmes that could contribute to this objective;
- Include gender equality as a priority in its various programmes ;
- Promote gender equality and non-discrimination in all the European and international institutions and in all areas of trade union activity.

### **2.3.2. Ending Child Labour**

Child labour existed traditionally in some countries of the region – Central Asia in particular – for seasonal activities: cotton harvest, for example. Since 1991, with the brutality of the transition to the market economy, the dramatic increase of poverty, the growing informal economy – but also due to the degradation of the school system, the dismantling of families, child labour has grown, and become, in some countries at least, a endemic reality.

Trade unions are well aware of the importance of the problem. Cheap child labour substitutes to normal labour in countries where there is already a high level of unemployment. Child labour thus reinforces unemployment. It grows with the development of the informal economy, many children working informally together with their parents as sub-contractors

or autonomously. It contributes therefore to the strengthening of a system ignoring contracts, social protection, any kind of social or fiscal legislation. It endangers in this perspective the future of the country which, by relying on social dumping in its worst form, moves increasingly downwards in the international division of labour.

The main sectors where child labour can be found are: agriculture, garment and shoes industries, car washing, street-vending, garbage sorting, begging.

In Vienna, the ITUC Founding Congress called upon *“to campaign against child labour in all its manifestations, and with proper regard to all its causes and ramifications: in the informal as well as the formal economy; through universal public provision of free, compulsory, quality education and family income support; by building public awareness and commitment; by campaigning for ratification of ILO Conventions 138 and 182 and their respect by employers including in their supply chains; and by maintaining pressure on international organisations to ensure that trade, economic, and financial policies support the elimination of child labour instead of pushing children out of school and into work. The ITUC will work with NGO’s which share its objectives, analyses and approach to child labour, prioritise elimination of the worst forms of child labour, and target the specific forms of exploitation of girls and of boys”*.

In line with this recommendation, the PERC will:

- Campaign for the ratification and full implementation of the ILO Convention 138 and 182, not only in law, but also in practice;
- Mobilise the European and international institutions responsible for finance, trade, investment and other economic issues to adopt and implement policies which support universal access to education, investment in the future of the world’s children and prohibit child labour;
- Campaign with its affiliates against companies that, directly or indirectly, organise or benefit from child labour; organise international solidarity in order to put pressure, not only on the enterprises operating in the countries where child labour is used, but also on the headquarters companies established in other countries, in particular when these countries are established in other European or even in EU countries;
- Promote with the EIFs/GUFs, the ILO and other interested institutions or associations programmes and actions aimed at identifying child labour, analysing its causes, mobilising the public authorities against it and supporting social and school reinsertion programmes of the children;
- Promote policies aimed at creating decent jobs for all adults and providing comprehensive social security for all workers and citizens.

### **2.3.3. A Decent Future for Young Workers**

Young people represent the future of their countries. Their countries, however, too often care very poorly for them and for their entry in the professional and civil life. Young women and men have the most difficulty to find a job – in EU, the unemployment rate for young workers, in 2005, was estimated at 18,5 %. This is an average, and as, in some countries,

like Denmark, Ireland or the Netherlands, it is close to 8,5 %, in other countries, the rate goes beyond 20 %. The situation is particularly high in Slovakia and in Poland, with an unemployment rate for young people of 30% and 37% respectively. In other countries, the situation is not better. Croatia is close to 30 %, the Russian Federation to 27 % and the Former Yugoslav Republic of Macedonia even presents a peak of 49 %. When they find a job, it is often a temporary or a precarious job, with restricted rights. Young workers are the most represented in the informal economy, and among migrant workers.

Young people often seem to be considered as an “adjustment variable” for companies and for governments that seem to see increased flexibility as the only policy able to address the youth unemployment problem. As such, policies for young workers play the role of a laboratory for the various recipes of labour market deregulation. To solve the youth employment problem is an issue of interest not only for young workers. All categories of workers, the whole trade union movement should feel concerned.

