



SOCIAL RIGHTS FOR THE POLICE

Cornerstone of democratic life

The agenda and advocacy efforts of EuroCOP, the umbrella organization for 35 police unions, federations and associations in Europe, are increasingly dominated by concerns about the trade social rights of police officers across Europe. Over the last few years, police organisations in Europe have seen the gradual erosion of their rights; rights which are not only guaranteed in international treaties such as the International Labour Organization (ILO) conventions but are also enshrined in the Charter of Fundamental Rights of the European Union (EU) as well as the European Social Charter.

The rights provided in the EU's Charter of Fundamental Rights are also protected by the European Social Charter, which guarantees social and economic human rights and has been signed by 47 states. In order for police officers to fully enjoy the benefits of their rights, such as just conditions of work and fair remuneration, it is of

utmost importance that all obstacles hampering the exercise of police union rights and the right to freedom of expression are removed.

While the EU's Charter of Fundamental Rights and the Social Charter provide citizens with the right to freedom of assembly, association, collective bargaining and action, different European countries have restricted or even denied these fundamental rights for some of Europe's police officers. EuroCOP takes these cases very seriously as these challenges undermine our very existence. These rights are even more important today where, particularly in the context of the financial crisis, police officers are being asked to do more with significantly less resources.

Article 12 of the Charter of Fundamental Rights of the EU provides to everyone the right of freedom of assembly and of association, which implies the right of all citizens to form and to join trade unions for the protection of his or her interests.

Article 28 of the Charter provides workers and employers with the right to collective bargaining and action, including the right to negotiate and conclude collective agreements.

Article 6 of the European Social Charter provides workers and employers with the right to collective action in cases of conflicts of interest, including the right to strike.

EUROPEAN CHALLENGES

Two recent cases in Europe highlight how EuroCOP members have faced serious restrictions of their rights.

➔ **In Portugal, the President of our member organization APG/GNR** was suspended from his professional duties for 25 days after making statements to the media in his capacity as a trade unionist. EuroCOP was able to raise its concerns about these astounding restrictions to freedom of speech with the office of the Portuguese Minister of the interior and boost awareness of the case at the APG/GNR Press Conference.

These cases show that enhanced advocacy and awareness raising efforts regarding our social rights are needed. EuroCOP is actively engaging with European policymakers to address these issues and raise awareness about the different national conditions for law enforcement employees and their organisations in EU Member States, which could lead to unequal opportunities for law enforcement employees to exercise their rights.

➔ **The Association of Garda Sergeants and Inspectors (AGSI) in Ireland** was not allowed to enjoy full trade union rights, including the right to join an umbrella organisation. In June 2012, EuroCOP lodged a legal complaint against Ireland with the European Committee of Social Rights. The Committee concluded in December 2013 that the complaint was admissible under Articles 5 and 6 of the European Social Charter (the Charter). The Committee also found that Irish legislation failed “to ensure the sufficient access of police representative associations into pay agreement discussions,” as required under Article 6§2 of the Charter, and held that “the prohibition of the right to strike of members of the police force amounts to a violation of Article 6§4 of the Charter.”

EUROCOP'S KEY MESSAGES

- ➔ The Charter of Fundamental Rights of the EU applies equally to law enforcement officers and imbues them with the right to be a member of a trade union, including activities in elective bodies of these unions, and to negotiate and conclude collective agreements.
- ➔ As Europe struggles to emerge from the economic crisis, Member States have not only made cuts to public spending, but they have also targeted social rights including those of the police officers fighting to keep social order.
- ➔ The right to freedom of expression is the cornerstone of democratic life. The right to exercise this freedom is even more important today where, in the context of the financial crisis, police officers are being asked to do more with significantly less resources.
- ➔ EuroCOP calls upon the EU and its Member States to respect and enforce the values and rights encompassed by the Charter of Fundamental Rights and the Social Charter and help build knowledge and understanding of their tenets amongst police forces across Europe.

ABOUT EUROCOP



The European Confederation of Police, EuroCOP, is the umbrella organisation for 35 police unions and staff organisations in Europe based in Luxembourg. It represents the interests of almost half a million police officers in 27 European countries, dealing with issues which range from police cooperation across borders to a safer working environment for police officers on the street. EuroCOP was established in November 2002. It is an independent, non-profit and secular organisation and has no affiliation with any government or political party. It is self-financed through contributions of its members. EuroCOP is open to any organisation representing police officers in member countries of the European Union or the Council of Europe.