

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 275 final.

Brussels, 24 June 1977.

COMMUNICATION FROM THE COMMISSION

concerning the European Trade Union Institute

COM(77) 275 final.

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COMMUNICATION FROM THE COMMISSION
CONCERNING THE EUROPEAN TRADE UNION INSTITUTE

1. The Commission, in its Social Action Programme, and the Council of Ministers, in its Resolution of 21 January 1974, expressed the political will to adopt the necessary measures, among those designed to ensure the increased participation of both sides of industry in the economic and social decisions of the Community, "to help the trade union organizations participating in the work of the Community to set up services for training and information on European affairs and to create a European Trade Union Institute".
2. The European Trade Union Confederation carried out a certain amount of preparatory work on the setting up of the Institute. The work concerned the structure of the Institute, its likely role in the fields of training and information and its relations with Community bodies. In addition, detailed discussions were held between those responsible for training and research within the organizations affiliated to the ETUC on two occasions, in November 1974 in Juan-Les-Pins and in September 1975 in Hamburg.

Furthermore, the Executive Committee of the ETUC examined the dossier on a number of occasions, in particular at its recent meeting on 21 and 22 April 1977. This led to the drawing up of the draft statutes of the Trade Union Institute which is submitted for information and on which the Commission has not yet adopted a position.

3. It should be pointed out that the meeting of the Council of Ministers for Budgets held on 16 December 1976 approved the transfer to the Commission of 30.000 u.a. for the 1976 budget to finance the preparatory work of establishing the Institute (budgetary heading 307 "European Trade Union Institute"). The main purpose was to participate in the costs incurred in the preparation of the statutes, preparatory meetings and secretariat and translation work.

In addition, a further 100.000 u.a. were placed in reserve for 1977 under Chapter 100 and could be transferred to Article 307 once the Council has taken the necessary decision.

Structures and activities of the Institute

4. The structures and activities of the Institute, as proposed in the draft Statute drawn up by the ad hoc Group set up by the Executive Committee of the ETUC may be summarized as follows :
- the European Trade Union Institute would be open to trade union organizations of all the member countries of the European Trade Union Confederation, namely 18 European countries (EEC and EFTA countries, Spain, Finland, Malta, Greece);
 - Brussels is proposed as the headquarters, as the ETUC and its secretariat are already based there;
 - the Institute would have the status of an International Association (under the Belgian law of 25 October 1919, as last amended by the law of 6 December 1954). It would be governed by a Board of Governors composed of representatives of the member organizations of the ETUC and a Management Committee responsible for implementing the decisions of the Board of Governors. The Director would be appointed by the Board of Governors. The relations between the Institute and the Commission of the European Communities would be settled by a convention;
 - in addition to the Director, the Institute should have an adequate number of staff; recruitment would be spread over a period to reach a total of 14 after three years of activity. The staff structure of the Institute would reflect the different fields of activity: training, documentation and research work. As regards remuneration, it would be planned to base salaries on trade union wage scales (e.g. those used in the ETUC itself) and not on the tariffs applied to Community civil servants;

* cf. Annex I

- As regards the activities of the Institute, it would be mainly concerned with :

- "a). undertaking studies or research in the different fields of particular interest to workers and their unions;
 - providing national confederations with technical assistance and financial aid necessary for improving or expanding their training programmes;
 - establishing the regular exchange of information;
 - planning or carrying out programmes, either on its own initiative or at the request of other organisations."
- b) building up documentation serving as a basis for research activities (archives, library, publications),
- c) organising seminars based on the results of research activities.

The work will be done in collaboration with the specialists of the member organizations of the ETUC, its Secretariat and other international trade union organizations.

Financing of the Institute

5. The budgetary estimates drawn up by the European Trade Union Confederation total Bfr. 37.337.000 (or 904.044 EUA) for 1978 and Bfr. 41.798.000 (or 1.012.058 EUA) for 1979. The draft budget for 1978 and 1979 is given in Annex II

In order to ensure the stable development of the Institute, the European Trade Union Confederation requests that :

- the subsidy from the European Communities be guaranteed for a period of 10 years (to cover a running-in period of two to three years and seven to eight years of normal operation).
- the amount of the Community subsidy be adjusted annually, when the budget is drawn up, to take account of the changing cost of living.

However, in future years the Commission will propose a maximum Community participation of 55 % in projected expenditures, it being understood that the exact amount will be established in the framework of the budgetary procedure.

For 1978, the Commission, whilst keeping a token entry in Article 307 of the estimate of expenditure, intends to submit a proposal to the Council, as soon as the Institute is set up, for the transfer of 500,000 EUA.

The ETUC has clearly stated that the viability and success of the Institute depends to a considerable extent on the aid given by the Community. The ETUC is itself prepared to contribute to the budget of the Institute, without specifying the amount of the contribution. It is currently making efforts to finance a part of the budget with contributions from other European organizations, particularly the European Free Trade Association and the Council of Europe.