Young people do not have only difficulties to participate in the professional life. They are also insufficiently represented in most of the established institutions and organisations. The difficulty of the professional insertion of young workers is probably one of the reasons why young men and women are so poorly represented in the trade unions. But this is not the only reason. The engagement of young people in NGOs and civic movements shows that there is a potential of interest and of participation that the trade union movement does not use effectively. In many trade unions, the leaders do not even know the number of their young members and, in many cases, there is no defined policy to address the specific problems of young people. There are no proper structures neither where the young members or activists could invest their energy.

During its Founding Congress, the ITUC recognised that *“the situation of young workers, who represent the present and the future of the world, is in general extremely vulnerable. The Congress recognises that dealing effectively with the concerns and expectations of young working women and men, and achieving their full integration in trade unions, is crucial to the strengthening, revitalisation, creativity and future of the trade union movement everywhere. It commits the ITUC to campaign for decent work, and quality education and training for young people and to promote action to improve organisation and representation of young women and men in trade unions. The Congress calls on the ITUC to develop and implement policy and action on young workers’ issues, to facilitate the exchange of national experiences, to involve young trade unionists in its campaigns, and to be a catalyst to develop their potential for the movement”*.

The ETUC, the WCL and the ICFTU have developed different initiatives to promote young workers participation in the trade union movement, and to formulate policies that meet the concern of young workers. Youth Committees and Youth Networks should be mentioned in this framework. Through these networks and committees, trade unions have been encouraged to develop an active policy of recruiting and organising young people, to set up specific structures to facilitate the participation of young people in trade union decisions and action, to defend the rights of the young workers, to define policies aiming at facilitating the transition from school to work and at providing a decent job for all young workers, to express the voice and the concerns of the young workers in the various for a or institutions where they could be heard – from the ILO to the Council of Europe.

In line with these recommendations and initiatives, the PERC will:

- Set up a Youth Committee that, in collaboration with the ETUC and the ITUC Youth Committees, will provide advises and recommendations to the PERC EB, and will be in charge of promoting programmes and initiatives to implement these recommendations;
- Support the “Youth Networks” – taking into consideration the extra-budgetary resources that the PERC – that will mobilise these activities; define the new forms that these Networks should take in the framework of the PERC;
- Promote a rights-based approach – on the basis of the different international and European standards - to the problems of young workers; oppose any kind of discrimination that the young workers could suffer in terms of employment or participation in the life of the society;
- Promote specific programmes to facilitate the transition of the young people from school to professional life, programmes of vocational training, active employment and labour market policies that should aim at providing a decent work for all the young workers;
- Analyse with its members the obstacles to a full participation of the young workers in the trade union movement; encourage its members at actively promoting young trade unionism, at setting up specific programmes to recruit and organise young workers, at adapting their structures to facilitate young workers’ participation in the decision and action process of their organisations; to consider the possibilities of quotas reserved to young representatives, starting at the level of the companies where young workers are present;
- Encourage the setting up of specific training programmes for young leaders and activists; support the organisation of exchanges between young leaders and activists, through joint meetings, assemblies, youth camps or summer schools;
- Support the participation of young trade unionists, through the Youth Committees and Networks, into the ILO, the Council of Europe and other European, regional or international forums and institutions where issues of interest for them could be discussed.

#### **2.3.4. Promoting Migrant Workers and Organising them**

Migration is one of the major global challenges affecting vital interests of millions of people. It affects the labour market of most European countries, and sometimes their economic, social and demographic balances. In Lithuania, around 30 % of the active population left the country; in Moldova, around 40 %. A significant part – even if difficult to estimate precisely – of the male population left, temporarily or definitively, to Kazakhstan and to Russia. Through immigration from its close neighbourhood, Russia has partly compensated the sharp decline of its demography that affects it since the beginning of the nineties. Similarly, during the last decades, the Western European countries have benefited, through immigration, of an important input of workforce, without which they would not have been able to maintain their economic growth.

