



Yasmin Fahimi and Reiner Hoffmann (eds)

For a Social Europe and a Fair Globalisation

Guiding Principles for the International Work
of German Trade Unions

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About the Editors

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A CONVERSATION WITH THE EDITORS



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is President of the German Trade Union Confederation (DGB).



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What have been the driving factors of the last ten years of international work for the DGB? What have been the focal points?

Reiner Hoffmann: The DGB's driving force for its international work has been and continues to be the shaping of a fair globalisation. Germany has benefitted enormously from globalisation, especially as a strong export-oriented country. In Germany, almost seven million jobs depend on exports to non-EU countries. For the European Union as a whole, the figure is 36 million. Most of these jobs are covered by collective agreements covering decent wages and good working conditions. The resulting increases in well-being are unequally distributed. When compared internationally, the distribution gap has increased tremendously in recent years. For the DGB and its member unions, a fair globalisation means human and trade union rights are enforced. In particular, these rights are a prerequisite for people in the Global South to participate in quality-of-life improvements, to come out of poverty, and for humane working and living conditions to be possible.

During the 2014 DGB National Congress, we had an intensive debate on the future of trade policy in the European Union. In the end, the debate focused not on preventing the then critically discussed trade agreement with the United States (TTIP) but instead on creating the conditions so that free trade agreements can function to protect workers' rights, consumer protection, social and environmental standards, and so that ILO core labour standards can be implemented. While the TTIP failed at the time, significant changes to the EU's trade agreement with Canada (CETA) were made. These changes include the protection of public services (including from further pressure to deregulate or privatise), the overturning of protections for private investments, the recognition of labour and environmental standards, and the ability for violations to result in sanctions. While this was a considerable success for the trade unions, it will not be enough. In the future, all EU trade agreements must have UN sustainability criteria, workers' rights, and a guarantee of the provision of public services anchored in their texts.

In recent years, the German Supply Chain Act has been another focus of the DGB. This act regulates companies' due diligence obligations to their international supply chains. Now, it is important that it be implemented and that this happens with the help of our works councils and workers' representatives on supervisory boards. Next: The European Supply Chain Act must be passed quickly.

How does the DGB intend to integrate its international cooperation into its overall political work in the future?

Yasmin Fahimi: The guiding principles for the DGB's international work, set out in 2014 and followed ever since, were re-established via four detailed key resolutions at the 2022 Congress. The main resolution was entitled "Standing Together in Solidarity: For a social Europe as a motor for a fair globalisation" and was further fleshed out by three additional resolutions, titled "Strengthening social rights in Europe", "Towards a Europe of the Future — social, democratic, and just!", and "Shaping globalisation in a humane and fair way".

The looming challenges posed by climate change, the socio-ecological transformation, and geopolitical conflicts can only be solved through collaboration at the European and international levels. At this juncture, trade unions are needed more than ever. Close cooperation with our trade union colleagues worldwide — including the European Trade Union Confederation (ETUC), the International Trade Union Confederations (ITUC), and the UN institutions, especially the International Labour Organisation, and the Bretton Woods Institutions — are and will continue to be a central feature of the political work of the DGB.

What are the DGB's central political messages and guiding principles for a time of multiple crises? And what will the focus be on in the coming years?

Yasmin Fahimi: At the European level, we need to devote more attention to the subject of European strategic autonomy. The path forward must lead to a more sustainable,

efficient, resilient, social, and competitive European economy so that we can survive in the competition of social systems and remain geopolitically sovereign. This comes to a head in the supply chain, so their design is high on our agenda — we hope the European legislature can come to an agreement soon. European transformation and competition policy are also in our sights; these policies are tied to core trade union tasks because economic policy creates the basis for the respective social welfare model. In Europe, we need to become a point of contact for this topic and not be relegated to contributing when it becomes necessary to take remedial action. Last but not least, we must continue to campaign for expanded co-determination rights and robust employment and social systems in Europe. We must shape a European Union in which employees are not seen as an expense but as productive added value that is both supported and valued.

If we want to see decent working conditions worldwide, we must take responsibility for production, trade, and services. Therefore, we must also understand the transformation to a carbon-free industry as a shared task, one shared both at the European and international levels. This can only be achieved through a strengthening of the role of trade unions in the international debates on climate and sustainability so that the trade unions can actively engage in the treaties and conferences on climate change and in the G7 Climate Club. There is no second planet, nor is it guaranteed that we will continue to live in a democracy.

As trade unions, we are, as always, at the forefront of social change, eliminating the gender pay gap and adapting to the changing roles in our society. The November 2022 statement adopted by the ITUC Congress focuses on an urgently needed new social contract. We, too, will make our contribution and shape the coming digital transformation

so that it does not take place at the expense of workers or the broader population and so that social security and gender equality are not further eroded, among other things.

Worldwide, we can do our part by cooperating with the group work councils, Global Union Confederations, and the FES to implement better working conditions in specific sectors. We have a new instrument available to us since last year. Thanks to the DGB, the Act on Corporate Due Diligence Obligations in Supply Chains (LkSG; Supply Chain Act) has come into being. Now, we have to implement it.

How can the FES accompany the DGB in this work?

Reiner Hoffman: There has been intensive cooperation between the DGB and the FES since the 1950s when it comes to international trade union work. It's not an add-on; it's part of the FES' DNA. I look forward to furthering this cooperation in my new role as Vice-Chair of the FES. The methods for this are varied. One very important sphere for collaboration is the support and development of trade union structures in Asia, Latin America, and Africa.

In addition to the proven cooperation at the L7 and L20 events, the German Supply Chain Act, and, in the future, the European Supply Chain Act open up new fields for cooperation for the FES country offices worldwide. Opportunities for shaping a fair socio-ecological transformation should be given greater focus, the key word here being "fair".

This publication clearly summarises the key resolutions on international cooperation from the DGB Federal Congress in May 2022 and can serve as a reference for all our European and international partners as well as the interested public. For our FES offices abroad, this will serve as a valuable source of information and guidance.

Interview conducted by Marc Meinardus

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TOWARDS A EUROPE OF THE FUTURE: SOCIAL, DEMOCRATIC, AND JUST

The *Deutscher Gewerkschaftsbund* (DGB; German Trade Union Confederation) and its member unions advocate for a sovereign, democratic, and solidarity-based Europe capable of action that gives people security in times of change. European unification is a vital issue for Germany. Socio-ecological transformation, climate change, and increasing competition and rivalry between systems on a global scale present us in Europe with immense challenges. On a global scale, all member states of the European Union, including Germany, are too small to face these challenges alone. From the trade union perspective, this means a deeper integration of the EU is inevitable.

Germany and Europe must remain strong industrial hubs in the international system of trade; thus, German trade unions are calling for an active industrial policy that draws on resilient value chains to gain strategic capacity for action. German trade unions strive for a Europe that sets global standards for fair world trade in global supply chains. The EU Internal Market must be accompanied by democracy, human rights, social and environmental progress, technological innovation, digitalisation, and the fight against global climate change. Strategically important production sectors should be brought back to Europe or discouraged from migrating in the first place.

1.1 STRENGTHENING EUROPEAN DEMOCRACIES, SAFEGUARDING THE RULE OF LAW

The European Union's values are democracy, freedom, and prosperity for all. Democracy cannot and should not stop at the workplace. Workers in companies and enterprises all across Europe must be able to participate in decisions about their working conditions. For the DGB and its member unions, economic democracy and codetermination at the company and enterprise level are of paramount importance. Therefore, the German trade unions are calling for a mainstreaming of all European policies and regulations, especially as they pertain to corporate governance, as a means of achieving a democratisation of the economy. Economic democratisation, in turn, contributes significantly to a stable economy and social cohesion.

In Europe, both democracy and the value system are under threat from inside and outside by division and political instability. There are democratic deficits in member states and an increase in internal social divisions, the popularity of political extremes and right-wing populism, fake news and disinfor-

mation, and cybercrime and external threats. The crises of the past fifteen years, which include the Eurozone crisis and the COVID-19 crisis, as well as challenges posed by people seeking refuge or migrating to the EU, have put the union's political capacity to the test. Some of the fundamental design flaws of the EU, including poor decisions and political failures, have become abundantly clear. Many citizens have lost their confidence in politics.

The German trade unions want the EU to improve their capacity for action so it can respond adequately to internal and external challenges, a necessity for a united future in Europe. To achieve this, member states must revisit the EU's founding mission, a social peace project in search of common humanitarian and constitutional-democratic values. The EU must deliver on its promise of democracy, freedom, and prosperity for all. The independence of the judiciary in all member states is paramount, as it forms a compelling foundation for European cooperation vis-à-vis security, freedom, and justice in Europe. Corruption should be answered in resolute terms. To overcome the blockade politics of individual member states in the European Council, as was seen during negotiations on the EU's Multi-Annual Financial Framework (MFF), the principle of unanimity should be replaced with majority decision-making.

The EU is to thank for Europe-wide standards of equality, which have led to anti-discrimination legislation in all European member states and have had a positive impact on the rest of the world. Germany has profited from this in the long term. At its core, the global fight against all forms of discrimination is a fight against social inequality, a cause to which trade unions have always been committed. The EU member states that have trampled on the strengthening of collective representation rights, equal treatment of minority groups, and respect for democratic principles must be sanctioned under the Rule of Law Framework.

The EU's multitude of directives, political resolutions, and concrete measures take into account group-specific experiences of discrimination based on gender and gender identity, ethnicity, age, sexual orientation, disability, or religion. The fight against intersectional discrimination must also be intensified.

