



'In the Public Interest'
Public Services for People in Europe
ETUC CHARTER ON PUBLIC SERVICES

FOREWORD

The attached Charter was adopted by the Executive Committee in December 1998.

The decision to prepare the Charter was taken in March 1998 when the ETUC considered how best to follow up the treaty amendments made by the Amsterdam intergovernmental conference in June 1997. On the basis of resolutions adopted by successive Congresses defending the rights of Europeans to have first class public services, the ETUC had sought to have the value of public services explicitly recognised as an intrinsic part of Europe's model of development - and not, as was then the case in the Treaty, as exceptions to the principle of free competition which had to be justified case by case.

Thus, where Article 3a lays down that EU policies shall be 'conducted in accordance with the principle of an open market economy with free competition', the ETUC sought to have added '...and high quality public services and services of general interest'.

This was not accepted. Instead, the Amsterdam IGC added a new Article 16 as follows:

'Given the place occupied by services of general economic interest in the shared values of the Union as well as their role in promoting social and territorial cohesion, the Community and Member States, each within their respective powers and within the scope of the application of this Treaty, shall take care that such services operate on the basis of principles and conditions which enable them to fulfil their missions.'

What 'principles and conditions'? Unless this question is answered in a positive way nothing will have been achieved. Hence the ETUC's Charter - and our demand that these principles be officially adopted by the European Union to interpret Article 16.

Emilio Gabaglio
General Secretary

December 1998

ETUC CHARTER ON PUBLIC SERVICES

THE EXECUTIVE COMMITTEE OF THE ETUC....

committed

- to a European Union which combines economic efficiency and respect for the environment with the promotion of equality and solidarity
 - to European Social Union being given the same priority as Economic and Monetary Union
 - to creating a European society and not just a European market
- to a European Union in which the role of public services in meeting these objectives and in assuring economic and social well-being generally is fully recognised

welcoming

- the new Article 16 of the Amsterdam Treaty which recognises the place occupied by services of general economic interest in the shared values of the EU as well as their role in promoting social and territorial cohesion, and the need for such services to operate on the basis of principles and conditions which enable them to fulfil their missions
- the Declaration to the Final Act of the Amsterdam Treaty whereby Article 16 is to be implemented with full respect for the jurisprudence of the Court of Justice, in particular regarding the principles of equality of treatment, quality and continuity of these services,

insisting

- all European citizens have access to high quality public services, or services of general interest, on an equitable, affordable, secure and continuous basis
- full account is taken of social and environmental concerns;
- democratic control and transparency of service delivery is ensured to give effect to the rights of Europe's citizens to be fully informed, to participate, and to have redress
- the active involvement of workers and their trade unions in public sector modernisation is guaranteed

calls on

- the European institutions to support a European Public Services Charter
 - guaranteeing citizens rights
 - promoting jobs for all
 - sustaining competitiveness
 - shaping a social market economy
 - promoting cohesion
 - modernising through social dialogue
 - extending the social dimension to accession countries
 - building European public services

urges

- the public authorities, the social partners, and civil society at all levels - and, more specifically, candidates for election to the European Parliament, governments of applicant countries, and the up-coming EU Presidencies - to support and act upon these principles

1 Guaranteeing citizens rights

All European citizens and regions should be able to contribute to, and benefit from, the accrued wealth within the Single Market. Public services must constitute the basis of a citizen's Europe, promoting a humane and fair society, guaranteeing protection from all forms of discrimination, and safeguarding fundamental rights. These include human and trade union rights; the right to equal opportunities for women and men; the rights to education and training, health care and social protection; minimum levels of income, housing, energy and water; and access to information and communication, including public broadcasting, and to cultural and sports facilities. Human need must be put before the ability to pay.

2 Promoting jobs for all

Public services are of crucial importance in creating jobs directly and indirectly through the provision of collective goods and services. Well resourced and high quality public employment services contribute to an integrated and well-functioning labour market. Child and elderly care services help promote equal opportunities for women and men. Public education and training services enable people to lead more fulfilling lives, and to ensure that the economy has the skills it requires.

Putting the Employment Chapter and the resulting Luxembourg process into effect requires strong public services. A narrow interpretation of the convergence criteria and an excessive reliance on monetary policy will damage employment and public services, and will make it harder, not easier, to build a strong economy.