Migration is a complex phenomena that has to be considered in all its aspects. By leaving their countries, migrant workers create a human drain – often of the more dynamic, young and qualified workers – that weakens the economic capacities of the country; but migrant workers contribute also to the financial balance of their countries, by sending to their relatives part of their salaries. When they come back to their countries of origin, they bring with them experience, skills and sometimes technologies. Migration could be legal or clandestine; it could be related to human trafficking and cynical exploitation. The rights of migrant workers are often restricted, sometimes totally denied. Migrants work in the less-paid,

more precarious and more dangerous activities. They are used by employers to keep wages low. But they also spend a substantial part of their salaries in their host countries, contribute to the social security and pay their fiscal dues. Migration should be approached from all these sides. It would be reductive, and wrong, to consider it from one point of view excluding all the others - host country against country of origin; social standards against economic requirements; security against human and workers rights. All these aspects are intertwined, and it is the responsibility of the trade union movement to defend a right-based approach that could integrate in a sustainable way all these aspects.

Migration should also be considered against the background of the huge differences of development that exist even in a continent like Europe. Unemployment, dramatic increase of poverty – sometimes caused by wars or conflicts between communities – are the first reasons that lead workers to emigrate. Migration is therefore, first of all, a problem of development, of equal and sustainable development. And it is in the interest of all countries, the rich ones as well as the others, to feel responsibility for this. Countries cannot build prosperity with, close to their doors, areas of misery and social dumping.

The ITUC Founding Congress emphasised the importance of this issue, that could have also harmful consequences in terms of clashes between people, communities, growth of intolerance, racism and xenophobia. *“The Congress underlines the responsibility of the ITUC to campaign against the discrimination and the unfair and often exploitative conditions of work and life faced by the world’s migrant workers and their families. It calls on the ITUC and its affiliates to play a more active and visible role in promoting the rights and equal treatment of migrant workers and in the fight against racism and xenophobia”.*

In line with this recommendation, the PERC will:

- Promote a right-based approach that considers that all the workers, independently of their origin or community, should benefit of the same rights and have the same duties;
- Campaign for the ratification of respective ILO and UN conventions by as many countries as possible and their implementation in practice (the ILO Convention concerning Migration for Employment (1949), the ILO Convention concerning Migration in Abusive Conditions and the Promotion of Equality of Opportunity and the Treatment of Migrant Workers (1975) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990));
- Establish dialogue with employers organisations and with the national, European and international authorities in order to control migration channels and to prevent human trafficking as well as any abuse of human misery that would lead to violation of the fundamental human and workers’ rights.
- Support cooperation and assistance programmes in the non EU neighbouring countries – including central Asia - aimed at laying the basis of a sustainable economic development that could provide decent job for everyone, eradicate poverty and oppression;
- Encourage cooperation between trade union centres and professional federations – through bilateral and multilateral agreements – to assist and to organise migrant workers;
- Support the setting up of “migrant information centres” to inform the migrant workers of their rights and to promote recruitment and organising campaigns among the migrant workers;
- Oppose any kind of intolerance, nationalism, racism and xenophobia;

- Support national, European and international legislations or regulations that aim at facilitating the integration of migrant workers in their host country, or at assisting refugees, forced resettlers, displaced people and asylum seekers.

### **2.3.5. Investments flux – Relocation of Enterprises**

The fall of the Berlin Wall opened the process of economic reforms aiming at allowing the countries of the SEEC, the CEC and the NIS to take part in the global economy, to have access – and further on to integrate – the European common market economy. During the last decade, an impressive set of reforms have been engaged in most of these countries – most of the time, unfortunately, at the cost of a dramatic breakdown in the living standards of the majority of the population. These reforms led to major economic and trade reorientations, preparing the integration, in 2004 and 2007, of twelve New Members States (NMS) and laying down the conditions for a more and more common economic market with the SEEC and, to various degrees, with the NIS. EU is today a major partner, even for countries like Russia, in Caucasus or Central Asia, and will become increasingly in the future, preparing the conditions of a more and more integrated market of 650 million producers and consumers.