1.2 SHAPING THE SOCIO-ECOLOGICAL TRANSFORMATION

The DGB and its member unions are committed to an ambitious climate policy and the fight against climate change,

given that global warming and environmental degradation are progressively endangering our livelihoods. The transformation must be seen as an opportunity for achieving prosperity and equality in living standards across all of Europe; thus, the transformation must be social as well as ecological. The German trade unions support the move by the current European Commission (EC) to place climate change as a major issue on the agenda for its 2019–2024 term. The EU aims to advance a climate-neutral modernisation of society and the economy through the European Green Deal and its associated action plan.

NextGenerationEU and its instrument, the Recovery and Resilience Facility, designed to respond to the crisis caused by the COVID-19 pandemic, provides additional funding for climate action. The DGB and its affiliates are calling for an invitation to participate in strategy and policy planning, as was the case with planning for the European Structural and Investment Funds (ESIFs).

The transformation to systems and processes that conserve natural resources and a climate-neutral economy, in accordance with the Paris Climate Accords, will demand much from society and lead to new conflicts about the distribution of wealth and resources. The transformation must therefore be understood not just as ecological but as a social issue as well. An ambitious European industrial strategy and the promotion of high-value services create sustainable prosperity in Europe. The European Green Deal will only be successful if the social components are considered and incorporated fully from the outset. Therefore, trade unions want workers to be involved in the planning and overall strategy stages of policy development.

Regional structural policy in the EU must be geared more strongly towards the challenges posed by this transformation, which should include strong rights for employees and trade unions. New uncertainties faced by people arising from this structural change give way to a critical need for employment and income security through Europe-wide minimum standards for unemployment insurance and an active labour market policy with opportunities for upskilling or reskilling for those impacted.

The transformation of energy-intensive industries towards CO₂-free production processes and the shift to sustainable modes of transportation require massive investments in re-training. All job losses must be addressed in a socially responsible manner.

1.3 SUPPORTING THE DIGITAL TRANSFORMATION

The DGB and its member unions welcome the grounding principles of the EC's Digital Strategy, which include the promotion of Europe's digital sovereignty, fair rules for the platform economy, and the expansion of digital technologies for climate protection. In particular, the strategy includes a Europe-wide regulation of licensing conditions for the use of "artificial intelligence" (AI), as AI has the potential to

bring about fundamental changes in the economy and the world of work. Basic prerequisites for using AI to promote good work are adequate participation and codetermination opportunities for workers and trade unions as well as sufficient transparency on the part of AI providers.

The German trade unions thus welcome the EC's draft of the Artificial Intelligence Act, which takes a risk-based approach, classifies work and employment as high-risk areas, and advocates for necessary improvements. Areas for improvement include the restrictions on transparency regulations that the EC has planned so far, in addition to third-party audits for the operational use of AI. Therefore, the trade unions demand that AI systems be classified as high-risk if personal data related to an employment relationship is impacted. To this end, AI systems for human-machine interaction in the context of work should all be classified as high-risk and subject to external audits. Self-regulation by AI providers themselves is insufficient. The German trade unions are also campaigning at the European level for increased codetermination and participation in design work for employees, workplace interest groups, and trade unions in the collective project of determining the use of AI in companies, as the risks of AI implementation posed to employees are not solved by compliance audits alone but depend considerably on the company's implementation and application in context.

Trade unions in Germany have a long history of involvement in platform work. Platforms are much more than intermediaries between client and contractor; in digitally organised work, only people who are economically independent should be considered self-employed under labour and social law. The personal and economic dependence of workers and their need for social protection must be decisively clear in order for them to be protected under labour law. Digital right of access to trade unions is a prerequisite for collective action. The EU Commission's Digital Services Act must curb the power of platforms, regulate their duties as employers, and protect the rights of workers participating in the platform economy. The DGB and its member unions will continue to campaign for fair working conditions in this sphere.

The market power of digital platforms has an existential meaning, especially for dependent employees and single self-employed workers who rely on platforms to generate work orders. German trade unions, therefore, welcome the EU's Digital Markets Act, which applies special regulations to large digital platforms to establish fair and competitive markets by prohibiting platforms from limiting businesses from using other channels.

1.4 BUILDING A EUROPEAN ECONOMIC AND FINANCIAL MARKET FOR THE FUTURE

For the DGB and its member unions, the EU's monetary and fiscal competencies are a precondition for the maintenance and strengthening of the European economic and social model. Accordingly, German unions expressly welcomed

the federal government and EU response to the Corona crisis in 2020. In the face of an existential threat, the basic principle of European solidarity was placed at the centre of a shared European strategy, alongside a significant expansion of the EU budget and an allocation of resources according to member state need in the COVID-19 recovery plan for Europe. After all, the member states most impacted by the pandemic have been the ones that had the least leeway in their fiscal policies due to the financial crisis and resulting austerity measures in the 2010s. The disbursement of EU funds needs to be independent of the requirements of the European Semester and economic governance, not least due to the weakened industrial relations and decreased coverage for collective bargaining in many member states. Effective inclusion of social partners in the implementation of the investment projects outlined in the recovery plan is necessary to achieve good results and positive codetermination. This is a basic requirement for a social Europe and trade union participation.

It is vital that the newly created investment fund does not displace EU structural funds wherein social partners participate. European economic governance exposes the European Economic and Monetary Union's web of flaws and its incompleteness under the revised Stability and Growth Pact. A social Europe, a Europe that also stands together financially in times of crisis, is a precondition for the preservation and growth of the European economic and social model. In this context, it is crucial that previous mistakes, like undermining or changing course through too short repayment periods or stringent austerity demands on member states, are not repeated. The European Economic and Monetary Union should be on solid ground before the current COVID-19-related emergency clauses, i.e. Article 122, Section 2 of the Treaty on the Functioning of the EU (TFEU), expire. At the core, there must be a strengthening of public investment, implemented via the introduction of a "Golden Rule", more flexibility for debt, a reform of the Stability and Growth Pact, and the abolition of the Fiscal Compact. These measures will significantly alleviate the pressure on member-state public funds and allow these states to come out of debt more easily. The German trade unions are calling for a monetary union that, through common European bonds, makes itself independent of the "goodwill" of financial markets.

Automatic stabilisers, which can be found in all member states, are needed at the EU level as well to maintain stability in the Economic and Monetary Union. Within the common currency area, reinsurance of the national unemployment insurance is an effective stabiliser. Triggered automatically in the event of a sharp change in the unemployment rate at the national level, European unemployment reinsurance would be an important protective measure against the weak points in the (pan-) European labour market. However, this must not be financed by national unemployment insurance schemes. An ex-ante mechanism would reduce uncertainties and exposure to crisis and thus mitigate the crisis itself. Last but not least, this scheme would strengthen Europe's cohesion and rebuild some of the trust lost in the recent financial crisis.

1.5 STRENGTHENING THE FINANCIAL MARKET

The financial market and economic crisis that took place more than a decade ago exposed inefficiencies in the market and weaknesses in existing regulations. In the aftermath of the crisis, almost all regulators and oversight bodies took additional regulatory measures worldwide. The course taken should be welcomed in principle; however, it was insufficient. Its inadequacies became apparent once again during the COVID-19 crisis: While large parts of the real economy came to a standstill worldwide, financial speculation of the stock exchanges increased unchecked. The link between financial markets and real economic activities is an essential prerequisite for a functioning and stable economy. The DGB and its affiliates continue to work towards the enforcement of clear and effective rules to ensure the connection between markets and activities remains solid. In the future, regulations must take place primarily at the international or, at a minimum, at the European level. After all, financial market transactions do not stop at the border but are extensively integrated internationally. A highly fragmented regulatory framework would inevitably thwart efforts to achieve financial market stability. Looking towards the future, the overriding premise of regulation must be that financial markets once again fulfil their function of serving the real economy.

The DGB and its member unions are therefore calling for an increase in bank capital to protect against risks in the event of an emergency. In addition, there needs to be a stronger focus on capital in relation to the (unweighted) balance sheet total (leverage ratio). The current target of three per cent equity capital in relation to the leverage ratio has proven to be far too low. Furthermore, only financial products that have an economic benefit (via financial audit or inspection; "Finanz-TÜV") should be approved. Financial intermediaries must be prohibited from conducting securities transactions for their own accounts (proprietary trading). "Shadow banks", including bank-owned off-balance sheet special purpose entities, hedge funds, or money market funds, must, in principle, be subject to the same regulations as financial actors in the traditional market. This is the only way to prevent risks from migrating into this sphere. Regulation must be based on the type of activity, not on the designation of the financial institution. An effective Banking Union, an EU project, must also be fully implemented and updated in line with ongoing developments. Moreover, the efficacy of this body is dependent on the full participation of all EU member states.

1.6 REDUCING TAX EVASION

Transnational efforts to curb tax evasion through intragroup profit shifting and to adequately tax corporations with international market power are still insufficient. The "Two-Pillar Solution to Address the Tax Challenges Arising from the Digitalisation of the Economy", signed by 132 countries in 2021, is a first step towards mitigating tax avoidance. More than a decade after the worst global financial crisis since 1929, and eight years after the EC adopted a proposal to in-

roduce a financial transaction tax, implementation is still not in sight. Capital is continuously taxed less and less. Taxation on labour, in contrast, continues to rise. In addition, wage-earning employees, who commute across national borders (within the EU) to their place of work, are placed in a comparatively worse position when it comes to receiving wage replacement benefits despite the guarantee of the non-discriminatory free movement of workers.

