

Joint Statement

By the national trade union centers of Georgia, Moldova and Ukraine

Association Agreements between the EU and the states of Georgia, Moldova and Ukraine provide for a number of obligations in the sphere of employment and labor relations and social policy. This means bringing labour laws and social standards and policies in line with international labour standards and European Union Directives, as well as the development of industry, trade and the services market to ensure productive employment in the conditions of decent work.

Noting that during the years of implementation of the Association Agreements, some progress has been made in different directions, we, the representatives of the national trade union centers of Georgia, Moldova and Ukraine, would like to emphasize a slowdown in the approximation with the EU legislation in employment, labour relations and social protection fields. We consider it necessary to state that it is unacceptable to promote trade or investment by weakening the existing level of protection of labour rights and ignoring the requirements of national and international labour laws, including those prescribed by the European Union Directives.

We declare that decent work, labor and social rights, adequate social protection of the population are integral elements of sustainable development and inclusive economic growth.

We declare that in the process of implementation of the Association Agreements with the EU, cooperation with trade unions, their proper involvement and regular communication with the relevant EU structures and the development of social dialogue at the national level is of great importance. In this regard, we believe that

1. The EU and the authorities of our countries have an obligation to pay more attention to the social dimension of the Association Agreements, for which it is necessary to create working groups reporting to the Association Councils, with full participation of social partners, that will focus on issues labour and social protection.
2. In all three countries, social dialogue suffers from a chronic lack of systemic and systematic approach. The legislative frameworks and institutional formats do not allow realizing the potential of social dialogue, which is one of the most important elements of the European social model, and therefore, require immediate improvement.
3. Freedom of association and the right to collective bargaining remain without the proper attention of the governments, as indicated by a decrease in the number and coverage by collective bargaining agreements. We are extremely concerned by the legislative restrictions on the right to strike which sharply contradict both the minimum guarantees established by the ILO standards in this area and the decisions of the ILO supervisory bodies. The mechanisms of pre-conflict and pre-trial mediation, as well as specialized labor arbitrations are undeveloped, the time frame for resolving labor disputes is irrationally long and the limited potential of the labor inspections as supervisory bodies to

monitor the implementation of labor legislation in practice often does not allow workers to protect their labor rights and realize their interests.

4. The processes that should be aimed at implementing gender equality, especially with regards to ensuring equal remuneration for men and women (equal pay for work of equal value), as well as reducing gender segregation in employment, are sharply behind the overall dynamics of the implementation of the Association Agreements.

5. Informal employment, deregulation of monitoring and supervisory mechanisms and nihilism on the part of employers, lead to an increase in job accidents, including fatalities. Under these circumstances even investigations carried out, often do not eradicate their causes. Preventive measures should be strengthened in accordance with the European Framework Directive on Safety and Health at Work (Directive 89/391 EEC).

6. Urgent action must be taken to restore the full mandate and authority of labour inspections in Moldova and Ukraine, in accordance with the ratified ILO conventions and mandatory decisions and recommendations of the ILO supervisory bodies. Despite some progress in Georgia, the functions and mandate of the labour inspectorate remain insufficiently effective and need to be urgently improved, especially in view of the non-proliferation of its powers to monitor the enforcement of labour laws .

7. We appreciate the experience with the functioning of the civil society platforms. At the same time, the full utilization of the capacity of the Domestic Advisory Groups (DAG) established under the comprehensive free trade agreements to oversee countries' compliance with relevant international norms, requires significant advisory and financial support.

8. The implications of the absence of a holistic approach to promoting decent, adequately paid, productive jobs and social protection are high proportion of poverty among the population and a significant number of working poor, informal employment and a growing wave of chaotic labour migration, including to EU countries. To address these negative phenomena, the institutions of the labour market of our countries need to be urgently strengthened.

9. There is still a sharp discrepancy between the changes currently happening in national economies and the labour market, and the vocational training systems. The result is an increase in structural unemployment, which provokes huge outflow of skilled personnel to the EU countries, where the competencies/skills gained at home often find neither recognition nor application, increasing the risks of social dumping, discrimination and forced labour.

Incomplete implementation and under-implementation of the Association Agreements in the fields of employment, social policy, labour relations and equal opportunities reduce the chances of creating economic well-being and promoting sustainable development and is ultimately a threat to social peace.

In the year of the Centenary of the ILO we consider it crucially important that the priority conventions of the ILO and the European Social Charter to be ratified in full by our countries.

We consider it necessary to put the above issues on the agenda of the Governments, the Parliaments and tripartite bodies of social dialogue of Georgia, Moldova and Ukraine, as well as the relevant political institutions of the European Union and the bilateral bodies set up under the Association Agreements.

The trade union centers of Georgia, Moldova and Ukraine will continue to share their experiences and work together to monitor implementation of the obligations stipulated by the association and trade agreements.

Addressees of this statement are:

Legislative and executive bodies of the European Union, Georgia, Moldova and Ukraine, as well as bilateral bodies established under the Association Agreements and the Deep and Comprehensive Free Trade Agreements between the European Union and Georgia, Moldova and Ukraine, the ILO, the Council Europe.

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