



SAMAK

SAMAK's annual meeting on 10 February 2009

Statement

A balanced social Europe

European cooperation has since the 1950s been contributing to the longest period of peace and growth in history. Free movement of goods, services, capital and labour has helped increase the standards of living. However, it is not an end but a means.

The EU rests on a fine balance between economic freedom, joint rules on protection against social dumping and respect for Member State autonomy in labour market and welfare policy. With the Laval, Viking, Ruffert and Luxemburg decisions, the European Court of Justice shifted this balance. In full contravention of the intentions of the European law maker, the possibility of ensuring equality between domestic and posted wage earners has been significantly hampered.

Through its interpretation of the Posting of Workers Directive, the European Court of Justice has set European wage earners against each other, allowing the EU to become an instrument in the competition for pay and conditions in the national labour markets. The European Court of Justice has created an imbalance between the EU's social and economic dimensions. Although the consequences of the European Court of Justice's decisions have been most severe for the Swedish and Danish labour market models in the short term, it cannot be ruled out that other Member State labour market systems will also come under pressure in the long run. When the European Court of Justice at the same time attacks every EU citizen's fundamental right, the equation is unacceptable to wage earners.

The competition for pay and conditions is a time bomb that entails economic, political and social tension and which may create hostility towards strangers. There is also a risk of free movement being questioned, and this may undermine the entire EU cooperation.

The financial crisis further increases the risk of wage competition.

The politicians of Europe need to act to prevent such development and restore the balance disturbed by the European Court of Justice. As soon as possible, the Member States must adopt the social protocol to the treaty prepared by the European Trade Union Confederation. Fundamental industrial and democratic rights must never bend to free movement.

The Posting of Workers Directive must be revised for the purpose of ensuring equal treatment of wage earners. Member States must again be given the room, on the basis of the individual country's provisions and traditions, e.g. through collective agreements, to decide how to regulate the labour market in consideration of jointly established minimum standards and with a possibility of improving conditions.

The European Parliament has passed a resolution pointing in this direction, and equal treatment of domestic and foreign wage earners will be a key issue in the election to the European Parliament in June. A commission excluding a revision of the directive in its work programme cannot expect support from the Nordic social democrats and the trade union movement.

The fight against social dumping is high on our European agenda. A vote for the Social Democrats in the election to the European Parliament is thus also a vote for a better balanced Europe – a more social Europe.