The EU must ensure a level playing field when it comes to corporate taxes. The DGB and its member unions therefore affirm their call for an extension of the possibilities to levy withholding taxes on, for example, all interest payments, dividends, and royalties; this would allow for the difference between the German tax rate and the lower tax rate in another country to be charged when profits are shifted within a corporation to a state with a lower tax rate. A uniform and economically sensible determination of tax assessments and rates for transnational companies must be agreed upon within the framework of the EU, OECD, and UNO in order for the distortion-prone system of intra-corporation profit transfers to be overcome. In this context, the companies' true economic beneficiaries of companies, corporations, and foundations must be disclosed. State membership in the EU does not prevent it from being treated as a tax haven.

The goal must be to permanently end the destructive international race to the lowest corporate tax rate. Financial transaction tax needs to include all types of securities trading (with the exception of issuing and initial acquisitions on the primary market) and must be immediately introduced with a tax rate of 0.1 per cent of the actual economic value. This would be an indispensable contribution to efforts to curb financial market speculation and would help strengthen the EU's capacity for investment.

2

SOCIAL RIGHTS IN EUROPE

The DGB and its member unions stand for a Europe united in solidarity. The EU is more than a common internal market; Europe is a social peace project with shared European values of humanity and a social-democratic rule of law. The crises of the past decade have deepened the social divisions both within and between European member states and have eroded workers' trust in European politics. These challenges must be overcome, and trade unions must become central actors in a social Europe. The German government, as a key player in the EU, needs to adjust its European policy accordingly and advocate for a social Europe.

So far, economic freedoms in the EU internal market have taken priority over fundamental social rights. This design flaw in the EU's basic treaty structure needs to be corrected. The DGB and its member unions advocate instead for a European Economic and Monetary Union that is a genuine social union wherein fundamental social rights are given priority over the economic freedoms of the internal market. This can be done through a Social Progress Protocol anchored in the primary EU treaty and is the only way to truly defend the European social model against one-dimensional thinking of the internal market.

The European Parliament, the EC, and the European Council all proclaimed the European Pillar of Social Rights (EPSR) at the EU Social Summit in Gothenburg in 2017. Consisting of 20 social and employment policy principles, the EPSR was welcomed by the DGB and its member unions as an important step. At the same time, they criticised it for being non-binding. In spring 2021, the EC published an action plan for EPSR implementation. The DGB and its member unions consider this action plan a step in the right direction while continuing to call for a new "social deal" for a crisis-resistant Europe.

2.1 STRENGTHENING UNIONS

Trade unions are indispensable for the effort to improve the working and living conditions of workers and their families in Europe. Collective agreements negotiated by trade unions protect workers from exploitation and are central to ensuring workers receive a fair share of the economic success. Europe-wide, the reduction of trade union rights, which sometimes extends even to the dismantling of unions (i.e., through union busting), the dwindling of collective bargaining, and the ongoing wage evasion weaken the system.

These system-level attacks must be appropriately combated through strong European law. German trade unions are therefore calling for a European public procurement and state aid policy that strengthens union issues, including subsidies at the EU and member state level; EU subsidies and public contracts must be awarded based on social criteria such as adherence to collective agreements, the safeguarding of jobs, and location security.

In its most recent rulings, the European Court of Justice has confirmed the admissibility of social criteria in public procurement law. To strengthen and further promote the inclusion of social criteria, the DGB and its member unions are working to ensure that these criteria are treated as a necessary condition and that compliance is conducted with due diligence in future reforms of the EU public procurement law, as well as in EU state aid law and EU soft law (i.e., communications and guidance documents). The European Social Dialogue must be supported through the provision of appropriate financial resources, and its outcomes must be respected. If social partners come to an agreement on common standards, EU institutions must promptly translate them into binding legislation.

The right to strike is enshrined in both EU and international law and is a fundamental human right. Moreover, this right is indispensable for trade unions, who use it as an instrument to ensure good working and economic conditions for workers. For years, this has been subject to various attacks in Europe and beyond, resulting in a reduction and weakening of the right to strike. Trade unions stand for shared participation in economic success, the fight against exploitation, and for respect for human labour. The DGB and its member unions therefore demand that the right to strike be recognised clearly in EU primary law and that this right is guaranteed over the economic freedoms of the EU. This is urgent and must be accomplished through the EU treaty amendment process; a social progress protocol must be included.

2.2 ACHIEVING FAIR WORK AND LIVING CONDITIONS THROUGH A MINIMUM WAGE

The DGB and its member unions support the Directive (EU) 2022/2041 of the European Parliament and of the Council

of 19 October 2022 on adequate minimum wages in the European Union, with the understanding that this directive is a step towards fair working and living conditions through the broadest possible collective bargaining coverage and poverty-proof mandatory minimum wages. Adequate wages express appreciation and respect for human labour and need to be applicable all across Europe. This includes a fixed minimum wage above the double decency threshold (60 per cent of the national median gross wage and 50 per cent of the national average gross wage, calculated for full-time employees). It is crucial that minimum wage rates are uniform across all worker groups and there are no deductions (e.g., for the use of uniforms), as this would make monitoring and enforcement more difficult. Instruments to strengthen collective bargaining, such as national action plans to promote collective bargaining, are explicitly welcomed. Furthermore, the Directive's policy on public procurement must also cover public subsidies. The awarding of public contracts, concessions, and public subsidies should only be permitted to take place if companies apply collective agreements.

These steps help prevent “downward competition” in wages in Europe, protecting fair employers from wage dumping and strengthening the European economy by permanently increasing demand. Finally, they promote an upward convergence of wages across Europe, which is essential to ensure a united, cohesive EU in the future.

2.3 SECURING AND EXPANDING CODETERMINATION IN BUSINESSES AND ENTERPRISES

The DGB and member unions call on European institutions to adopt an EU framework directive for workers' information, consultation, and board-level representation. Companies that use European directives to change their corporate constitution should be required to conduct negotiations to establish a European-level body for company representation. To prevent codetermination in companies from being circumvented in the EU, these companies should be held to additional Europe-wide standards of company codetermination, including the escalator principle, i.e. an obligation to conduct renegotiations on implementing company codetermination should be triggered if the national threshold figure is exceeded.

Another area in need of strengthening is the enforcement of the rights of European Works Councils (EWCs) and SE Works Councils (SEWC), which, in practice, are all too often insufficiently consulted. Lack of adequate consultation should be headed off via the right to seek an injunction or a suspension as a method of enforcing inclusion in the relevant bodies in accordance with the relevant regulations. As an additional reactionary measure, disciplinary sanctions are necessary to reduce the benefits of excluding EWCs and SEWCs from decision-making. The undermining of German codetermination by the SE Directive and its implementation in national legal contexts must be stopped.

2.4 IMPROVING THE SOCIAL WELFARE SYSTEM

As an automatic stabiliser, unemployment insurance supports overall economic demand in a recession and strengthens household income. In particular, the introduction of a European unemployment reinsurance scheme is an effort to design systems and services for weaker, crisis-affected Eurozone countries so that, in the presence of rising unemployment, adequate benefits are secured that truly reach the impacted individuals and enable them to live without poverty or social exclusion. Due to the very different levels of protection provided by various national unemployment insurance systems, the DGB and its member unions also advocate for binding minimum standards for national unemployment insurance schemes. Notable parameters that must be included, for instance, are minimum levels for entitlements, entitlement duration, and coverage rates. This is the only way to achieve minimum standards, to further develop national unemployment insurance schemes, and prevent intra-system downward competition.

In times of looming economic standstill, as in the COVID-19 crisis, security employment is the top priority in crisis mitigation. To do so, as in the financial crisis, working time accounts and short-term work contracts are important. The DGB and its member unions, therefore, expressly welcome the federal government's initiative to finance temporary measures for short-term work through the European instrument for temporary Support to mitigate Unemployment Risks in an Emergency (SURE). SURE is particularly effective in EU countries that do not yet have short-term work instruments in place or whose instruments are limited. In any case, the German trade unions call for a permanent instrument to finance short-term work measures with binding minimum standards that are required for all member states.

In addition to measures to safeguard employment during a crisis, the EU should incentivise member states to take action to promote employment. European funding, such as the European Social Fund Plus (ESF+), can be used in a targeted and unbureaucratic way to promote job creation and employment transition measures. An important focus should be placed on a socially just ecological and digital transformation.

The DGB and its member unions, as part of a broad network of trade unions, welfare associations, and non-governmental organisations, are campaigning for binding European minimum standards in the form of a framework directive for national adequate minimum income support systems in the EU member states. The COVID-19 pandemic exacerbated poverty and social exclusion across Europe. Even before the crisis, the European Union missed its poverty reduction target established by the EU 2020 strategy. Continuously high numbers of people at risk for poverty in the EU demonstrate the inefficacy of “soft law” instruments alone; the EU 2020 strategy and Council Recommendations are insufficient in the fight against poverty in Europe. While some forms of guaranteed minimum income exist in all EU member states, they are often not enough to prevent poverty or ensure recipients can live with dignity.

