

EUROPEAN PARLIAMENT

Working Documents

1980 - 1981

24 June 1980

DOCUMENT 1-269/80

MOTION FOR A RESOLUTION

tabled by Mr WURTZ, Mrs DE MARCH, Mr ANSART,
Mr PRANCHERE, Mr CHAMBEIRON, Mrs HOFFMANN
and Mr DENIS

pursuant to Rule 25 of the Rules of Procedure

on the ban on access to public employment
('Berufsverbot') in the Federal Republic of
Germany

The European Parliament,

- having regard to the Universal Declaration of Human Rights and in particular to Articles 18, 19 and 21(2) thereof,
 - having regard to the European Convention of the Rights of Man and in particular to Articles 9, 10 and 11 thereof,
 - having regard to the attachment repeatedly affirmed by the European Institutions for the safeguarding of and respect for representative democracy and human rights in each Member State,
1. Considers that the ban on access to public employment (Berufsverbot) which is becoming more stringent as evidenced by a recent international conference held in HAMBURG on 7 and 8 June 1980, constitutes an inadmissible infringement of human rights;
 2. Notes that the development of the practice of this ban is increasing at the very time when trade union freedoms are being restricted and additional powers granted to the employers to counter the right to strike, particularly through the new entitlement given to the employers to arrange lock outs;
 3. Points out that since the decree-law of 28 January 1972, none of the new decisions taken by the Federal Cabinet on 17 January 1979 or by the constitutional court in its ruling in the PETERS case represent a complete end to the practice of 'Berufsverbot';
 4. Points out that this ban affects citizens in various professions through a refusal of recruitment or through dismissal based solely on their affiliation to or activities in legal parties or organizations;
 5. Notes that the 'Berufsverbot' now extends to teachers, postmen, railwaymen, social workers and even insurance personnel;
 6. Condemns this serious encroachment on the foundations of public liberties and on respect for human rights;
 7. Calls upon the responsible members of the Federal German Government to put a definitive end to such bans, to rehabilitate the many persons concerned and to restore the full exercise of human rights and public liberties in the Federal Republic of Germany;
 8. Instructs its President to forward this resolution to the Commission, Council and Governments of the Member States.