



RECWOWE Seminar
**« Understanding the Europeanisation of
Domestic Welfare States »**

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Pierre-Paul Van Gehuchten

ETOS.be



General introduction

Where did we start ?

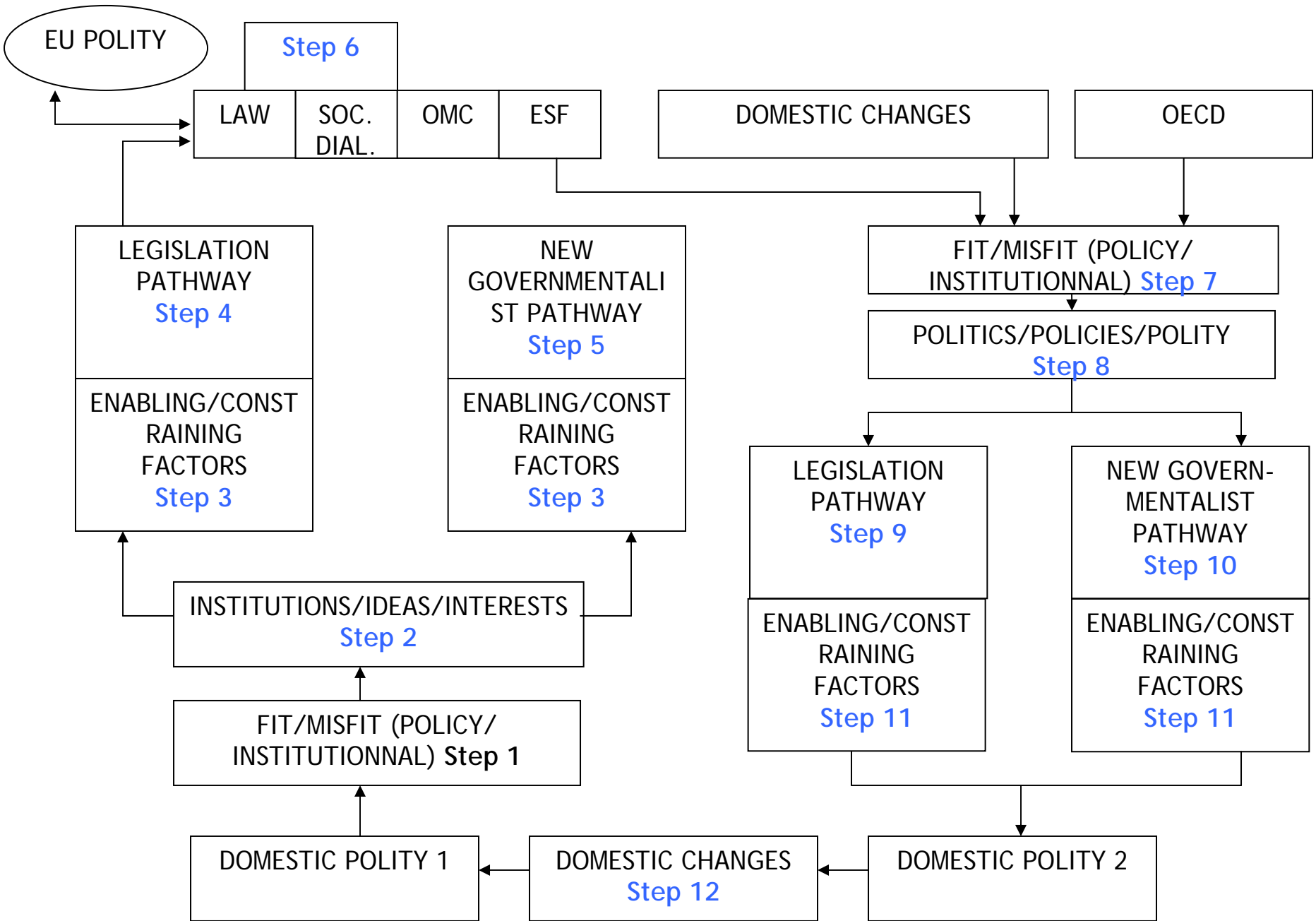
**How did we build a
heuristic coherence
?**

**What did we discover
?**

1. Where did we start ?

To which extent does the use by the European Union of different instruments of public intervention in social matters (classical European law, European collective agreements resulting from the social dialogue, open method of coordination, financial instrument (in particular the European social fund) – instruments which partly differ from the ones used at national level – produce a different impact, in terms of effect and orientation, on Belgian social policy ?

2. How did we build a heuristic coherence ?



	EU Legislation / Social dialogue	OMC	Financial Instruments
Employment Policy and working conditions	UCL (KUL) AIAS	KUL AIAS	KUL (FUSL) AIAS
Soc. Protection Pensions Inclusion	OSE (UCL) CEVIPOF	OSE CEVIPOF	OSE (FUSL) CEVIPOF
Gender Equality	UCL (FUSL) AIAS	FUSL (UCL) AIAS	FUSL (UCL) AIAS

3. What did we discover ?

(...) the fourth recital in the preamble to the directive refers to the Community Charter of the Fundamental Social Rights of Workers adopted at the meeting of the European Council held at Strasbourg on 9 December 1989

(C-173/99, June the 26th, 2001, Bectu, pt.39)

**Declaration concerning the aims and purposes of the
International Labour Organisation
(DECLARATION OF PHILADELPHIA)**

**The Conference reaffirms the fundamental
principles on which the Organization is
based and, in particular, that:
(a) labour is not a commodity;
(...)**

La grève, qui permet à un syndicat de faire entendre sa voix, constitue un aspect important pour les membres d'un syndicat dans la protection de leurs intérêts (*Schmidt et Dahlström*, précité, § 36). La Cour note également que le droit de grève est reconnu par les organes de contrôle de l'Organisation internationale du travail (OIT) comme le corollaire indissociable du droit d'association syndicale protégé par la Convention C87 de l'OIT sur la liberté syndicale et la protection du droit syndical (pour la prise en compte par la Cour des éléments de droit international autres que la Convention, voir *Demir et Baykara*, précité). Elle rappelle que la Charte sociale européenne reconnaît aussi le droit de grève comme un moyen d'assurer l'exercice effectif du droit de négociation collective.