2.5 TOWARDS A HEALTHY EUROPE

All people and workers have a right to health, as enshrined in the European Social Charter and the EU Charter of Fundamental Rights. The right to timely, high-quality, and affordable health care and treatment is also enshrined in the European Pillar of Social Rights. The full-scale realisation of this right is still a long way away. The COVID-19 pandemic painfully demonstrated, once again, the extent of divergence across European national health systems. It also showed how much damage privatisation, austerity, and an orientation towards profit have done to the capacity of these systems to provide good and reliable care. It is crucial that the right lessons are learned from the pandemic, that non-discriminatory access to good care across Europe is strengthened, and that health system resilience is ensured for the future. The DGB and its member unions want to strengthen socially just access to health throughout Europe. To this end, strategies should be developed in tandem with the European Trade Union Confederation (ETUC) to improve health care in EU member states where deficits exist and to further strengthen systems where good levels of care are already being provided. To this end, targeted investments are required to improve care quality.

In a crisis-proof health union, binding minimum standards must be secured across the member states. At the same time, the distinctive characteristics and existing differences of health systems in individual countries need to be taken into account. A decrease in care quality in countries where the systems are comparatively more efficient is definitively not on the table. The EC should, therefore, require Member States to implement health-related standards from the ILO and set binding and appropriate minimum standards at the national level. Particular attention should be paid to staffing, as this is a prerequisite for high-quality and needs-based health care within sustainable healthcare systems. When it comes to minimum standards, measures should be taken to reduce the focus on profit in health care and to prevent the outflow of investments from the health system. Minimum standards should also include measures to ensure non-discriminatory access to care and to limit the private financing of health. This angle of approach will ensure good and equitable health care.

COVID-19 was a reminder that some health crises know no borders. In the spirit of joint action on cross-border health threats, the DGB and its member unions strongly support the rapid development of the European capacity to respond to pandemics and other health crises, the promotion of vaccine and pharmaceutical production within the EU, the creation and maintenance of shared reserves of protective equipment, vaccines, and medicines, and the establishment of systems for equitable distribution of health resources. Moreover, access to appropriate personal protective equipment must be ensured across Europe. In principle, the following protections must also be guaranteed: If workers have an accident or fall ill in the course of their work, this must be recognised as an occupational accident or illness. This also applies to COVID-19. Therefore, there must be a binding EU list of occupational illnesses so that it is ensured

that workers can access their rights and the corresponding benefits, including treatment, rehabilitation, and financial compensation in all respective EU member states. The structure of the social welfare systems in individual member states must be taken into account. A binding list of occupational diseases must not lower the level of care or protection in the states with strong existing systems. These new binding measures should lay down a framework of guidelines which member states can go beyond to ensure a higher level of protection.

2.6 SHAPING THE FUTURE OF WORK

More and more people earn at least part of their livelihood through platform-facilitated work; the power disparity between individuals and platform enterprises is stark. In recent years, a digital shadow labour market has become so prominent that it can no longer be considered a marginal phenomenon. In essence, this is service sector work organised via new digital business models.

In 2021, the EC presented its proposal for a directive regulating platform work which would specifically aim to strengthen the rights of platform workers in the EU. In this context, the DGB and its member unions are calling for a European regulatory framework for platform workers with the following cornerstones:

- Improved enforcement of workers' rights for platform workers through regulations that reverse the burden of proof from independence to dependent employment.
- Strengthened collective rights, enforcement mechanisms, collective bargaining, and workplace codetermination, as well as the introduction of a right to organise for trade unions.
- Enforcement of transparency and protection standards against arbitrariness on platforms.

The changing world of work means the number of self-employed freelancers in Europe has grown. However, current EU competition law prevents collective agreements from being established for most standalone self-employed workers, even though their pay and working conditions are often precarious. The DGB and its member unions will continue to push for the removal of existing anti-trust barriers to collective bargaining and collective agreements for the self-employed, including platform and gig economy workers. While employees benefit from statutory minimum wages, there is no general minimum wage protection for people who are self-employed and, therefore, minimum wage conditions for the self-employed need to be set to establish a bottom line. The EU must participate in setting the stage for work in this realm. Moreover, it needs to be possible to design complementary regulations, i.e. unilateral, sector-specific professional fee recommendations. In countries with an established right to provide services, this right does not supersede established social standards and their corresponding regulations.

2.7 FOSTERING EQUALITY AND ANTI-DISCRIMINATION

The DGB and its member unions advocate a progressive policy of equality and that all people, regardless of gender, sexual identity, origin, skin colour, age, ability, or religion, should be able to shape their lives in a self-determined way. Equality between women and men has been one of the fundamental values of the EU from its very beginning, and the union continues to play a decisive role in reducing discrimination against women, protecting their health, and strengthening their right to self-determination in the member states.

Equality is not only a question of social and economic responsibility; above all, it is a question of justice. To achieve justice, binding European regulations are necessary to enable equal pay for equal work and work of equal value, equal opportunities in working life, and a better balance between work and family life, regardless of the type or model of family.

The DGB and its member unions demand that there be more women in leadership positions and at all hierarchical levels in business and politics. There is a strong need for good public childcare and care services, as well as socially-just social welfare systems, gender-just tax systems, fair opportunities for financial independence, and equal opportunities to lead a self-determined life. Europe has already provided indispensable momentum in this direction, and we need to continue the course.

The DGB and its member unions welcome the fact that the EC includes a gender lens for all major initiatives (e.g. on climate change, health, and digitalisation) and seeks to take into account all dimensions of discrimination through an intersectional perspective. Missing, however, is a concrete action plan with ambitious goals and sustainable measures that ensures that all departments employ a gender equality-oriented impact assessment and implement gender-responsive budget management. The EU must also ensure that existing EU legislation on gender equality is implemented at the national level.

2.8 CREATING FUTURE OPPORTUNITIES FOR YOUTH

The youth need the future. This includes good work for young people: Quality training and entry into sustainable, well-paid jobs. However, as was the case in previous crises, during the COVID-19 crisis, young people were disproportionately affected by cuts to training and jobs, as well as temporary and precarious employment. The DGB and its member unions are adamant that young people must not be given the short end of the stick again. From this conviction come the following demands:

- A binding qualification framework and adequate funding for EU action to mitigate youth unemployment, and, in particular, funding for the Youth Guarantee program.

- Improved institutional and financial resources for the Erasmus program, with a stronger focus on apprentices.
- Targeted support for young people who are neither in employment nor education or training (NEETs).

Offers for training need to be high-quality and oriented towards future-proof employment. Minimum standards for employment, access to social welfare and codetermination, and participation in company and external interest groups are all essential components that need to be included. Funds from the Youth Guarantee program should only be allocated to employers who comply with all legal requirements and collective agreements. Moreover, compliance should be monitored, and the social partners should be involved in the monitoring mechanisms.

In addition to supporting youth in accessing international and individual learning experiences, the DGB and its member unions demand that European education policy be oriented towards a holistic and sustainable concept of education in which democratic education, living together peacefully in a pluralistic society, and the teaching of democratic and social values are all included as central pillars. For modern vocational education and training (VET) programs to be accepted and attractive to youth, social partners, vocational schools, and academia should be included in a dialogue on vocational and occupational training. A fine balance between the diverse interests of the relevant stakeholders is a central condition for the successful design of job profiles, training regulations, and education plans.

The DGB and its member unions expect the EU will support and promote a vocational and occupational dialogue more strongly moving forward. Finally, within the established right to education, there is a need for a genuine “Guarantee of Confidence”, including a Europe-wide initiative by the EC to promote continuing education. Within this initiative, opportunities for paid educational leave should be created or, where they already exist, expanded. Furthermore, the European Sectoral Social Dialogue on Education must be strengthened in order to promote the right to education and to improve the quality of education and the working and employment conditions of people employed in the education sector. In the European Higher Education Area, comparability, transferability, and mobility must be expanded, and core values such as academic freedom, university autonomy, and student and employee codetermination must be implemented.

3

SOLIDARITY ACROSS BORDERS

Asserting the interests of workers across borders means seeing Europe as an opportunity for social progress. The focus here is on implementing good work in Europe, not against Europe. Thus, the German trade unions demand that the German Bundesregierung (federal government), the European Commission and the European Parliament take initiatives to ensure good working and living conditions and social cohesion in the European Union. Mobile workers to cross borders must not be exploited; the protection of these workers needs to be guaranteed in the European common market, and cross-border mobility for workers should be enforced following the “equal pay for equal work in the same place” principle, with the full protection of social security systems. Respect for the rights guaranteed by the EU of freedom and freedom of movement take priority, and trade union core values must be defended. A globally just Europe must also ensure fair rules for asylum and migration.