Foreign Investments play a significant role in this process. The more so that, in many countries, the privatisation process was unable to mobilise domestic savings and capital that, at this time, were often inexistent. One of the key concerns of the reforms were therefore to attract foreign investment, and to adapt their legislative framework for this, often under the monitoring of the international financial institutions. During the last decade foreign investment, at least in the CEEC, played a decisive role in the recovery of the economies, and the resumption of the growth. EU companies played a major role in this process.

Foreign investments, seen from the CEEC-SEEC-NIS countries, are investments abroad, seen from EU departure countries. And what is used to invest abroad could of course not be invested in the domestic countries. It is understandable therefore that there is a widespread fear, supported in general by the media, that investments are moving from Western to Eastern Europe, and that, as a direct consequence, workplaces are following exactly the same way. The more so that one of the main reason for the companies to invest in eastern Europe seems to be the lower cost of a workforce, that, still benefit of a relatively good level of qualification. Workers in the EU-15 worry therefore that their jobs will be relocated to the NMS or further to the East to countries that have substantially lower cost levels. Further on, however, it can be feared that, as a next step, an increasing amount of labour intensive activities will be transferred from the NMS to Eastern and South-Eastern Europe, imposing a second wave of structural change in the NMS, while causing an investment revival in some of the Eastern and South Eastern European countries.

These fears should not be neglected. It is in the interest of all the workers in Europe that transition countries benefit from the investments they need to support their economic and social development. But it is also in their common interest that this process is not implemented at the expense of the investments and the workforces of the countries where the companies were initially established. Transfer of capital and relocations are of course far

from being limited to the Western-Eastern dimension. They exist also, and on an important scale, from some Western countries to others that practice for example a deliberate policy of fiscal dumping. And it could not be reduced to Europe. Beyond South-East of Europe, there is South – Maghreb countries, Africa; beyond East of Europe, there is East – China, India, other countries, where European companies invest, establish factories or sub-contract. But this just underlines the importance of the issue, that should be tackled in the framework of taking control over globalisation to make sure that it serves the interests and the rights of all workers and human beings.

In this perspective, the PERC will:

- In partnership with the ETUI-REHS, monitor the capital investment and relocation strategies, both from the point of view of the countries where the companies have their headquarters, and from the point of view of the countries of destination;
- Support the full utilisation of the instruments of information, consultations and negotiations that have been set up by the European Union, the OECD or other international institutions; to mobilise against employers and companies that do not accept social dialogue;
- Support the EIFs/GUFs in their efforts to set up coordinated strategies that include all their affiliates and affiliates interests;
- Campaign with the EIFs/GUFs to promote the full respect by all the companies – MNEs or others – of the trade union and fundamental workers' rights;
- Assist its affiliates, particularly from CEEC, SEEC and NIS, to gain expertise in dealing with these global and economic strategies issues; to encourage exchange of information and contacts;
- Encourage its affiliates to take a pro-active attitude in raising this kind of global issues with their governments;
- Oppose any deliberate policy of social or fiscal dumping; to refuse, as faked, any policy of development that rests simply on the low level of the workforce, on the flexibility without security or on the worst exploitation of the workers; to support on the contrary development policies that integrates the high level of qualification of the workforce and that compete through the high quality of the products. Mobilise for this the European and various relevant international institutions;
- Promote, in the European and international institutions, investments and cooperation policies that could support, complement – and if needed substitute – the private investments, particularly in the countries that, for any reason, is ignored by the main stream of the private foreign investments.

