

DECLARATION BY THE PORTUGUESE PRESIDENCY

EPSSCO COUNCIL

Brussels, 5th December 2007

In July, the Portuguese Presidency announced that it would consult with different Member-States in order to evaluate the conditions for balanced solutions in the legislative dossiers under discussion in the EPSSCO Council, namely the directives on Organization of Working Time (OWT) and Temporary Agency Workers (TAW).

The need for progress in these two directives is clear. These are essential elements of the working and life conditions of hundreds of million Europeans and to our economic and social development. The need for advance is recognised by most Member-States, many of which have problems they need to address in the context of these directives.

After extensive bilateral consultations with different Member-States and the European Commission, the Presidency decided to present compromise proposals for both directives.

In the past, the two had been discussed separately, but in fact they are linked since they deal with central aspects of the regulation of contemporary labour markets. Given the difficulties in finding isolated solutions for each of the files, the Portuguese Presidency decided that there would be added value in working on a simultaneous and integrated solution, thus allowing Member-States to find a balance between the two directives that would be acceptable from the political point of view.

This joint approach was widely accepted by a large majority of Member-States, both in COREPER and during the working lunch in the Council. The connection between the two directives, and more specifically the proposals presented by the Portuguese Presidency, were considered as solid and viable basis for negotiation towards an agreement in both.

The Presidency explored different solutions, within the balanced framework underlying the proposals, to reach an enlarged consensus that would be politically desirable.

Having in mind the fact that this proposal is still very recent, as well as the sensitive nature of these directives to some Member-States and the importance of exploring all attempts to reach an agreement as large as possible before final decision, the Council agreed that the best option at this moment is to postpone a decision procedure in the Council, in order to further pursue the dialogue possibilities that these proposals opened.

However, the Presidency wishes to underline that a vast majority of Member-States has spoken in favour of an integrated solution for the directives, building a global equilibrium between the two, and that many Member-States have pressing needs to address labour market regulation problems which depend on a solution to these dossiers.

Achieving results in the short-term is therefore of utmost importance for Europe as a whole.

Thus, and respecting the dominant orientation within the Council, the Presidency stresses that this gesture of openness to dialogue and consensus intends only to strengthen the conditions for a solution that reflects the position of a clear and strong majority. The Presidency is strongly convinced, as are many Member-States, the proposals presented are a major step forward, because they now open an adequate way to reach a solution in these files. We are confident that there is a real margin for political decision in 2008, building on the solid basis for progress that the Council has just built.

Interpreting the clear orientation expressed by the Council, we therefore appeal to the forthcoming presidencies and the European Commission to proceed with efforts to achieve a positive and final outcome on both directives, given the importance of the issues at stake and the specific needs of many Member-States.

Portugal will actively support all efforts in this direction and the majority which formed in the Council, in order to reach a solution for these problems.