3.1 FOSTERING COHESION WITHIN EUROPE AND ON ITS BORDERS

The DGB is prepared to go on the offensive when it comes to strengthening social and economic cohesion in Europe and its border regions. The EU’s promise to create equal living conditions in the EU has not yet been fulfilled. Structural change cannot be allowed to exacerbate existing differences between regions and create new disparities. Europe must become a guarantor of social justice and equal opportunities. In concrete terms, the DGB campaigns for the following:

- Equal living conditions in the EU and on its borders. No regions can be left behind. Access to functioning social security systems, fair pensions, affordable housing, and social services that guarantee everyone has enough to live must be fully available to fall. The key principles outlined in the EU Pillar for Social Rights must be implemented consistently across Europe; this includes the introduction of rules for adequate minimum incomes and minimum standards for unemployment insurance.
 - Investments in the future, especially ones that shape structural change, digitalisation, and promote education and training. Strong codetermination rights for workers in the transformation of the world of work and aggressive initiatives targeting education and training in the context of digitalisation and automation in all sectors are needed. This must be a focus of EU funding.
 - Strong public and social services that provide good and affordable services for all. The provision of public services must be of high quality and easily accessible in both urban and rural areas. Public services, for example, water, health, transport, and education, must be oriented towards the needs of the people and not be at the mercy of profit maximisation through privatisation.
- At the EU’s borders, the DGB advocates for the balanced development of common living, working, educational, and social spaces and promotes the cross-border shaping of structural change, digitalisation, and education and training. Furthermore, the DGB advocates for the expansion of public services and, where appropriate, for the development of cross-border services.
- The German trade unions stand for strong workers’ and trade union rights and will go on the offensive against union busting. Together with its member unions, the DGB will campaign for better protection of works councils in Germany and support partner unions in Europe in enforcing their rights of codetermination in companies. Collective bargaining autonomy and the social partnership must be defended against maligned interference; strong collective bargaining systems must be put in place to counter wage dumping across Europe. In concrete terms, the DGB will work towards these goals through their support of the following action items:
- Strengthening collective bargaining autonomy and codetermination at the European, national, and regional levels. Collective bargaining autonomy must be guaranteed by all institutions and member states, and codetermination must be firmly anchored as a fundamental social right.
 - Enforcing the primacy of fundamental social rights over economic freedoms via a progress clause and the creation of a specialised Chamber for Labour and Social Law at the European Court of Justice to better adjudicate cases related to workers’ rights and social concerns.

- Strengthening cross-border sectoral cooperation and the enforcement of workers' and trade union rights in Europe, border areas, and along value and supply chains.

In the border regions, German trade unions and partner trade unions in neighbouring countries will be active in the improvement of codetermination in companies and compliance with trade union rights in multi-country configurations. The DGB will support the partner trade unions in the interregional trade union councils in the enforcement of workers' and trade union rights, especially in subsidiaries or along value and supply chains.

3.2 CREATING A FAIR COMMON LABOUR MARKET IN EUROPE

The DGB stands for a common labour market with good working and pay conditions across Europe. It will fight precarious employment (whether that be in the form of exploitative work contracts, low wages, or bogus self-employment) and advocate for poverty-proof minimum wages in the EU member states. Good work and good pay based on collective agreements should become the hallmark of the EU. The DGB will also campaign for stronger protection of mobile workers against unequal treatment and exploitation. In concrete terms, the DGB will campaign for the following:

- The enforcement of good work for all workers and the prevention of unequal treatment for mobile workers. This includes combating precarious employment, increasing collective bargaining coverage, and introducing poverty-proof minimum wages as the floor for all EU member states. The principle of "equal pay for equal work in the same place" must apply to all workers regardless of nationality or gender in all sectors.
- The prevention of negative effects from proposed legislation or amendments that would impact mobile workers or cross-border commuters and the rejection of all forms of discrimination against mobile workers. Furthermore, the DGB advocates for the expansion of controls to ensure compliance with labour and social standards and work towards a strong European Labour Authority (ELA).
- The expansion of publicly funded multilingual advisory services for mobile workers and, moreover, the strengthening of existing structures in Germany's federal states and border areas. In the border areas, the DGB will campaign for the equal treatment of mobile workers and for the rights of cross-border workers to be respected. It will take action against the negative effects of federal or state legislation.
- The strengthening and expansion of advisory services for mobile workers in the relevant locations, with support, counselling, and information available in multiple languages. The EURES cross-border partnerships are

an important instrument for the integration of labour markets under fair conditions and for the cross-border development of skilled workers.

According to estimates from the ILO, there were 169 million migrant workers worldwide in 2019. Employers often take advantage of their precarious position or the workers' lack of knowledge about their rights. Often, exploitation begins at the job-placement stage. In addition to state employment services, numerous private agencies and informal channels play a significant role in cross-border worker recruitment and job placement. Labourers and skilled workers alike are also often charged high fees to be placed in Germany, with unclear or incorrect information about their place of work, requirements for getting their foreign credentials recognised, the processes for gaining the necessary language skills, and the quality of working conditions and accommodations.

The DGB and its member unions are working towards a prohibition of fees for migrant workers charged by private employment agencies and towards the establishment of appropriate regulations to ensure the protection of workers in private employment agencies. The German Federal Government must fulfil its global responsibility and push for ratification of ILO Convention 181. If ratified, this would mean that basic international standards for ethical recruitment and worker placement would also apply to Germany.

Furthermore, the German trade unions advocate that there should be no differentiation on the basis of nationality in the upholding of workers' rights. Migrant workers must be offered opportunities for language learning and social integration in a timely manner. Termination of employment must not lead to the loss of legal residency. Moreover, migrant workers must also be able to organise themselves in trade unions and politically. Advisory and support structures must be provided in a language migrant workers can understand. Rules on labour migration must also ensure that migrants enjoy full social security coverage from day one, receive equal pay for work of equal value, and are housed with dignity.

The fundamental freedom of movement of workers in the EU has led to the emergence of a European labour market. However, social imbalances and income differences between member states and between the EU and third countries mean that this labour market falls short of meeting trade union demands for good work, fair pay, and worker participation in many places. At the same time, the hurdles to worker mobility are still immensely high, especially with regard to the transfer and cross-border recognition of social rights and entitlements to social support systems.

The trade unions demand that the rights of cross-border workers be finally and decisively enforced. In particular, the German government has not worked to achieve this goal in the negotiations on the reform of EC regulation VO 883/2004 (Regulation 883) on the coordination of social security systems. On the contrary, discrimination against the social security systems of other member states is still on the

German agenda. Furthermore, bilateral tax treaty reform is needed to end the discrimination against mobile workers.

The DGB and its member unions call on the German government, the European Parliament, the European Commission, and the Council of Europe to take immediate action to ensure that wage replacement benefits calculated on a net basis, which are tax-free in the paying country, are not subject to taxation in the country of residence in the case of a cross-border payment to a recipient. The reform of Regulation 883 in EU countries must include stronger measures to combat abuse and ensure that there are employees are not posted to a position in another EU state without proof of social security status from their country of origin (A1 certificate).

The German trade unions expect the new federal government to work towards this goal during the negotiations on Regulation 883. In the medium term, the monitoring of social security status needs to be improved through the introduction of digital procedures, improved intra-authority exchange, and the introduction of a European social security registry. The operation of shell companies that are established for the sole purpose of circumventing social security regulations at the place of work must be stopped.

Employees must be covered by the social security legislation of the member state in which companies carry out their primary activity. The recent practice of obtaining work permits in the EU for bogus self-employed workers and workers from third countries and placing them in employment through shell companies must be stopped immediately.

The DGB and its member unions are also campaigning for the EC to take action against competition-distorting social security laws with social security rebates, as has been the case in Slovenia and Germany (for example, social security exemptions for short-term marginally employed agricultural workers).

Business models of profit maximisation based on the exploitation of mobile workers are spreading in a growing number of sectors. The COVID-19 pandemic has clearly shown that such cross-border workers in Europe are, on the one hand, “systemically important” but, on the other hand, the least protected against exploitation and abuse. In particular, a lack of or inadequately enforced hygiene regulations, wage fraud by employers, abuses in accommodation and a lack of social security protection have all come into sharp focus during the crisis. The COVID-19 pandemic both exposed and intensified these abuses.

Therefore, the rights of mobile workers must be effectively enforced over economic freedoms. The core principle of “equal pay for equal work in the same place”, including comprehensive social security protection, must be enforced. The DGB and its member unions demand better legal frameworks for monitoring and enforcement through:

- Effective digital solutions to combat widespread social security abuse by employers, e.g. through the implementation of a European social security registry or a European social security passport, a European national in-

surance number, and the binding implementation of the Council Recommendation on access to Social Protection with compulsory social security for all employees.

- Binding minimum standards for accommodations and the regulation of intermediaries.
- Sustainable support for the creation and networking of advisory structures in all member states.
- A strong European Labour Authority empowered and capable of action in member states.
- Restrictions on sub-contractors to a chain with a maximum of two links.
- Tariff regulations in public procurement to increase coverage for collective bargaining.

Trade unions are already giving greater attention to cross-border legal protection through the mutual recognition of union membership or the targeted organisation of mobile workers at the international and European levels. These initiatives should be supported and further expanded upon; trade union care and, thus, protection does not stop at national borders.

3.3 DEFENDING CORE TRADE UNION VALUES

The DGB will take offence when it comes to protecting its core values: Solidarity, codetermination, equal opportunity for all, and social cohesion. Moreover, the confederation resolutely demands that the freedoms, including the freedom of movement, guaranteed by the EU be respected. Accordingly, the DGB firmly opposes nationalist and anti-European positions.

In concrete terms, the German trade unions want to:

- Take aggressive action against border closures and the restriction of the right to free movement of workers. Measures by EU member states that do not align with European values and have negative effects on border areas must be consistently rejected and prevented.
- Expand codetermination in decision-making at the European, national, and regional levels. For the DGB and its member unions to become even more involved will require stronger intra-level cooperation in the DGB and the member unions.
- Resolutely oppose right-wing extremism, nationalism, and anti-European hostility, as well as any form of group-focused enmity. In contrast, trade unions represent, loud and clear, the fundamental trade union values of solidarity, cohesion, and equal treatment of all.

Looking forward, the DGB will campaign for open borders and the right to freedom of movement and proactively high-

light the advantages of the EU. The Inter-Regional Trade Union Councils (IRTUCs) are important actors in the border regions. Where decision-makers do not sufficiently take into account trade union participation in border areas, the DGB will campaign for increased opportunities for involvement.

