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Van: Media@etuc.org
Verzonden: woensdag 12 september 2012 12:02
Aan: Veerle Solia
Onderwerp: ETUC Press release



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

ETUC welcomes the decision to withdraw the Monti II Regulation

Brussels, 12 September 2012

The ETUC welcomes the Commission's decision to withdraw its proposal for a Monti II regulation invoked by national parliaments who argued that the proposal did not comply with the principle of subsidiarity. The ETUC had previously rejected the proposal since it restricts the right to take collective action.

The withdrawal of the proposal, however, does not solve the problems created by the European Court of Justice (ECJ) in the Viking and Laval judgments. It is more urgent than ever that a solution to the current situation is found as it prevents workers from fully enjoying their rights. The Commission should ensure that fundamental social rights cannot be restricted by economic freedoms.

The ETUC is therefore calling on the Commission to put forward a proposal for a social progress protocol to be attached to the European Treaties. Such a protocol should clarify the relationship between fundamental social rights and economic market freedoms by:

- a) confirming that the single market is not an end in itself, but was established to achieve social progress for the peoples of the Union;
- b) clarifying that economic freedoms and competition rules cannot take priority over fundamental social rights and social progress, and that in case of conflict, social rights shall take precedence;
- c) clarifying that economic freedoms cannot be interpreted as granting undertakings the right to exercise them to evade or circumvent national social and employment

laws and practices or for the purposes of unfair competition on wages and working conditions.

Bernadette Ségol, General Secretary of the ETUC, said that *"the Commission should confirm that the EU is not only an economic project, but in fact has as its main objective the improvement of living and working conditions of its citizens. The Commission should understand that if there is no social progress in Europe, workers will not keep supporting the European project."*

The European Trade Union Confederation (ETUC) exists to speak with a single voice, on behalf of the common interests of workers, at European level. Founded in 1973, it now represents 85 trade union organisations in 36 European countries, plus 10 industry-based federations.

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