



10 reasons why The European Federation of Public Services (EPSU) says NO to the proposed directive on services in the internal market

1. Citizens want a “balanced” Europe
2. Promises have not been kept: the draft Directive cuts short the debate on services of general interest
3. The proposal is not balanced
4. Public services standards, good employment conditions, collective agreements these are gateways, not barriers, to quality
5. Quality: the missing ingredient
6. Services of general interest must not become a ghetto
7. ‘Economic’ or ‘non-economic’ is not the point
8. Public and private providers are not equal
9. The ECJ’s case law should not be the sole source of inspiration
10. Solidarity and subsidiarity are needed

EPSU is a European trade union federation representing over 190 public service unions organising approximately 8 million workers in more than 33 countries (EU, candidate countries and the European Economic Area). It is a member of the ETUC. EPSU’s key areas of activity: national and European administration, regional and local government, public utilities (electricity, gas and water, waste) and health and social services.

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10 reasons why The European Federation of Public Services (EPSU) says NO to the proposed directive on services in the internal market

1) Citizens want a “balanced” Europe

This is a crucial time in the construction of the European Union. Will the ideology of competition at any price obliterate other concerns? EPSU is FOR a Europe that reconnects with citizens and balances competition with other values, principles and standards that are also found in the Treaty.

2) Promises have not been kept: the draft directive cuts short the debate on services of general interest

The Commission promised to consult widely with civil society on the freedom of social services to fulfil their responsibilities unshackled by the chains of competition policy. This consultation must to take place before other measures are proposed affecting their operation.

3) The proposal is not “balanced”

Even supporters of the draft directive have doubts about the content of the directive. EPSU believes that there is little to be gained and much to be lost in trying to make the best of a bad proposal. The Commission should withdraw its proposal.

4) Public service standards, good employment conditions, collective agreements - these are gateways, not obstacles, to quality

Rather than launch a “big bang” proposal, a different path should be found to developing growth, employment and sustainability in service provision – a path which distinguishes between “good” and “bad” barriers and reflects the broad public interest.

5) Quality: the missing ingredient

There are many questions about how the directive will affect the quality of all services, not just public services. In the absence of quality standards, the directive will not improve the level of services provided to consumers and citizens

6) Services of general interest must not become a ghetto

EPSU considers that the challenges that the EU faces regarding healthcare and social services such as eldercare are too important to leave to the market. Public authorities must be able to exercise control.

7) ‘Economic’ or ‘non-economic’ is not the point

All activities have an economic aspect. This is not the question, what counts is whether these activities have dominantly commercial or non-commercial aims. In asserting that it will have no effect on ‘non’ economic’ SGI the Commission avoids the real issue.

8) Public and private providers are not equal

EPSU strongly rejects a concept of ‘neutrality’ that places public and private service providers on an equal footing. The public sector cannot abdicate from its responsibilities to citizens, whereas private operators can both choose, and limit, theirs. This is a fundamental difference.

9) The ECJ’s case law should not be the sole source of inspiration

While the case law of the ECJ should be taken seriously it should not form the sole basis of the draft directive. Case law is based on specific cases whereas the draft directive proposes a broad (de)regulatory framework.

10) Solidarity and subsidiarity are needed

Today there are separate but overlapping debates, on SGIs, Public Private Partnerships, public procurement, in-house activities, state aid, the draft directive on services.... A legal framework on SGI would bring these debates together. Public service principles of equality, affordability, accessibility, continuity, efficiency, accountability and citizens’ participation – and including financing guarantees – are the starting point for such a debate.