Drawing a hard line against attacks on a free, equal, and just Europe, the DGB will fight right-wing extremism, nationalism, anti-EU sentiment, and group-based enmity on the ground.

3.4 DEVELOPING AN ASYLUM SYSTEM GROUNDED IN SOLIDARITY

A globally-just Europe would ensure fair rules for asylum and migration. European institutions are currently facing a major challenge; the fundamental right to asylum and compliance with the United Nations (UN) Refugee Convention are sacrosanct, and the DGB and its member unions demand they remain that way. Germany must use its political weight to develop an EU-wide solidarity-based asylum system for the reception and integration of refugees, financed jointly. States that do not meet these obligations must be sanctioned. Member states that bear substantial burdens should be supported accordingly. This also includes creating safe and legal opportunities to apply for protection in the EU. Maritime search and rescue operations must be anchored as a state task at the European level.

Furthermore, the DGB and its member unions stand in solidarity with civilian maritime rescue efforts. As per international maritime law, all ships sailing in the Mediterranean are obliged to rescue people at sea. This means that they must take in people in need of protection and bring them to a safe place. Ships are not permitted to impede rescue operations. Ships under EU or member state command may not return people seeking protection to third countries, which includes Libya, Morocco, and Tunisia. Those who are rescued must be brought to the EU so that their claim for international protection can be evaluated in a fair procedure. Deportations and similar measures are unacceptable. Refugees and their family members must be provided humane conditions when given protection, in accordance with the Geneva Convention, and must be given comprehensive access to education, training, employment, and integration support from the beginning of their time in the EU. In particular, children's access to education, language learning opportunities, and integration support must be uniformly regulated across Europe.

The EU must actively work to improve the economic and political contexts in refugees' countries of origin. Measures for environmental and climate protection, economic development, and political development must be strongly supported by Europe. If the push factors are to be seriously addressed, the EU needs to make a long-term commitment and address the situation with a stronger focus on organisations and social structures that promote peace and prosperity and advocate for good working and living conditions: Trade unions.

4

FAIR AND HUMANE GLOBALISATION

The DGB and its member unions stand for a fair and humane globalization. As stated in the ILO Constitution, “universal and lasting peace can be established only if it is based upon social justice”. Although many trade union successes are already on the books, events of the recent past, and most notably the COVID-19 crisis and the consequences of the Russian attack on Ukraine, have shown just how fragile these achievements are. Global implementation of human and trade union rights continues to be the top priority for the DGB and its member unions. In the future, unfettered neoliberal competition at the expense of the environment and workers needs to be replaced with a world order in which the principle “labour is not a commodity” (1944 Declaration of Philadelphia) is fully realised.

Climate change brings new global challenges to the effort to create a socially just world. For trade unions, it is clear that the path forward leads to a climate-neutral future. In dialogue and in collaboration with the ETUC, the International Trade Union Confederation (ITUC), and the Just Transition Centre, the DGB advocates for a socially just response to climate change and participates in international forums such as the Conference of the Parties (COP), the highest decision-making body of the UN.

4.1 GROUNDING EUROPE’S RESPONSIBILITY TO THE WORLD

War is not an appropriate method of conflict resolution and should never be used to initiate a sustainable peace process. In the face of rising arms exports and the threat of rearmament, the DGB and its member unions are committed to a global policy of disarmament and decreased tensions. Moreover, the unions are calling on the German government and the EU to ground their peace policies in the principles outlined in the ILO Recommendation on Employment and Decent Work for Peace and Resilience (R205). This recommendation identifies decent work as an essential pillar of peace-making. It also emphasises the important role of equal rights for women, men, and minorities in the world of work and in decision-making bodies. Moreover, this recommendation highlights the role of education, training and further education, social protection, functioning labour institutions, social protection and protection of affected migrants, refugees, and returnees. Europe, as a force for peace, bears a responsibility to the world. The DGB and its

member unions call on the German government and the European institutions to pursue a policy of fair globalisation and to use their political weight to democratise the institutions of global governance. The contours of Europe as a positive role model on the global stage would include the European social model and a European welfare state, strong trade unions, an expansion of social security systems to cover the major risks of life based on the principle of solidarity, working conditions regulated by law and collective agreements to protect employees, participation and codetermination rights for workers and their representatives, social dialogue to balance the interests of capital and labour, and the provision of public services of general interest oriented towards the common good. Europe must become the social reference model for fair globalization; doing so would go a long way to prove that economic, social, and ecological progress can succeed hand in hand.

The European Union must implement an international trade policy that protects and enforces workers’ rights and strengthens environmental standards. In addition, the German trade unions call on the EC to introduce an EU legal framework for sustainable corporate governance. The European Union must promote fair and value-based globalisation while adopting supply chain law at the European level that ensures fair competition and fair labour relations; thus, a just global economy throughout the supply chain can be guaranteed.

Employment, trade unions’ sphere of action, collective bargaining, and codetermination are all strongly influenced by flows of capital, financial markets, and fiscal policy. Changes in the geopolitical balance of power also play an important role; Russia’s war of aggression against sovereign Ukraine will fundamentally alter the global context for years — or decades.

In this new climate, it is even more important that Europe asserts its model of democracy and the rule of law. The struggle for trade union and workers’ rights around the world is an integral component of a united and sovereign Europe that defines social progress as the basis for economic success and sustainable prosperity.

The People’s Republic of China (PRC) has recently come into its own, rising to economic power and is now another important geopolitical player. Global economic dependence

on the PRC is currently becoming very clear again: Equipment from Chinese production, supply bottlenecks, and broken supply chains for a number of industries worldwide illustrate this. Chinese investors and sovereign wealth funds have been making significant investments for years, driving the development and expansion of infrastructure in Asia and Europe (the New Silk Road), and have been making direct investments in Africa and, increasingly, in Latin America. Chinese direct investment in Europe, broadly, and Germany, specifically, has also increased significantly since the turn of the century.

The Chinese model of state-led capitalist development poses new challenges for European industrial policy. The DGB and its member unions will actively engage in a discussion on a German and European industrial policy and, in collaboration with the ETUC, develop strategies that address the promotion of public sector innovation, research, and development, call for national and European investments in Europe's infrastructure, and further advance the conversation on European sovereignty vis-à-vis public services and strategically important industrial sectors. Meanwhile, the German trade unions will keep an eye on the impacts of acquisitions and takeovers of German and European companies and demand compliance with codetermination structures, collective agreements, and the preservation of employment regardless of where investors come from.

Human and trade union rights are regularly and systematically violated in the PRC. The DGB and its affiliates categorically condemn all violations of basic human rights and ask the German government and the EU to take an ambitious and clear position on this subject. Political and economic relations with Germany and Europe should be used to campaign for improvements. Negotiations between the EU and the PRC on a European-Chinese Investment Agreement (CAI) must remain on hold as long as the PRC cannot meet these expectations.

The DGB and its member unions advocate for a strategically capable EU — an EU that is able to assert itself, its democratic fundamental values, and its economic and social model of a social Europe under the conditions of increasing global system rivalry and to enter into new partnerships for this purpose.

4.2 ADVANCING FAIR GLOBAL CRISIS MANAGEMENT

The employment losses due to the COVID-19 pandemic have been immense, and inequalities in already precarious living and working situations intensified. This has been especially true in countries in the global South. The working and living conditions of disadvantaged groups, including women, ethnic and religious minorities, low-income earners, informal workers, the self-employed, refugees, and (labour) migrants have deteriorated further. For many, the option to self-isolate or not go to work often simply does not exist — work is a matter of survival.

More than 50 per cent of the global population (approximately 4.1 billion people) have no access to social services or social security at all. For these people, the loss of working hours or a job can lead directly to poverty. The World Bank estimates that this pandemic will significantly increase the number of people living in extreme poverty. Alongside this, child labour has been on the rise again for some time, with 160 million children currently working. By the end of 2022, another 8.9 million children were at risk of falling into child labour. In response, the DGB and the ITUC are jointly campaigning for the global expansion of social protection systems wherever political fields of action open up, may that be along global supply chains, in the design of development cooperation, within the framework of the G7 process, or within the ILO.

The DGB, together with the European and international trade union organisations, are working to ensure that the mistakes made during the financial crisis are not repeated: There must not be a renewed trend towards austerity, as demanded by conservative-neoliberal parties. Instead, there is a strong need for investments in a peaceful, climate-just, solidarity-based, sustainable community in Germany, in Europe, and around the world. These would include, among other things, the expansion of global social protection, especially universal public health care, investments in care and education, and the fostering of sustainable social structures. These investments in the future must, above all, aim to achieve better gender equality.

4.3 SHAPING SUSTAINABLE GLOBAL SUPPLY CHAINS

By shifting value creation abroad, global companies in Germany and Europe have increasingly shirked their responsibility to workers, the environment, and society. Companies use their market power to put pressure on suppliers, who pass this burden on to their workers in the form of starvation wages and poor working conditions. The German Bundestag has taken a major step towards global respect and international recognition of human and environmental rights with the adoption of the *Lieferkettensorgfaltspflichtengesetz* (LkSG; German Supply Chain Act). As of 2023, large companies will be required to identify risks to human rights along the entirety of their value chains.

In some particularly high-risk sectors, including the textile and automotive sectors, the federal government has set up dialogue forums. Further sector dialogues are in the works. Certification systems such as the Programme for the Endorsement of Forest Certification (PEFC) and Forest Stewardship Council (FSC) certification for the forestry and timber industry are exemplary of how sustainability and compliance with social standards can be developed collaboratively with input trade unions worldwide.

