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Unelected EU Commission uses ECJ to attack workers

Frank Keoghan, secretary of the People's Movement, has commented on today's judgement by the European Court of Justice (ECJ) in a case brought by the European Commission against Luxembourg. The ECJ upheld the Commission's complaint, ruling that the way in which Luxembourg implemented the Posting of Workers Directive to protect workers' rights is an obstacle to the free provision of cross-border services.

Mr Keoghan said: 'The People's Movement condemns this judgment as another step in prioritising the needs of the market over the rights of workers, a development that would have been accelerated by the adoption of the Charter of Fundamental Rights in the Lisbon Treaty.'

'This judgement is another one in the series including the Laval and Rüffert cases. It confirms the ECJ's narrow interpretation of the Posting Directive in the previous cases, allowing only for a limited number of host country rules to apply. In this case, the ECJ does not recognize the autonomous right of Luxembourg to define which national public policy provisions are so important, that they should apply to national and foreign service providers on an equal footing, to counter unfair competition on wages and working conditions of workers by cross-border service providers.'

'The ECJ judgement is likely have an enormous impact, far beyond the Luxembourg borders, as it challenges the scope for a member state – acting in the general interest – to secure decent wages for all workers on its territory, demand respect for collective agreements, and devise effective mechanisms for the monitoring and enforcement of the workers' rights provided for in the Posting Directive.'

'An unelected EU Commission is now actively acting against the interest of workers and the sovereignty of member states. The Irish people's stance to defend democracy and

workers' rights by voting NO to the recent Lisbon treaty has been proven again today to have been the correct decision.'

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