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EPSU Defence Working Group Discussion Questions

Follow-up to the meeting of 06 December 2011, Brussels

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**1. The European trade unions and social dialogue**

Following the launch of the EPSU Defence Working Group on 6 December 2011 in Brussels (CSC-Services Publics), the participants set their priority areas of work as follows: trade union rights, the application of the European social directives, a critical evaluation of the trend towards outsourcing and privatization in the defence sector, and the application of the European Works Councils directives.

It is now time to consider developments in the situation and to establish in more depth the common demands that EPSU members would like to obtain or maintain, with EPSU's support.

**Questions:**

- *In your country, what are the main demands in the context of collective bargaining/social dialogue with your employer or public authorities?*
- *In your opinion, what are the main subjects that should be raised by the union delegation, TUNED, which is coordinated by EPSU in the context of the European social dialogue in central government administrations?*

**2. Application of legislation on well-being within the armed forces**

National regulations on well-being in the workplace are based on a European directive on health and safety at work which is based, in turn, on Article 137 of the Treaty establishing the European Community. European directive 89/391/EEC of 12 June 1989 on the introduction of measures to promote improvements in the safety and health of workers at work is, moreover, the resulting framework directive. However, Article 2 of this directive makes an exception for the armed forces (and policing) even though it emphasizes that the health and safety of the workers in question must be guaranteed as far as possible. The situation is the same for the 2002 European directive on informing and consulting employees. It is permissible to exclude the armed forces from the scope of this directive.

The European Community plays a subsidiary role, which means that the Member States lie at the heart of this process. Each nation therefore has the right to apply this exception as it sees fit. It would therefore be sensible to draw up an inventory describing the many differences, so that we can find out more about each other and promote 'good practices'.

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Given the European undertaking that brings together soldiers from different countries, it is therefore, at the very least, necessary to find a common platform that would enable this level of well-being to be guaranteed.

**Questions:**

- *What are the standards with regard to health and safety for servicemen and women in your country?*
- *Is exempting the armed forces from the scope of the European directive for improving workers' health and safety a problem in your country?*
- *What are your rights to information and consultation with regard to reorganizations, to military equipment?*

**3. Privatising the military**

The transformation of European armies is resulting in a massive reduction in numbers. The widespread abandonment of conscription, while encouraging a professionalization of the armed forces, has also opened the door to the privatization of numerous functions. The wars in Iraq and Afghanistan, along with the efforts to combat piracy along the Somali coast, are striking examples of an all-out privatization, with all the excesses and legal issues this new policy creates.

**Question:**

- *What are the recent trends in your country with regard to privatization and/or outsourcing?*
- *What are the main union demands and actions aimed at combating privatization and/or outsourcing of public defence?*

**4. Cooperation between the different European countries**

These many transformations, alongside the rationalization that is taking place, reinforce the need for cooperation between the European countries. By way of example, the close cooperation between the Belgian and Dutch navies can be mentioned, along with the cooperation between the BENELUX countries.

This trend is also having repercussions on the composition of the armed forces, their organization, equipment and numbers.

People are carrying out the same tasks but under a different status creating, among other things, a greater need for flexibility and mobility on the part of soldiers. An overview of this cooperation and its impact on different areas would therefore be useful.

**Question:**

- *Do you have any special relationships with other union organizations inside or outside Europe and, if so, which?*

**5. The boundary between military and policing missions**

These "new armies" have had to incorporate other methods of intervention into their repertoire in addition to classical combat or warfare, not least because there is now no real risk of open warfare between states, particularly in Europe, such that the prospect of defending one's homeland is instead now directed towards serving it.

Military action has thus been transformed since it consists essentially of intervention aimed at what is known as "re-establishing order" in countries in crisis. The line between military missions and peacekeeping missions is therefore becoming an increasingly fine one. We suggest discussing this issue and making proposals aimed at better defining the missions of the different actors.

**Question:**

- *What are your demands in this area, both for military and civilian personnel?*

**6. Workers on US military bases in Europe**

Following the meeting that was held in Madrid in spring 2011, an initial attempt was commenced to produce an inventory of the common problems facing European staff. The participants would like to examine the possibility of applying the directive on European works councils to the staff of US military bases in the EU. The meeting on 6 December confirmed the need to create a common platform for the defence sector.

For this, a basic paper will need to be drafted enabling concrete initiatives to be presented to the European Council.

*EPSU will organize a meeting with the Deputy General Secretary, Jan Willem Goudriaan, on 21 March to discuss the feasibility of this proposal.*