

Social and ecological rights in Europe! European Parliament: reject the services directive!

Speech given by Martin Rocholl¹, Friends of the Earth Europe / BUND / Attac Germany,
at the German Trade Unions' demonstration in Berlin on 11th February 2006

For many Europeans, the European Union represents a hope for peace, more tolerance and democracy, further social security, more consumers and environmental protection and the rule of law. That's why I am a convinced European. While in the environmental field, this hope has occasionally been fulfilled already, in many areas it still needs to be fought for.

Especially today, in times of globalisation, a strong EU is essential to achieve and maintain high social, environmental and consumer standards. The now to be adopted EU services directive², does however exactly the opposite. It threatens existing standards and therefore has no place in a European Union we want to live in!

The idea behind the services directive is fundamentally wrong. Borders and markets can not be opened before having set and agreed on common binding rules. The experience of the European environmental movement shows that market opening must go together with the creation of EU-wide standards on a high level. This is true for environmental standards as well as social standards and labour conditions.

It is essential that trade unions and social organisations, such as Attac, have warned and mobilized us early enough against the dangerous content of the planned EU services directive. Throughout Europe, citizens have demonstrated against it.

Today, more than 10.000 Europeans are participating in the Attac demonstration in Strasbourg parallel to the more than 30.000 people at our demonstration here. And on Tuesday (14.2.2006), the European trade unions will again call for a European demonstration in Strasbourg just before the decision of the European Parliament.³

The protests have already shown some first results: the directive's text has hectically been modified and many exceptions are being considered. But this should not mislead us: a wrong legislative proposal does not become acceptable by adding numerous exemptions to a wrong principal. In the meantime the panoply of existing amendments prevents even the experts from predicting the impacts of the directive.

Let's have a look at potential effects of the service directive and let me add some examples, related to environment and consumer protection:

- 1) A person wanting to work in Germany in a nuclear power plant needs to have special qualifications and undergo a reliability test. This is highly important. However, it remains unclear whether in Germany these special conditions could be kept up for foreign service providers under the services directive.

¹ Contact: Martin Rocholl, Chair Friends of the Earth Europe (FoEE), Engeldamm 64, D-10179 Berlin, phone: +49-30-27590371, email: martin.rocholl@foeeurope.org, www.foeeurope.org, www.bund.net (BUND is the German member group of FoEE; BUND is member of Attac Germany.)

² <http://www.etuc.org/a/1581>

³ idem

- 2) Construction sites in Germany have stringent noise-control and labour-protection laws. Appliances which are too noisy and specific materials – such as artificial mineral fibres – which are potentially carcinogenic cannot be used. According to the “country of origin principle”⁴ (promoted by the services directive), it is unclear if these strict laws would also have to be respected by service providers from other member states.
- 3) German drinking water is among the best and healthiest in Europe. It is often better than EU directives demand. In addition, many local governments manage the drinking-water sources in a sustainable and ecologic manner. The same thing is true for waste-water treatment. A consequence of the new services directive might be that foreign service providers might not be obliged to respect these ambitious health and environmental standards.
- 4) Consumer protection could also be potentially deteriorated. The existing ban for direct telephone advertising in Germany could be undermined.

All these remaining questions should not be ignored and we must send a clear signal to Strasbourg: Euro-parliamentarians, be brave enough to reject this immature legislation!

It is a first victory of the protest movement against the EU services directive that the European Social Democrats have now negotiated a compromise with the European People's Party on the abolition (or weakening) of the “country of origin principle”. However, it is still unclear if the European People's Party will finally accept this compromise.

Moreover, the abolition of the “country of origin principle” would only be a minimal step to overcome the worst problems of the directive. Other paragraphs, for instance those regulating the freedom for service providers to establish a business in other countries, are unclear and can lead to many different interpretations.

Members of the European People's Party have interpreted the new compromise on the service directive in the following way: “Discriminating barriers have to be abolished. Exceptions are only accepted if a Member State sees its public order and security, public health or the environment threatened, and can prove this.”

Does this mean that national rules which are more ambitious than minimal standards can be questioned and require a justification for their existence? Could they be challenged as an unjustified barrier to foreign service providers?

The consequence of these uncertainties is the need to completely rewrite the existing directive! First of all, European social, environmental and tax rules have to be harmonised on a high level⁵. Only then the market can be opened step by step for commercial services. The service directive should not include any other services, except commercial ones. And of course, the services must be controlled by and in the country where the service is provided.

Our message to the European Parliament and the European governments therefore is clear:

- We want a Europe that ensures fair labour conditions for all European citizens and we reject a services directive that questions social security!
- We want a Europe that gives priority to environmental, labour, health and consumer protection and not a Europe which undermines these standards by an immature services directive!

Our European Parliamentarians have the chance to show us in the coming week in what type of Europe they want to live. We will closely follow their decision.

⁴ Under the 'country of origin principle', a foreign service provider would work in a foreign country under the rules and laws of his home country.

⁵ This should happen in a process that continually increases standards with growing prosperity. Rich countries would then have to keep high standards, and poor countries would not be burdened too much at the beginning.