HUNGRÍA: LA AMPLIACIÓN DE LA UNIÓN EUROPEA Y LOS SINDICATOS.

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RESUMEN:

Los sindicatos húngaros respaldan la adhesión a la Unión Europea (UE). Mantienen una visión común sobre los aspectos siguientes: la necesidad de pertenecer a la UE; la conveniencia de proteger a los trabajadores perjudicados por la adhesión; la pertinencia de una reflexión sosegada sobre los efectos de la movilidad de mercancías y, en especial, de trabajadores (desde la perspectiva de los actuales miembros de la UE y también como posible desencadenante de una “fuga de cerebros”); la necesidad de reducir la brecha que separa el nivel salarial de Hungría del salario medio de la UE a medida que desaparezcan las diferencias en materia de productividad y se modernice la producción.

Hasta fechas recientes, los foros con participación sindical surgidos en Hungría sólo valoraban superficialmente la futura adhesión a la UE. Esta situación parece estar cambiando, con la aparición de reflexiones que profundizan en los potenciales efectos reales de ese proceso.
SUMMARY:

The Hungarian trade unions support the integration into the EU. They agree on issues like: the need of Hungary to join the EU; the need to protect those employees who would be losers of the integration process; the need to take seriously not only the freedom of movement of merchandise, services and capital but also the freedom of movement of labour which must be treated not only from the point of view of EU-members' fear on migration but as "brain drain" phenomenon; the need to lessen the gap between the Hungarian and EU average wage level which (naturally) must go together with the rise of productivity and modernisation of production.

Although a lot of bodies have been emerged in Hungary to deal with EU integration their participation in the official enlargement process proved to be formal, only in the latest stage seems the situation to change.

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1. GENERAL POSITIVE APPROACH TOWARDS THE ENLARGEMENT.

As the Commission Opinion on Hungary’s Application for Membership of the European Union states, since 1989 until present there has been an almost unanimous consensus among Hungarian political and societal forces supporting the integration. As stated in the April 1994 Memorandum accompanying Hungary’s application for EU membership, “Since the formation of an independent Hungarian State 1,000 years ago, this country has been closely linked to Western cultures and values. Within the newly established democratic institutional framework the political conditions for reintegration into the main trend of European development are now fulfilled. For Hungary, joining this process and using the achievements of European integration to carry out fully its social and economic modernisation is a historical necessity. It is also a unique possibility, for which there is no real alternative.”

Not only the political forces but also the public opinion, the majority of citizens (among them employees) consider a positive and also essential step joining the EU. The Hungarians' hopes are expressed in the words of President Árpád Göncz (National Day, March 15, 1996) “...Europe of the future will, let us all hope, irrevocably and protectively embrace Hungary in a full-grown European Union. This will be the shared homeland of European countries all with equal rights. It will offer a viable, though not altogether carefree life to such European countries, which are able and prepared to undertake membership of their own free will. It offers a possibility for us to answer together all those economic and political challenges, some of them known and others yet unknown, that the future holds. It promises peace after the sufferings caused by two wars that brought unparalleled destruction and two dictatorships of unparalleled evil.”

These opinions truly reflect the general Hungarian approach - that is the confidentiality - concerning EU adhesion. (There are only few - ultra leftist and ultra right forces - which are openly against Hungary's EU adhesion.) The overall positive approach characterises also the trade unions. It can be evaluated good and bad as well as the lack of healthy criticism and fear did not enforced the trade unions to think about in deeper on the possible consequences of adhesion. Also the need to elaborate the own (trade union) strategy - concerning the official negotiation process and concerning the period after joining - has been seriously raised only presently. It did not mean that there was not at all any endeavour to push the trade unions to have its own particular standpoint (see below the strategy proposal of National Integration Commission of Hungarian Trade Unions in 1997) and was not prepared any declaration on issue (see Liga in 1997 and MSZOSZ in 1999). These (very few in number) early attempts were limited declarations and not strategies with definite subject and tools based on knowledge of real (sectorial/branch/sub-branch level) economic situation, efficiency and competitiveness (relatively to EU member countries) and the possible consequences of totally free movement of production factors on employees as well as the ways to compensate the possible "loosers".

These endeavours were not only superficial but also partial: the six Hungarian national trade union confederations were not in favour to elaborate a common
(trade union) strategy. Only at the beginning of 2000 the "side" (that is how the regular meeting of the six national confederation is called) has entrusted the National Integration Commission of Trade Unions with preparing a strategy proposal for the "six", indicating the needed evaluations, background studies, analysis, etc.