3 Sustaining competitiveness

A competitive and growing economy requires efficient and effective public services, and the financial resources which are required to achieve this must be made available. Europe must act to help prevent negative tax competition, and to defend and promote fair and equitable taxation systems to ensure that the economy, as well as the citizen, has access to the required public services.

Markets need both regulation and public services to function optimally. Public investment and a vibrant public sector have a key role to play, such as in relation to fundamental research and the provision of infrastructures.

Expenditure on public services must be seen as a benefit and not just as a cost. Investment in one area of public service can enable savings in others: investment in active labour market policies can save on the cost of unemployment benefits; good housing and decent living conditions can help combat crime or poverty-related illnesses.

Conventional GDP indicators fail to assess the contribution of public services to a prosperous economy. Economic and social benchmarks must be developed to measure their true worth.

4 Shaping a social market economy

Social progress rests on economic progress, but equally economic progress will not be sustained without social progress. The principles of the market must be complemented and completed by societal ones. Democratic control and accountability, a responsible use of scarce natural resources, the prevention of abuses of market power, long-term service delivery and security of supply of many services - all these have to be safeguarded through public intervention, in which European framework regulation must play a role to ensure coherence.

Having opened a number of essential services to competition within the single market, such as telecommunications, electricity, gas, and transport, the EU must now ensure that individual users and local communities benefit, and not just transnational companies and large industrial consumers. All operators need to comply with public service obligations, irrespective of public or private ownership.

EU public procurement rules must promote compliance with labour standards, whether established by law or by collective agreement. The decision of a public authority to provide public services directly, rather than contracting them out to a third party, should not be constrained by EU public procurement rules.

5 Promoting cohesion

Social public services, such as health and social care, housing, education, and leisure services, are paramount in promoting the economic and social well-being of European citizens and hence in creating cohesive societies. They work to ensure that people who are excluded from the labour market are not also excluded from society. They counter insecurity resulting from economic and social change, whether stemming from technology and globalisation or from an ageing population and new family structures.

Social public services do not fall directly under the EU's competence, but they are nevertheless increasingly affected indirectly by growing Europeanisation, ranging from the effects of the convergence criteria to the application of procurement rules. Accordingly, the needs of these services must be fully taken into account in the EU policy making process.

6 Modernisation through social dialogue

To help ensure that Europe has the modern public services it requires, close worker and trade union involvement through social dialogue processes, including information, consultation, and negotiation, is essential. European framework agreements should be developed at the appropriate sectoral levels on innovative forms of work organisation and working time to give public service workers, as other workers, good terms and conditions, and thereby contributing to giving consumers a good service.

Social dialogue must be genuinely representative and public sector employers must be adequately organised and represented in both the sectoral and inter-sectoral social dialogue.

Performance standards and targets designed to promote quality-services and the observance of ethical standards must be set and monitored on a joint basis by public service unions and employers.

7 Extending the social dimension to accession countries

Many accession countries are suffering from grossly inadequate public services and infrastructures. Transformations from state-regulated to market economies have, in many instances, led to rampant unemployment, social hardship and political instability. Lack of financial resources has led many governments to opt for an uncritical adoption of 'Western' models of privatisation. Private interests without proper democratic accountability increasingly run public services.

Accession countries must be assisted in developing democratic government structures and in building social and economic infrastructures. Special attention should be given to the development of publicly-supported, independent broadcasting and media institutions.

Accession governments in their role as employers must discuss with trade unions how to develop well-functioning public services, and public-private partnerships within social market economies.

8 Building European public services

Political, economic and social integration requires enhanced administrative co-operation across Europe's old borders. European legislation has to be translated into national practice in a broad range of fields. National public services and administrations must build a European perspective systematically into their work. Training curricula of public service employees should reflect this reality, with existing European exchange and training programmes being extended. Professional mobility of public service employees and civil servants must be promoted between countries, together with the mutual recognition of qualifications, and the inter-country transfer of pension entitlements.

European integration also requires the further development of public services for European citizens in areas such as customs, police, and air traffic control. Trans-european Networks must be given a renewed priority, and be supported by the necessary funds.

The European Commission has first line responsibilities for ensuring that the European dimension of public services is properly taken into account in an ever more integrated Europe, and for giving effect to the new Article 16. A single Commissioner should be put in charge of all the Commission's responsibilities for public services. The first job must be to prepare a European Public Service Charter designed to ensure that national and European actions are coherent and that public services thrive within a social market economy