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INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)

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EU's respect for labour standards under the microscope

Brussels 25th October 2004 (ICFTU Online): Ahead of the World Trade Organisation's (WTO) review of the European Union's trade policy on 25th and 27th October 2004, the International Confederation of Free Trade Unions (ICFTU) is launching a new report (<http://www.icftu.org/displaydocument.asp?Index=991220651&Language=EN>) assessing the respect for core labour standards amongst the EU's 25 member states. The report, produced with the cooperation with the European Trade Union Confederation (ETUC), finds that whilst most of the 25 European Union member states have ratified all 8 International Labour Organisation's (ILO) core labour conventions, exceptions remain, including in the Czech Republic, Estonia and Latvia.

In certain areas of labour policy, some additional measures are needed to comply with the commitments the European Union accepted in declarations made at the WTO Ministerial Conferences in Singapore (1996), Geneva (1998) and Doha (2001). Changes also need to be made to ensure full compliance with the ILO Declaration on Fundamental Principles and Rights at Work. There are also shortcomings in respect of the relevant articles in the (revised) European Social Charter of the Council of Europe, which has been ratified by all 25 member states.

All EU member states have ratified both of the main ILO Conventions on trade union rights. In general, trade union rights are respected in law and practice in the 15 long-standing EU member states. However, there are examples of violations of trade union rights, particularly in the new member countries and labour legislation in these countries does not always conform to the ILO Conventions. Trade union violations continue in the Czech Republic where there are examples of refusing trade unions access to company premises, offering money for the dissolution of company unions and refusing to deduct union dues from salaries. In Denmark, civil servants' right to strike is curtailed and there is a serious failure to guarantee reemployment for those strikers who have participated in lawful protest.

Furthermore, the EU has not as yet explicitly recognised the right to cross-border secondary action as an integral aspect of the right to strike. It should be emphasised, nonetheless, that the EU and its member states are bound to observe the right to cross-border secondary action as a derivative right both in Community law and in national law, a right which has its basis in international labour law.

All EU member states except Estonia have ratified both the main ILO Conventions concerning discrimination and equal remuneration. Various mandatory European Union Directives provide for equal pay and equal treatment in employment. However, in all the member states, gender differences are still very pronounced in the labour market, even in countries where women tend to have a higher educational level - for example, in Estonia. In Austria, women earn just 74% of men's earnings for the same work. The gender pay gap in the United Kingdom is approaching 20% whilst it is estimated as high as 30% in Spain.

Women workers are concentrated in low-paid work, part-time work and other forms of atypical employment, which have increased over the past twenty years, mainly in the service sector. These factors mean that the gender pay gap has been highly resistant to change. Discrimination in the EU is not limited to gender. A major concern, especially in many of the new member states, is the discrimination in employment against the Roma ethnic minority. In some areas, unemployment

rates for Roma reach 90% (for example in Slovenia) and inequalities exist in education as well.

All EU states except the Czech Republic, Estonia and Latvia have ratified both ILO Conventions against child labour. However, while child labour is not widespread in Europe, unacceptable exploitation of children is occurring in most countries to some degree, mainly in the informal economy and in agriculture.

The report also highlights that with the exception of Latvia, all EU member states have ratified both of the main ILO Conventions on forced labour. The trafficking of women and girls for forced prostitution still exists, as does the trafficking of people for forced labour in agriculture and sweatshops.

The EU supports respect for core labour standards in several aspects of its own trading system including its Generalised System of Preferences (GSP), under which developing countries that respect the core ILO standards are eligible for improved access to the European market. Since 1995, countries engaging in forced labour have been liable to lose their duty-free access to the EU market, while revisions to the GSP arrangement in 2001 extended this provision to the flagrant violation of any of the core labour standards. At the same time, improved trade access is possible for countries guaranteeing that they respect all the core labour standards.

The ICFTU represents 148 million workers in 234 affiliated organisations in 152 countries and territories. ICFTU is also a member of Global Unions: <http://www.global-unions.org>

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