
EPSU statement “ *Trade union rights for a secure defence sector*”

Brussels, 17 December 2013

EPSU is the largest European trade union federation representing the interests of public service workers including the 2 millions or so of non-industrial defence personnel in Europe. As a European social partner, it leads the trade union side in a number of EU sectoral social dialogue committees including the one for central government. It is a member of the European Trade Unions Confederation (ETUC) and Public Services International (PSI).

EPSU has established a network of public defence workers, including both civilians and soldiers, to defend their interests and promote a public defence service within its broader central government sector. In many countries the application of European social standards in public defence differs from the general rule that results in soldiers being denied or prevented from exercising their trade union rights.

As the European Council will discuss on 19-20 December 2013, the state of Europe’s defence industry as part of its wider agenda on the Common Security and Defence Policy (CSDP), EPSU warns against a market-based defence agenda that pays lip service to real defence needs and working conditions of defence workers and reiterates its call for the long overdue recognition that soldiers are citizens and workers in uniform that deserve trade union rights.

Soldiers’ rights to social dialogue, trade unions and European social standards

Many governments in Europe continue to maintain their national defence under restricted regulations on trade union rights and exemptions from European social directives for instance on health and safety, working time and rights to information and consultation. The unhelpful definition of “essential” services at International and European levels, deployment in operations, the use of specific material are amongst the stated reasons why the army forces, or certain of its activities depart from the general rule. In some countries there is no social dialogue at all whilst the austerity measures in a number of countries have been accompanied by unilateral attacks against trade unions and the right to collective bargaining.

As resolutely promoted by the Council of Europe, soldiers are citizens in uniform, and as such both in their countries of origin and in deployments abroad, they must have the same rights and duties as any other citizens.

It is recalled that these rights include the right to join a trade union entitled to negotiate pay and conditions of employment (CoE recommendation 1742, 2006). It is EPSU’s view that trade union representation of soldiers’ professional interests is best served when anchored in a broader trade union confederal framework to avoid categorial drifts and help strengthen the specific concerns of this group of public service workers as part of a positive public service reform agenda. The possibility for soldiers to join professional associations is certainly no substitute to the right to form and join a trade union.

Where full freedom of association is available it has a positive impact on the armies’ ability to carry out orders, improve working conditions and the life of citizens they are meant to protect. We believe it is a fair, efficient and modern practice that the government consults with staff and unions on all aspects of defence activities that affect their working lives.

The right to humane treatment is inviolable and must be respected in full including for military personnel. This requires adequate training in human rights and appropriate guidance including on equality and anti-discrimination national and EU legislations. Moreover, it seems unconceivable to expect soldiers to defend citizens' freedoms if they themselves only partially enjoy the freedoms of their fellow citizens in their countries of origin.

Therefore, a central priority of the EPSU defence network is to strengthen or introduce a well-functioning social dialogue, trade union rights and a good implementation of European social standards for all defence workers, whether civilians or soldiers.

To this effect, EPSU in its own right and as coordinator of TUNED, the trade union delegation in the EU social dialogue committee for the central government sector, will promote and build upon national good practices and policies on trade union rights such as in Denmark, Austria, the Netherlands, or Belgium.

The defence network will also pay attention to the medical problems of former military once they have returned to civilian life as well as the way medical costs of soldiers and social compensation are covered at national level.

Military and civilian staff in deployment: same job but different working conditions

The participation of soldiers from EU member states in multinational military corps means that soldiers work with colleagues side by side on different terms and conditions whilst doing the same job. In this context, the implementation of EU social standards is crucial to ensure a social level playing field within multinational contingents.

Equal treatment between workers doing the same work is a fundamental principle of the European Union. EPSU strives to uphold this principle on the basis of upwards harmonisation of working conditions and trade union representation, subject to negotiation with trade unions at the appropriate levels. At the very least, minimum EU social standards against the broader framework of the Council of Europe should apply to all soldiers when on missions.

The possibility of establishing joint soldiers' trade union committee consisting of national elected trade union representatives overseeing the social and working conditions of soldiers and other staff on EU redeployment missions will be explored.

Civilian staff plays an important role that should be better valued, notably in supporting the deployed troops. Maintaining a coherent approach to all staff in defence is also essential to secure career paths and occupational mobility, which is all the more relevant at times of deep and fast restructuring.

Restructuring, staff reduction, sub-contracting, privatization: both sides of the same coin

Another major concern is the depth and scale of changes and restructuring in the armed forces triggered, on the one hand, by international and EU cooperation that encourages capability specialisation between European countries and, on the other, the overall impact of EU-coordinated national budgetary austerity measures since 2008.

Whilst overall defence expenditure is going down, it actually increases as a share of GDP as most states maintain military spending levels comparable to or higher than 10 years ago.

The reason for this is that military spending cuts have almost entirely fallen on staff – cuts in jobs, wages and pensions – rather than on arms purchases. Indeed, in the EU, between 2006 and 2010, defence personnel decreased by 17%, whereas national budgets for arms purchases rose by more than 10%, including in countries such as Greece subject to harsh austerity measures. This trend is likely to continue given the persistence of austerity policies.

Amid austerity for the majority of workers and citizens, continued high military spending has led to a boom in arms companies' profits and an even more aggressive push of arms sales abroad in many cases ignoring human rights concerns. The hundred largest companies in the sector sold arms to the value of some €318 billion in 2011, 51% higher in real terms compared to 2002.

EPSU is committed to a reform agenda that seeks both to develop a strategic approach to real defence needs in Europe and to improve job content and work organisation of defence workers in a way that comprehensively involves the personnel in their work and allows them to develop their own expertise and competences and employability. Yet, as in other parts of public services, reforms, staff reductions, outsourcing in the defence sector are carried out with no or little consultation. This creates a climate of uncertainty for those who remain in jobs, adds extra work for little or no recognition and undermines further EU standards on social democracy.

Today, there is ample evidence that outsourcing leads to lower quality of working conditions and loss of specific competences and expertise for the public sector whilst not providing financial gains for tax payers. EPSU opposes outsourcing and staff transfers to less advantageous collective agreements which do not give workers or taxpayers a better deal and do not improve the quality of public services.

It is urgent that all EU defence ministries review previous transfers of work and take due account, as part of cost-benefit analysis, of the operational, social and economic implications of outsourcing. Supply and service public contracts within ministries of defence must be, at the very least, subject to social and anti-corruption clauses to avoid any deterioration of working conditions and waste of citizens' tax contributions.

As national militaries are being rationalized and contracted out and the numbers of EU peace operations are increasing, there is strong concern that the EU might follow the lead of the US or of the UK in using private military contractors to undertake some of the functions of peace operations. The consequences for the public accountability and responsibility of both the corporation and the institution in case of violations of human rights law are unacceptable. Defence must remain in public hands and accountable to national parliaments and public scrutiny.

In light of the above, EPSU will further develop its defence network and raise the trade union perspective in EU defence related fora and agencies as part of a positive agenda for public services and alternatives to austerity measures. The network will exchange experiences on reforms, bilateral and multinational cooperation to gain a better view on the evolution of the defence sector and best ways to secure trade union rights.

EPSU is the European Federation of Public Service Unions. It is the largest federation of the ETUC and comprises 8 million public service workers from over 250 trade unions; EPSU organises workers in the energy, water and waste sectors, health and social services and local and national administration, in all European countries including in the EU's Eastern Neighborhood. EPSU is the recognized regional organization of Public Services International (PSI). For more information, www.epsu.org