### **2.3.6. Energy Policy**

With the explosion of energy prices over the past three years, issues of energy policy have become a central concern for trade unions. Energy policies should help create more and better jobs, while seeking a tighter focus on energy conservation and efficiency so as to protect the environment against global warming and pollution. Russia, Central Asia States, Norway have plentiful accessible energy reserves, and they play a major role in supplying with oil and gas the whole continent. In Europe, energy may be the responsibilities of the

national states, but it is also, clearly, a global and continental issue. Governments must forge a new consensus on energy policy within a broader framework of international governance covering the management of energy resources, energy conservation and efficiency. The views of trade unions need to be taken into account, and social dialogue procedures implemented at all levels to enable this. This dialogue should focus in particular on:

- Stable and long-term supplies of energy provided in the respect of the established contracts and at accessible prices;
- Environmental sustainability requiring a more energy-efficient and less carbon-intensive economy;
- Investments in technologies and programmes to save energy consumption and to reduce environment pollution;
- Creation of decent jobs in primary energy production, in industries relying on significant energy inputs, in energy conservation and transport, in alternative energy development and in energy saving;
- Increased efforts in – private and public – research and development funding.

The trade union concerns and priorities have been expressed in the Statement published by TUAC, in July 2006, before the Summit of the G8 that took place in St Petersburg.

### **Security of supply:**

The global energy economy has entered a period of instability that is likely to persist. Conflicts and political inter-states tensions add to this instability, and aggravate the present volatility of the energy prices. Energy crises have a direct impact on the economic development of the countries, particularly on the countries that are confronted with the biggest social and economic difficulties and that are still struggling with the economic and social reforms related to the transition process.

Security of supply is best achieved multilaterally. Market mechanisms cannot solve all those fundamental problems. Liberalisation and increased competition among energy suppliers is not the answer. Timescales are short – investment streams need to be established now, by agreement, while waiting for the Energy Charter Treaty to be signed by all participants. The Governments should formulate *long-term policy plans for energy security*. Close co-ordination with the International Energy Agency (IEA) needs to be stepped up.

### **Ensuring jobs competitiveness, and sustainable development**

Energy price increases and volatility undercut competitiveness. Workers in energy-intensive companies and domestic consumers suffer considerable hardship as a result. This has been aggravated, in some countries, by the way the energy sector was liberalised and handed over to the sole market regulations. In many countries, public authorities failed to handle contradictions between opening markets to competition and guaranteeing secure energy supplies at prices that could be paid. Security requirements – that, in some countries, led, under the pressure of the European Union or other international organisations, to close down existing Nuclear Power Plants sometimes led the concerned countries only made the situation worse.

Job losses in the energy industries, during the last decades, have been massive. One study by European trade unions shows a loss of 300,000 jobs in electricity and gas in the

EU. In the UK, “Employment Trend Statistics show that in 1988 employment in mining, quarrying, and supply of electricity, gas and water was 477,000, whereas in June 2005 it had fallen to 160,000. Surveys in CEEC, SEEC and NIS would show the same reality. In the long term, new jobs may be created, related to the creation of alternative energy sources, or to investments in energy savings. But the workers that lose their jobs now will most probably not be the ones that will accede to the jobs created by the new energy developments. Social plans, in some countries on a very broad scale, are needed to accompany this transition process.

In line with all these different concerns, the PERC will:

- Support the analysis and the proposals on energy included in the Trade Union Statement published before the 2006 G8 Summit;
- Insist on the necessity of a close cooperation between the European Governments and the European and international institutions, in particular the IEA, to define a long-term, comprehensive and sustainable policy on energy that could guarantee energy supply security, stabilise energy prices, reduce environment pollution and warming up, support economic development and promote investments, research and decent jobs for the workers;
- Emphasise that the necessary inter-state cooperation in the area of energy should go hand in hand with the respect of the contracts and all other commercial or civil international standards;
- Support better transparency in the management, investments and profit sharing of the companies active in the energy sector;
- Emphasise the necessity of long terms plans to deal with the economic and social consequences of the reorganisation of the energy sector;
- Insist, in this perspective, on the necessity for the national Governments and for the European and international institutions to accept to engage into social dialogue with the social partners.