The DGB and its member unions will continue to actively participate in existing and potential future industry initiatives and certification programmes insofar as they tackle problems facing workers along the value chain in an ambi-

tious and targeted manner. The DGB and its member unions have succeeded in initiating an amendment to Germany's *Betriebsverfassungsgesetz* (Works Constitution Act), which will empower works councils to be more closely involved in human rights risk management and consult on issues of corporate due diligence in the economic committees at the company level. This opens up a new field of action for trade unions, works councils, and workers' representatives serving on supervisory boards. The DGB will tackle these challenges in tandem with its member unions. Works councils and supervisory boards must be prepared for these new tasks, and have means to access information on human rights risks must be established.

Notably, it is important that the proper establishment of a compliance and risk management system takes place; this system should ensure the gender-sensitive implementation of human rights and environmental due diligence and make the best possible use of the networks of the global and European trade union movement. In doing so, gender-specific aspects must be considered and anti-discrimination conventions, the implementation of ILO Standard Conventions 100, 111, and 190, and the UN Convention on the Rights of Women must be all ensured.

A gender-sensitive approach must be taken when conducting risk and impact assessments. The special health challenges for women and girls and the distinctive risks they face within the informal sector and in care work must be taken into account.

The LkSG brings a fresh impetus to global framework agreements. In particular, global framework agreements have the potential to effectively support the establishment of internal company grievance procedures. The implementation of and compliance with the LkSG will be monitored by a specially established authority which will be affiliated with Germany's Federal Office for Foreign Trade and Export Control. The establishment of this authority will be closely accompanied by the trade unions and the DGB to ensure an effective report audit and regulatory control.

One of the biggest weaknesses of the LkSG is that there is no way for people affected by human rights violations to bring a civil suit under German law. The DGB and its member unions will continue to advocate for a clear civil liability regime, as envisaged, to some extent, in the EC's draft of a European supply chain law.

The LkSG opens up the possibility for trade unions to assert claims on behalf of a person whose human rights have been violated. The DGB and its member unions will closely examine to what extent this new legal potentiality can be used responsibly.

At the UN level, the DGB and the ITUC are campaigning for a binding UN treaty on business and human rights as well as a new ILO convention on decent work in global supply chains. At the European level, the DGB and its member unions, in collaboration with the ETUC, will campaign for a strong European supply chain directive with the widest pos-

sible scope and binding rights to codetermination and participation for works councils and trade unions. In addition, this directive should cover the entire value chain without restrictions or gradations, ensure civil liability, and establish easier access to legal recourse.

The progressive reporting obligations of the LkSG must also lead to improved European specifications on sustainability reporting. On April 21, 2021, the EC proposed the Corporate Sustainability Reporting Directive (CSRD), which came into force in January 2023. The CSRD improves upon existing requirements in several ways. Positive changes include the significantly extended scope of reporting obligations, the mandate to include sustainability information in a standardised format in their management reports with financial and non-financial risks included, and the requirement to consider "double materiality", defined progressively. In other areas, however, the draft directive falls short of the expectations placed on it from a trade union perspective.

There is an urgent need for reporting related to employee matters to be specified. The German trade unions demand that management be required to consult the corresponding committee of employee representatives on sustainability reporting before the end of the financial year and to report on the results to the (codetermined) supervisory board. The DGB and its member unions also urge European institutions to further develop the criteria for sustainability reporting in as much detail as possible through a democratic process rather than transferring this key task to International Organization for Standardization (ISO), consultancies, or any other private organisation that lacks democratic legitimacy.

European institutions are also called upon to address the very real risks the war in Ukraine poses to food security worldwide from the disruption of global supply chains in the agricultural sector. Ukraine, Russia, and Belarus are major exporters of agricultural commodities and staple foods. Hunger crises and migration push factors are inevitable in the main importing countries for staples from these three nations, which are located in Africa, the Middle East, and East Asia. The DGB calls on the EU to reform its Common Agricultural Policy and revamp its development cooperation to counteract the war-induced shortage of food staples.

4.4 STRENGTHENING THE ILO, INTERNATIONAL LABOUR STANDARDS, AND SOCIAL STANDARDS

The number of trade unionists faced with threats, imprisonment, or murder is increasing worldwide. In 2021, trade unions in 109 countries had their registration process impeded by the government. That means anti-union efforts are up from 89 countries in 2020. The role of the ILO is especially important precisely in the countries where trade union work takes place under the most difficult conditions. This is because the ILO's fundamental principles and rights at work and international labour law are at the heart of decent work.

Freedom of association and the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination when it comes to employment and occupation are all human rights and must be recognised and treated as such. Strengthening their importance and promoting their implementation internationally remains the primary goal of the DGB and its member unions.

A key challenge within the ILO revolves around the ongoing, unresolved debate on the international right to strike, derived from the ILO's core labour standards in ILO Conventions 87 and 98. Employers have denied the existence of this right for years, questioning the statements from the ILO Council of Experts on the matter. As a result, references by other international organisations and tribunals to the right to strike as part of the ILO core labour standards are dwindling, and trade unions are finding it increasingly difficult to invoke them, especially where national institutions are weak.

According to the DGB and its member unions, the attack on the right to strike, which is a primary method of action in labour disputes and on its enforceability internationally, is unacceptable. Therefore, the DGB, in concert with the ITUC, continues to campaign in ILO bodies for the recognition of the right to strike, as enshrined in ILO Conventions 87 and 98, to mitigate employers' efforts to call into question the existence of this human right.

Defending the status quo is simply not enough. The aim of the DGB and its member unions is to extend the core labour standards to include a convention on occupational health and safety. The DGB and the ITUC have initiated the effort to do so in the ILO's Centennial Declaration for the Future of Work. Now more than ever, the recent health crisis must be taken as an important reference point. The experiences and lessons learned from the COVID-19 pandemic should be used to implement the expansion of the core labour standards to include occupational health and safety as quickly as possible.

In order to strengthen the role of the ILO, the DGB and its member unions will continue to advocate for the development of new standards. The world of work specifically and the global community more generally are facing major upheavals when it comes to digitalisation and climate change, both of which necessitate new international regulatory frameworks. The DGB will work with the ITUC to promote new standards for relevant issues, including occupational health and safety, a just climate change transition, and decent work both in the platform economy and along global supply chains.

The DGB and its member unions also support the ILO in its goal of developing an international framework for quality vocational education and training. Crucially, social partners should, at a minimum, participate in the design, implementation, and regulations of the training system. Established criteria for the structure of modern VET and governance standards would lead to an improvement in qualifications, especially in countries that do not yet have a regulated VET

system. Finally, high-quality VET would contribute to the strengthening of democratic action.

Furthermore, the ILO's decision-making bodies need to be given more political weight. To this end, the DGB calls for the EC to make a voluntary commitment recognising statements made by the Council of Experts and decisions made by the ILO's compliance monitoring bodies as qualified testimony when evaluating violations of ILO conventions and, thus, for sustainability clauses in European trade agreements. If an EU trading partner systematically violates conventions, the trade agreement must be suspended.

At the national level, the DGB and its member unions are committed to the further ratification of ILO conventions. This is designed to improve the protection of workers in Germany and anchor protections internationally. Simultaneously, this action works to strengthen the importance and recognition of the ILO as a standard-setting organisation. In particular, the DGB and its member unions are calling for the ratification of the Labour Clauses (Public Contracts) Convention (C94) covering contracts concluded by public authorities (public procurement), the Minimum Wage Fixing Convention (C131) with special regard for developing countries, the Occupational Health and Safety Convention (C155), the Convention on Private Employment Agencies (C181), and the Violence and Harassment Convention (C190) on gender-based violence and harassment in the world of work.

4.5 APPROACHING DEVELOPMENT COOPERATION FROM A NEW TRADE UNION LENS

On its own, economic development does not automatically lead to social progress, general equality, or good and fair working conditions. Therefore, the DGB and its member unions are calling for a rethinking of development cooperation; this sphere must promote social development on equal standing with economic development.

Trade unions are central actors when it comes to improving working conditions, the quality of education and training, and social security. Trade unions are key supporters of social structures in society. Despite this, trade unions are prevented from being established in many countries. The DGB and its member unions are committed to supporting the creation and strengthening of trade unions in these countries so that they can foster social progress.

The DGB and its member unions have successfully hammered home the importance of trade unions in the development of social structures at the Federal Ministry for Economic Cooperation and Development (BMZ). There, an agreement has been reached to work towards a sustainable balance of social power in global production processes. This, however, must be developed further.

In 2020, just over 4 per cent of spending in the field of civil society, community, and business engagement was spent

on social structure projects important for development. This shows that there is a considerable imbalance between capital and labour in the Ministry's priorities as expressed via their budget. As an answer to this, the DGB is demanding equal support for economic and social structures be reflected in the BMZ budget.

In addition, Germany's BMZ makes a large contribution to EU funds. This imbalance continues here, if not financially, at least politically. When it comes to providers of social structures, trade unions should be treated as equals. Therefore, the DGB and its member unions demand a separate budget line item be included for trade union projects important to development, wherefrom organisational development of trade unions and social dialogue can be recognised and promoted in countries with established cooperation.

