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**TWENTY YEARS OF SOCIAL DIALOGUE: SITUATION AND PERSPECTIVES
SESSION 2: FUTURE PERSPECTIVES**

ADDRESS BY PHILIPPE DE BUCK, UNICE SECRETARY GENERAL

I am very happy to celebrate with you today twenty years of European social dialogue. Twentieth birthdays are important. They mark the start of adulthood but also symbolise eternal youth.

Twenty years after the meeting at Val Duchesse, has European social dialogue reached adulthood?

The answer to this question is incontestable in the light of the facts.

Having taken up the challenge issued by President Delors for the opening of social dialogue on the social implications of the single market, UNICE, CEEP and ETUC had their first experience of bipartite social dialogue at the European level. From 1986 to 1991, we adopted seven joint opinions (on macro-economic policy, training and education as well as the functioning of the labour market).

The early 1990s saw the emergence of a European area of negotiated agreements further to the agreement reached on 31 October 1991 incorporated in articles 138 and 139 of the Treaty. This was again a gear change in social dialogue. Between 1991 and 1999, fourteen joint opinions saw the light of day, twice as many as in the preceding period, and three agreements were concluded: on parental leave, part-time work

and fixed-term contracts. In 1998, UEAPME was included in the employer delegation.

In the early years of this century, European social dialogue has been characterised by a diversification of tools and increased maturity. Inspired by the open method of coordination incorporated for the first time in the employment title of the Amsterdam Treaty in 1999, the social partners launched two new negotiation experiments. The first culminated with adoption of a framework of action for lifelong learning in 2002. The second with signature of an agreement on tele-working whose implementation will be carried out by the social partners themselves.

A further important step has been taken with preparation of the first multiannual work programme. This makes provision for completion of nineteen joint initiatives between 2003 and 2005, grouped around two major themes: employment and enlargement of the EU. Fourteen of the nineteen initiatives in the 2003-2005 social dialogue work programme have now been realised. By the end of the year we will have held discussions on five subjects: undeclared work, violence and harassment at work, active ageing, promotion of the interest of young people in science and technology, and updating our 1996 joint declaration on racism and xenophobia. We are also pursuing our work on integration of social partners in the new Member States in European social dialogue as well as studying restructuring in these countries.

That brings me to my second question.

Twenty years after the meeting at Val Duchesse, does European social dialogue seem set to enjoy eternal youth?

The route taken so far has not been without bumps and social dialogue will certainly encounter difficulties again. Nevertheless, it has chalked up around fifty joint initiatives on important issues. It has indisputably shown that a constructive relationship has been created.

Europe is at a turning point. The mid-term review of the Lisbon strategy is severe. A refocusing on growth and jobs is urgently needed. The social partners underlined this jointly ahead of the last European Council and announced their willingness to place the next social dialogue work programme firmly within the framework of the Lisbon strategy.

It is indeed now time to reflect on the medium-term perspectives and to envisage proposals for the post-2005 social dialogue work programme. UNICE is currently conducting this exercise with the aim of starting discussions with our counterparts in the coming months. The proposal must facilitate the Commission's Growth and Jobs strategy.

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On the occasion of the 20th anniversary of the Val Duchesse agreements, it seems to me indispensable to address another major challenge namely ratification of the Constitutional Treaty. Let there be no mistake: this ratification is essential to create a strong Europe of 25 Member States, capable of defending the interests of its citizens and its companies on the international stage, and of pursuing the policies necessary to foster growth and jobs. It seems to me positive that it has stimulated a debate. What is less positive is that there has been some blurring, even untruths.

I take this opportunity to recall that the European social partners participated as active observers to the work of the Convention that resulted in the signature by EU Member States of a Constitutional Treaty for the EU in Rome on 29 October 2004.

In the context of this debate surrounding these important national decisions, UNICE would like to highlight that the constitutional Treaty provides a balanced basis for shaping EU policies in the future.

Article 3.3 of the Constitutional Treaty f.i. provides amongst other principles that – I quote:

“The Union shall work for sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and with a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance...”

Social dialogue is an important feature of Europe's economies and societies. On 14 January 2003, in the midst of the Convention's work, the European Social partners present as observers adopted a joint contribution in order to obtain a clear reference in the part one of the constitution. That has been the case with the introduction of article I.48 which reads as follows:

"The European Union recognises and promotes the role of the social partners at Union level, taking into account the diversity of national systems; it shall facilitate dialogue between the social partners, respecting their autonomy. The Tripartite Social Summit for Growth and Employment shall contribute to social dialogue."

The Constitutional treaty will allow a better functioning of the enlarged European Union by adapting its decision-making process to its new membership. It clarifies national and European competences, simplifies legal instruments and the decision-making process. It reinforces the democratic aspect of the EU by giving enhanced power to the European Parliament and to national parliaments while preserving the Community method.

The Constitutional Treaty gives legal personality to the European Union and improves Europe's capacity to defend and promote European interests at international level.

Employers and trade unions do not always agree. We have very different views on how to draft a European directive on the internal market for services or a revised directive on working time. However,

these proposals were made under the present Treaty provisions. Differences of opinions on these important but completely distinct issues must not be confused with the debate on the Constitutional Treaty.

Even if no human endeavour is ever perfect, I am convinced that the leaders of the European social partners would vote yes if they had to participate in a referendum.

I have dwelled at length on these challenges because the capacity of European social dialogue to enjoy eternal but responsible youth also depends on the capacity of decision-makers to rally around a shared project targeting growth and viable jobs. Clearly, the social partners are also committed to realisation of this project, in an autonomous manner in the areas for which they have competence. However, they cannot – and will not - take the place either of public authorities or of action by their members in their respective countries.

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