

Van: media@etuc.org <media@etuc.org>**Aan:** veerle.solia@amsab.be**Datum:** 06/15/2010 10:49 AM**Onderwerp:** 99th SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

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14 June 2010



**European Trade Union Confederation [ETUC]
Confédération européenne des syndicats [CES]**

John Monks, General Secretary of the European Trade Union Confederation (ETUC), participated in the 99th session of the International Labour Conference in Geneva, an annual meeting in which all the member States of the International Labour Organisation (ILO) participate. The ETUC General Secretary voiced the concerns of the European trade union movement about austerity measures. He also reiterated the need to append a social progress protocol to the European treaties, referring to the incompatibility with ILO standards of European law that contravenes the right to strike. ILO experts identified such incompatibility in the BALPA case.

John Monks declared: *"Almost all EU governments are cutting or proposing to cut their deficits, primarily by reducing public expenditure, prompted by fear of financial markets but also by pressure from the International Monetary Fund and the Organisation for Economic Cooperation and Development. This is mad because it will risk plunging Europe into recession. To express its opposition to austerity measures, the ETUC is organising a Euro-demonstration on 29 September in Brussels."*

John Monks also mentioned the BALPA case. He warned that the ETUC would use the conclusions of the International Labour Organisation's Committee of Experts to press the European authorities for action to ensure that the free movement principles of the European Union do not dominate the collective rights of workers, including the right to strike. The recent rulings by the European Court of Justice (ECJ) in the Laval and Viking cases, among others, have established that economic freedoms are superior to workers' rights. John Monks concluded: *"The EU needs to put this right with a clear social progress protocol emphasising that fundamental rights are fundamental, not secondary."*

[Speech by John Monks at the 99th session of the International Labour Conference](#)

The European Trade Union Confederation (ETUC) speaks with a single voice on behalf of the common interests of workers, at European level. Founded in 1973, it now represents 82 trade union organisations in 36 European countries, plus 12 industry-based federations.

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In the BALPA (Pilots' and Flight Engineers' trade union and professional association representing members in the UK airlines) case of March 2010, the Committee of Experts of the ILO concluded in a remarkably clear language that the UK legislation as a result of the ECJ judgments in the Viking and Laval cases violates ILO standards. In this case, the members of a UK Pilot Union (BALPA) had overwhelmingly voted to go on strike following a decision by its employer to set up a subsidiary company in other EU States. The strike action was effectively hindered by the employer's decision to request a preventive injunction based on the argument that the action would be illegal under the ECJ judgments. The employer claimed that should the work stoppage take place, it would claim damages so high that the trade union would risk bankruptcy. The ILO Committee of Experts vigorously criticised the negative consequences of the ECJ cases, observing with **serious concern** the practical limitations on the effective exercise of the right to strike.

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