6. For its part the Commission considers that in the negotiations to be entered into later on with the European Trade Union Confederation with a view to concluding the convention designed to govern the relations between the European Trade Union Institute and the Community institutions, particular account should be taken of :

- the balanced participation by all trade union bodies;
- the funding and auditing of the Institute;
- the objectives of the Institute.

7. Conclusion

In the light of the considerations referred to above, the Commission requests that :

- a) the interest of the Community in the establishment of the European Trade Union Institute be confirmed;
- b) participating in the financing of the European Trade Union Institute should be agreed to in principle;
- c) note should be taken that relations with the European Trade Union Institute would be settled by a convention.

**CONFÉDÉRATION EUROPÉENNE DES SYNDICATS
EUROPÄISCHER GEWERKSCHAFTSBUND
EUROPEAN TRADE UNION CONFEDERATION
DEN EUROPEISKE FAGLIGE SAMORGANISASJON**

DRAFT STATUTES

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Of the "European Trade Union Institute" - International Association
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TITLE I

NAME AND REGISTERED OFFICE OF THE INSTITUTE.

Art. 1 The International Association shall be known as the "European Trade Union Institute". It shall be described in the present statutes as "the Institute".

Art. 2 The registered office of the Institute is established in a borough of Greater Brussels and, initially, in the City of Brussels.

TITLE II

OBJECT

Art. 3 The object of the Institute is to promote European trade unionism.

In this spirit, the Institute shall devote its efforts to informing trade union organisations on the various prospects for trade union policy, on the means for promoting it and on the forms of action and intervention to be adopted.

The Institute shall make every effort to achieve any objective which would have a favourable influence on increased co-operation and the progressive integration of national trade union organisations.

The Institute shall devote special attention to all specifically European aspects of its object.

Art. 4 In order of priority and within the scope of its objectives, the activities of the Institute shall be concerned with :

- a) undertaking studies or research in the different fields of particular interest to workers and their unions ;
- b) providing national confederations with technical assistance and financial aid necessary for improving or expanding their training programmes ;
- c) establishing the regular exchange of information ;
- d) planning or carrying out programmes, either on its own initiative or at the request of other organisations.

The Institute may entrust any qualified person, whether a natural or legal person, to carry out any mission designed to achieve the abovementioned objectives.

In addition, it may, within the scope of its objectives, use all means of information and dissemination , organise courses, lectures, seminars, and day study courses.

This list is given by way of indication and is not exhaustive. .

TITLE III

MEMBERS

Art. 5 Members of the Institute are national trade union organisations affiliated to the European Trade Union Confederation.

On the decision of the Board of Directors according to the terms and conditions of Art. 28, any trade union organisation which can contribute towards the mission of the Institute may be admitted as a member.

Art. 6 Member organisations are liable for the payment of an annual subscription, the amount of which shall be fixed by the Board of Directors.

Art. 7 The Board of Directors may expel a member organisation under the terms and conditions laid down in Art. 28.

Art. 8 Any member organisation may withdraw from membership after giving one year's notice, to run from the month following the date of giving such notice to the Board of Directors.

TITLE IV

ADMINISTRATION

Chapter I - The Board of Directors

Art. 9 The Institute is administrated by a Board of Directors composed of members who are nominated by trade unions which are members of the European Trade Union Confederation and appointed by the Board of Directors.

The Board shall be composed, initially, by persons designated in Art. 32 ; other members may be recruited by co-option.

Art.10 The duties carried out by directors cease on death, resignation, incapacity, expiry of the term of office, or at the request of the organisations which nominated the directors in question.

Art.11 Members are appointed to the Board for a term of three years. In the event of absence, for whatever reason, the duties of the member concerned are assumed by the other directors remaining in office.
Members may be reappointed.

Art.12 The Managing Director of the Institute or his representative attends meetings of the Board in an advisory capacity. The Board may also invite a representative from the European Commission, from the European Free Trade Association and from the Council of Europe to attend its meetings.

Art.13 The Board of Directors represents the Institute. The Board possesses the widest powers for undertaking all acts of administration and disposal of interest to the Institute.

Art.14 The Chairman and Vice-Chairman are appointed by the Board and selected from among its members.

Art.15 The Board may only deliberate validly if the majority of its members are present or represented.

Should the Board not have a sufficient number of members to be able to deliberate, the Chairman or Vice-Chairman shall have the option of adjourning the meeting and reconvening it specially at a later date. When this further meeting is held, the Board shall be able to deliberate validly regardless of the number of members present or represented, subject to the provisions of Art. 28 below. Each member may have himself represented by another member of the Board ; nevertheless, a member may not hold more than two powers of attorney.

Art. 16 Decisions of the Board are taken on a majority vote by the members present or represented, subject to the provisions of Art. 28 below.

Art.17 The Board of Directors may, on its own responsibility, delegate some of its powers of administration and disposal to the Management Committee. The Board shall draw up its internal rules of procedure.

