



Mr Genc RULI
Minister of Economy and Energy of
Albania
Fax: +355 4 234052

REF.: JWG/lt

18 January 2007

Contact person: Jan Willem Goudriaan

Dear Minister,

The European Federation of Public Service Unions (EPSU) has been informed of serious problems regarding the social dialogue, negotiations and respect for trade union rights by our affiliated union *Trade Union Federation of Industrial Workers of Albania (FSPSIH)*.

A number of complaints are brought to our attention:

The dismissal of 1500 workers in 2006 from the Albanian Power Company. Many of these workers are apparently replaced with political appointees and activists for one of the political parties. *Seven trade union leaders were fired* only because they were activists and elected to the leadership of FSPISH. This is in violation of international conventions (ILO) and the European social model. 130 cases related to the dismissals have been taken to the court by the trade union federation.

We understand that *the bipartite and tripartite social dialogue structures do not function* very well and have a purely formal nature. Nonetheless a well functioning social dialogue is part and parcel of the European social model as expressed on many occasions by the European Council. A great effort is needed to make this function. There is much expertise now in the EU and in New Member States on how to ensure an effective and constructive social dialogue and we suggest your government discusses with the unions and employers, European level social partners and the Commission, what can be done to improve the situation.

The right to strike in the energy sector is banned. The government's reason for this is that energy services are considered an essential service. This is however no reason to ban the right to strike, and other European countries respect this fully. Only recently Bulgaria granted the right to strike in the energy sector after complaints of the trade unions to the ILO.

The *collective agreement with the Albanian Power Corporation* has been terminated since three months: The employer does not negotiate in good faith; presenting the union with absurd claims and refusing to sign a new agreement with the union FSPISH. The union has complied with the Albanian Labour legislation and presented the full documentation for the new collective bargaining agreement.

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Dear Minister, it is a serious list of concerns.

We request you to discuss these with the trade union and inform us of the results of the discussions. We will monitor the situation and if no progress is made in the **next two weeks**, we shall take the necessary steps to inform the European Commission and the European Parliament of the situation that has arisen. It is clearly not acceptable that Albania does not live up to the European social model.

We also do not accept that Albania, which is now a member of the South East European Energy Community, does not play by the rules. You will be aware that the Commission and the European Parliament attach great importance to the social dialogue and respect for trade union rights, as expressed by the Parliament in its resolution on the Energy Community in May 2006. It is all the more important, as your government has to discuss a national social plan with the trade unions to address the negative consequences of the restructuring that will be part of creating the internal market.

We look forward to your reply,

Yours sincerely,

Jan Willem Goudriaan
EPSU Deputy General Secretary

cc.: Mr. Koço BARKA, Minister of Labour, Social Affairs and Equal Opportunities
Fax: +355 4 22 83 40, +355 4 233429

Mr. Andi BELI, General Director of Albanian Power Corporation (KESH)
Fax: +355 4 23 20 46

EPSU is the European Federation of Public Service Unions. It is the largest federation of the ETUC. 8 million public service workers from over 200 trade unions are members. They organise workers in the energy, water and waste sectors, health and social services and local and national administration.