### **2.3.7. European Neighbourhood Policy**

Since January 2007, with the integration of Bulgaria and Romania, the EU counts 27 member states. Croatia, Turkey and the FYROM have been accepted as “candidates countries”, even if nobody could say now how and when the accession process will be finalised. Western Balkan countries have signed with the EU “Stabilisation and Association Agreements” (SAA), and even Kosovo – whose status has still to be defined – is included in this process. According to the statement of the European Council of June 2003, that took place in Thessaloniki, these countries could all legitimately expect, in the long term, to integrate the EU. This is not the case for the other neighbouring countries, be they to the east of Europe – the NIS – or at its south – the Magreb and Mashreq countries. For these countries, the EU has adopted a “European Neighbouring Policy” (ENP), with action plans aiming at supporting their economic development, organising its trade and economic cooperation, promoting social and civil rights and encouraging good governance. On the territory covered by the PERC, Moldova, Ukraine and the three Caucasian countries are concerned. A similar, but specific, programme has been adopted for Russia. Only Belarus – for violations of the democracy international standards – and the Central Asia countries fall outside the scope of this ENP.

The ENP formulates general orientations that focus mainly on trade cooperation and economic reforms. It also integrates some references to the respect of human and workers rights, to the values of good governance and social dialogue, aiming at building a “community of values” between EU and neighbouring countries. For the trade union movement, these values could certainly be expressed better and in stronger terms, but this is not the main problem. It lays in the way the general orientations are translated, i.e. through national “Action Plans” negotiated between the EU Commission and the governments of these different countries. And it is of course in these Action Plans that we find the real policy of the EU, and not in the general statement of intentions that the official ENP documents declare. For the trade union movement, these Action Plans raise various problems. Mainly:

- the lack of proper mechanisms to involve the social partners and the representatives of the civil society in the negotiation, the monitoring and the evaluation of the Action Plans; the consultation is in fact left to the good – or to the bad – will of the governments;
- the strong emphasis on economic and trade reforms that participate of the liberalisation approach promoted already by the World Trade Organisation and the International Financial Institutions. This led to the suspicion that, in fact, the main interest of the EU could very well lay in enlarging its own market, even at the cost of undermining the national production of these countries;
- the lack of mechanism to enforce the respect of fundamental human and workers’ rights. Asked about this, the EU Commission representatives refer back to the GSP mechanisms. Last years experience shows however that the GSP mechanisms are not more effective than the ENP mechanisms.

This should not lead the TU movement to ignore the ENP that will, in the next years, clearly shape the whole policy of the EU with these countries. It is important therefore that the TU movement expresses its point of view, and, with other institutions and organisations – such, for example, as the Economic and Social Committee of the EU – try to influence the EU institutions to adjust this ENP and review the way it is implemented.

In this perspective, the PERC will:

- Set up a task force, with its concerned affiliates and with the interested EIFs/GUFs, to evaluate the implementation of the ENP, as well as to prepare concrete recommendations that could be promote, both at the European level – through the ETUC – and at the national level, directly to social dialogue with the governments;
- Insist on the importance of the participation of the social partners in the ENP Action Plans, as well as in EU-Russia cooperation programmes;
- Assist its affiliates in gaining technical expertise to participate efficiently in the discussions with their Governments, the EU institutions but also the WTO and the IFIs about issues related to the economic and social development of their countries;
- Insist with the EU institutions on the necessity to pay full attention to the trade union and fundamental workers’ rights violations, and to take concrete and effective steps to put an end to these violations;
- Emphasise the necessity to put at the core of the ENP economic policies that aim at providing decent jobs for every worker;
- Take part in EU technical assistance programmes – in the framework of the ENP or in the SAA – to promote fundamental workers’ rights, social dialogue and to assist its af-

- filiates to use the European social model values to improve the social standards in their country;
- Cooperate with the ETUC in the various aspects related to the EU integration process.

**Brussels, 28 January 2007**