Art.18 Minutes of Board meetings shall be sent after every session to members, as well as to the European Commission, the European Free Trade Association and the Council of Europe, in accordance with the provisions laid down in Art. 22 below.

Chapter II - The Management Committee

Art.19 The Board of Directors constitutes a Management Committee from among its members.

The Chairman of the Board also presides over the Committee. The Managing Director of the Institute or his representative attends meetings of the Committee in an advisory capacity.

Art.20 The Committee implements decisions taken by the Board of Directors and may undertake acts of administration and disposal for which powers have been conferred upon it, as specified in Art. 17.

The Committee studies and submits all questions to the Board, either at the latter's request, or on its own initiative.

Minutes of Committee meetings are sent to members of the Board after every session.

Chapter III - Management

Art.21 The Board of Directors engages the members of the management of the Institute on the proposal of the Management Committee ; the powers and duties of these members shall be specified in internal rules of procedure drawn up by the Board of Directors.

TITLE V

RELATIONS WITH THE EUROPEAN INSTITUTIONS

Art.22 Relations with the European Community, the European Free Trade Association and the Council of Europe shall be governed by convention.

TITLE VI

BUDGET AND ANNUAL ACCOUNTS OF THE INSTITUTE

Art.23 Every year, the Board of Directors shall draw up its budget for the following year, together with its accounts for the previous financial year. An Auditing Committee appointed jointly by the Board of Directors and the European Community, the European Free Trade Association and the Council of Europe shall participate in the establishing of the budget and in the auditing of accounts, in accordance with the provisions of the convention referred to in Art. 22

TITLE VII

SIGNATURES

Art.24 All documents which commit the Institute, other than those of day-to-day administration, must bear the signatures of two directors who shall not have to answer to any third parties for a prior decision taken by the Board of Directors, or the signature of a person specially delegated to do this by the Board of Directors.

Art.25 Current correspondance and documents concerned with day-to-day management may bear the signature either of the Chairman of the Board or of a member of the management, without prejudice to any delegation of authority to sign on behalf of the Institute which these persons may wish to make.

TITLE VIII

ACTION AT LAW

Art.26 Action at law, whether taken as plaintiff or defendant, shall be followed on behalf of the Institute by its Board of Directors, the proceedings to be instituted by the Chairman or by a member of the management delegated to do so by the Board.

TITLE IX

AMENDMENTS TO THE STATUTES

Art.27 All amendments to the statutes shall be proposed by the Board, in accordance with the terms and conditions of Art. 28.

Art.28 Should any amendments to the statutes be envisaged, these must be included in the agenda of a meeting of the Board. The Board may validly deliberate on such matters only if three quarters of the members of the Board are present at the meeting.

The majority vote required is that of three quarters of serving members of the Board.

Should three quarters of the members not be present or represented at this meeting, a second meeting may be convened, within the same month, which may validly deliberate regardless of the number of members present or represented.

The majority vote required on this occasion shall be that of three quarters of the members present or represented, provided that this majority is not less than the majority vote of serving members.

TITLE X

WINDING-UP

Art.29 Any proposal for the winding-up of the Association emanating from at least two member organisations, must be communicated to all member organisations at least six months before the Board of Directors, which shall be called on to deliberate on the matter. The Board of Directors shall deliberate on this proposal under the terms and conditions laid down in Art.28.

Art.30 In the case of the winding-up of the Institute, the net assets, as well as all movable and immovable property, shall be allocated by the Board of Directors to one or more organisations, associations or foundations designated by the Board and pursuing objectives similar to those of the Association.

TITLE XI

OTHER PROVISIONS

Art.31 All matters not covered by the present statutes shall be treated in accordance with the provisions of the law of twenty-fifth of October nineteen hundred and nineteen, granting a legal status to international associations pursuing philanthropic, religious, scientific, artistic or educational aims.

TITLE XII

Art.32 The following persons have been initially appointed directors of the Institute :

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EUROPÄISCHER GEWERKSCHAFTSBUND
EUROPEAN TRADE UNION CONFEDERATION
DEN EUROPEISKE FAGLIGE SAMORGANISASJON**

REUNION DU COMITE EXECUTIF

Bruxelles, les 21 et 22 avril 1977

POINT 9 A L'ORDRE DU JOUR :

INSTITUT SYNDICAL EUROPEEN

Annexe 1 : projet de budget

Notie

- Le présent projet de budget a été élaboré sur base des conclusions du groupe ad hoc, au terme de sa réunion du 7 mars 1977.
 - Cette proposition de budget a été établie pour une année entière. Il est toutefois possible que l'Institut ne commence à fonctionner qu'assez tard dans l'année en cours.
 - En ce qui concerne le personnel proposé, une équipe de traducteurs permanents n'a pas été prévue. Une partie substantielle des montants indiqués sous le poste "frais opérationnels" est donc destinée à couvrir les frais de traduction.
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