Global challenges to trade unions are mounting. The Supply Chain Due Diligence Act has been a political success, but it will only be effective if we continue to strengthen and tighten our networks. With the Unions4VET project, the DGB has established a trade union network to promote VET dialogue at the European and international levels. Other areas also require German trade unions' expertise, such as organisational development, education policy, social and collective bargaining policy, and occupational health and safety. This expertise should be bundled and employed in a targeted manner.

To this end, the DGB and its member unions will create a pool of experts with two goals. First, it will make trade union expertise from its own ranks and on specific topics available to the Global Union Federations (GUFs) and trade unions in other countries. Second, young trade unionists should be given the opportunity to participate in international exchange and gain international trade union experience with global trade union organisations or directly in trade unions in Germany and other countries.

4.6 PROMOTING A JUST GLOBAL TRADE AND FAIR INTERNATIONAL REGULATIONS

The DGB and its member unions are calling for fair and just trade that strengthens the rights of both workers and consumers, guarantees the protection of the environment and fair competition, and promotes a just distribution of the profits of globalisation within and between states. International trade policy must be realigned in order to mould globalisation democratically and socially.

Trade agreements must include clear, enforceable, and sanctionable rules that protect workers. The US – Mexico – Canada Agreement (USMCA) can be taken as a possible example, which, under pressure from the US and Canada, enforces sanctionable rules at the company level and links repeated violations of workers' rights with the loss of tariff concessions. In order to mitigate unfair competition and dumping, trade agreements must aim to achieve convergence on environmental, labour, and consumer standards at the highest level.

The ratification and implementation of international standards, such as the core labour standards and the governance conventions of the ILO, must go hand in hand with the signing and ratification of trade and investment agreements.

The right to universal access to high-quality public services must take precedence over market liberalisation and deregulation. It is thus critical that public services be explicitly excluded from trade agreements via a clearly and extensively defined exception clause. We reject negative lists as well as ratchet and standstill clauses, as they would automate liberalisation and undermine the potential to organise property in a state-owned and democratic way. Furthermore, it is critical that the precautionary principle applied in the EU not be undermined by trade agreements, as it contributes to a high level of occupational health and safety. Global deployment must not be liberalised and, accordingly, there should not be any provisions on labour migration in trade agreements (Mode 4).

Public procurement rules must include guarantees for tariff compliance and adherence to high environmental and social standards.

Existing international trade and investment agreements must be accompanied by corporate due diligence (e.g. OECD Guidelines for Multinational Enterprises, ILO Declaration on Multinational Enterprises and Social Policy, UN Guiding Principles on Business and Human Rights). Only through due diligence can a consistent international trade and investment regime in which the rights and obligations of companies, workers and consumers are balanced for the benefit of all, with consideration for ecological impacts, be achieved.

Violations of labour obligations in the area of labour, social, and environmental standards must be followed up with and, whenever necessary, appropriate procedures must be initiated to remedy the problem — this may include sanctions. Compliance with and enforcement of these rules must be carried out with the systematic involvement of both trade unions and civil society. Moreover, the relevant civil society groups (Domestic Advisory Groups) need to be adequately funded to have the necessary capacities.

In addition, cooperation with the ILO must be strengthened so as to politically strengthen the ILO itself and prevent parallel structures from being established.

The current system of investment protection provides foreign investors with a disproportionate capacity to assert their interests through wide-reaching legal instruments. A just investment protection regime would, in contrast, require a shift from a one-sided focus on investor rights to a focus on investor obligations, with the aim of achieving a balance between investor rights on one side and workers' rights and social and ecological standards on the other.

Reform proposals are being developed to address the international development regime at the international level (e.g. OECD or UNCTAD). Together with its member unions, the DGB is helping to shape the reform efforts in accordance

with its principles and advocating for implementation in both new and existing agreements.

The corporate lobby's attempt to avoid future state regulation does not stop at trade and investment. Large tech companies are currently driving negotiations related to an e-commerce agreement within the World Trade Organisation (WTO) apparatus. This agreement pertains to, among other topics, global market liberalisation of the collection, storage, and commercialisation of data as well as the cost-free and unrestricted use of digital infrastructure. The DGV and member unions reject this agreement. High digital standards, strong data protection, and data sovereignty cannot be offered up to corporations via WTO negotiations. When it comes to the cross-border transfer and processing of personal data, the following applies: The fundamental right to data protection and privacy, including in the digital sphere, must be protected. Data streams that involve personal data must be excluded from trade agreements. The issue of e-commerce cannot be used to undermine state regulation.

4.7 STRENGTHENING TRADE UNION POSITIONS IN GLOBAL GOVERNANCE

Geopolitical shifts of recent years are tangible in many multilateral fora. Even before the COVID-19 crisis, signs of crumbling support for multilateralism accompanied by rising nationalism were prevalent. Neither of these trends was reversed by the Russian war on Ukraine or the COVID-19 pandemic; instead, these events only accelerated the shift. Simultaneously, it has become clear that national unilateralism is not a viable solution to the multiple crises countries face today, nor is it the answer to the challenges of climate change, digitalisation, or a fair globalisation.

The DGB and its member unions continue to promote a multilateral approach to the shaping of international trade over bi- or plurilateral negotiations. The principle of equal rights for all, a resolution of the power imbalances between industrialised and developing countries, and equivalent rules can all only be realised multilaterally. In view of recent challenges, it has also become clear that the WTO also needs to be reformed, and the reform efforts need to be accompanied by a new understanding of international trade.

The WTO's dispute settlement mechanism is presently blocked; the body has been unable to take on decisions since the end of 2020. The EU and other WTO members have set up an interim mechanism to resolve disputes in the meantime. This may make sense in the short term, but in the long term, however, joint reform approaches to the future structure and alignment of the WTO must be hashed out. For now, no new issues, such as e-commerce, can be negotiated in this body.

The WTO rules must absolutely also contribute to the social-ecological transformation of the global economy and manufacturing. Competitive advantages cannot be gained at the expense of workers or the environment; instead, they

should be based on (higher) quality. Sustainable development and sustainable manufacturing must be the defining values.

International agreements, such as the UN's Agenda 2030, the Paris Climate Agreement, ILO standards, and the UN Guiding Principles on Business and Human Rights, among others, must be the basis for the reform of existing WTO rules, as well as for decisions made in adjudicating trade disputes. Basic human rights, social standards, and environmental standards must be implemented before trade preferences can be benefited from. An additional aim is to strengthen the ILO on trade policy issues and to seek closer cooperation between the two organisations.

The G7 and the G20 have contributed significantly to the discussion of and consensus-building on global challenges. While the G7 countries have moved closer together in the face of the war in Ukraine and demonstrated their unity in implementing a sanctions regime against Russia, the prospect of Russia's continued membership in the G20 is currently difficult to imagine. Even if no binding decisions are made at these tables, these forums often issue important mandates to international organisations. That said, the G7 and G20 also face criticism for acting in an undemocratic manner. As global agenda setters, they are nevertheless important and relevant to trade union key demands for the realisation of a fair globalisation. Despite all the criticism of the structure, agenda, and asymmetry, recent examples, such as the agreement of Finance Ministers at the G20 on a minimum tax rate for companies, make clear these forums' potential positive outcomes.

Various engagement groups have the option of participating in the fora within the G7 and G20. For example, the L7 and L20 group of trade unions can participate in the G7's L7 and the G20's L20. The DGB, together with the ITUC, will continue to use this opportunity in cooperation with other civil society groups to make trade unions' advocacy for a social and inclusive society heard.

The DGB and its member unions recognise the UN as the central international organisation of the international community, with the most legitimacy endowed by the states of the world. Nevertheless, the UN is subject to international law. It must be strengthened in the spirit of its charter: To secure world peace, to uphold international law, to protect human rights, and to promote international cooperation. However, support for the UN has declined in recent years, even though global challenges are growing. Not least because of the poor payment history of some major contributors, the UN has been in serious financial difficulties. This has led to reform efforts aimed at streamlining and increasing the involvement of private donors.

We demand member states guarantee UN funding despite any and all shortcomings in the functioning of the UN and its specialised bodies. The Sustainable Development Goals (SDGs) are arguably the UN's most progressive agenda to date. At the same time, it is clear that there is still a huge gap in the implementation of key SDGs, including ending

poverty, reducing inequality, and creating good jobs both globally and nationally. Here, too, a lack of financial resources is a clear problem. Despite the universal approach the UN takes when addressing all governments, which it aims to use to put an end to the global two- or three-class society, the responsibility for SDG implementation and financing has been relegated to the national level. This shift increases the risk of underfunding or privatisation. The fact that SDGs are not backed by a corresponding financial structure and that various goals are tackled with divergent intensity weakens the global agenda. The DGB, therefore, continues to participate actively in the UN forums aimed at overcoming this hurdle.

UN reforms must not undermine the financial and structural autonomy of the ILO as a specialised UN organisation. At the state level, the tripartite structure and access of the social partners must remain guaranteed; the ILO continues to be a key point of access for trade unions to connect with the UN system. The DGB will work with worker groups to maintain this access. The ILO conventions on labour and trade union rights must become the reference point for all UN activities. Compliance with these standards should be guaranteed by all UN agencies and specialised organisations, including, in particular, the International Monetary Fund (IMF) and the World Bank. The DGB, in collaboration with the ITUC, is strongly campaigning for this in the relevant forums.

Finally, the DGB and its member unions are working with the German government to ensure that the ITUC is given observer status at the UN General Assembly. This will empower trade unions through better access to information on UN projects which, in the past, have affected the ILO.

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