2. EU ADHESION IN THE HUNGARIAN SOCIAL DIALOGUE.

Notwithstanding to the delay in looking a deep-rooting answer to the challenge which the EU entrance means, the trade unions (paradoxically) are rich in specific common and tripartite institutions aiming to deal with the topic of EU integration. The relatively (and in some cases absolutely) poor performance of these institutions has not been necessarily due to their own faults but partly due to the fact that the different and autonomous trade union confederations wanted to deal with the EU integration by own. In other case the week powers or lack of powers of the particular institution does not allow its genuine operation or the tripartite character would not suit to the elaboration of a purely trade unionist approach.

The following bodies have been emerged in Hungary to deal with EU integration:

- the National Integration Commission of Hungarian Trade Unions (MSZEIB) founded in 1996 and still operating;
- the International Working Group (1997-1999) within the framework of Interest Reconciliation Council (ÉT), the macro level tripartite body in Hungary since 1989 until 1999;
- the European Integration Council (EIT) (since 1999),
- the Hungarian -EU joint parity commission of the EU Economic and Social Commission (ESC) (since 1997),
- the National Employment Foundation, Public Company (OFA KHT) since 1999.

With the exception of National Integration Commission of Hungarian Trade Unions all other bodies are tripartite, representing not only the specific interests and aims of employees (trade unions) but also employers and government.

Since 1997 until the April of 1999 the International Working Group operated within the framework of Interest Reconciliation Council. This macro level
tripartite working group had to deal not only with EU but also ILO and other international questions. During its short life this working group did not find its real place among the other highly thematic working groups. At spring 1999, as consequence of the new Government endeavour, the almost 10 years old interest reconciliation system has been abolished. It meant also the end of the International Working Group too. In April 1999 started to exist a totally new system of social dialogue in the Hungary. When the social partners took note of the Government’s intention to dissolve the Interest Reconciliation Council, the negotiating partners signed the temporary Statutes of National Labour Council thereby establishing the new tripartite forum. The MSZOSZ representatives asked for two weeks to consider the step to be taken, then they also signed the document. The National Labour Council is considered as the legal successor of the Interest Reconciliation Council but it does not the right any more to deal with issue of EU integration.2

In the same April, 1999 has been emerged a totally new forum, the Economic Council, a forum on consultation on economic policy not only for employees and employers but also for other institutions like the trade chambers, representatives of multinational companies, bank sector, etc. The trade unions expressed their reservation as the Government has taken its decision on the Economic Council without any consultation with the Interest Reconciliation Council.3 In the new macro system of interest reconciliation the scope of former International Working Group has been divided in two bodies: the European Integration Council and the ILO Council. By the end of June 1999 established the European Integration Council with the participation of six Hungarian confederations, the nine employers’ federation, the government (Ministry of Foreign Affairs), the three chambers of industry. Furthermore, the National Integration Commission of Hungarian Trade Unions has on its own right “permanent invitation” to the forum. But, in contrast to the former International Working Group, the European Integration Council (as well as the ILO Council) is not organically related with the other (new) elements of the reconciliation system. The lack of (working) relations among the European Integration Council, ILO Council and National Labour Council and the reduced rights contained by the temporary statutum of European Integration Council takes impossible the professional treatment of EU issues. In present circumstances the European Integration Council serves as information channel of Government.

The EU-Hungarian joint parity body has been established as a first such forum by EU Economic and Social Council (ESC) in Central and Eastern Europe in February 1997. This body mainly performs as a consulting forum among the interest representation organisations of EU and Hungary. The joint body has prepared reports on areas of common interest like: reform of the welfare system in Hungary and the social protection in the EU; social policy and social dialogue in Hungary; the Common Agricultural Policy (CAP) and its possible implications for Hungary; the transportation sector and the enlargement. Notwithstanding of the well chosen topics, they did not lead in every case to real debates, negotiations.4

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4 See on the evaluation the paper prepared by Dorottya Boda and László Neumann: Az EU csatlakozás munkaügyi vonatkozásai a társadalmi partnerek szemszögéből, Országos Munkaügyi és Módszertani Központ, Budapest, January 2000, p. 28.
3. TRADE UNIONS COMMON BODY ON EU.

The body established by the six national trade union confederationsexclusively to deal with EU issues is the National European Integration Commission of Hungarian Trade Unions (NIC). The NIC has been established already in 1996, with the aim of common preparation to the European integration process. The activity of the commission has been accelerated in 1997. The Hungarian NIC is a coordinating commission but without independent legal personality. The NIC has a declared objective to support the representation of employees’ economic and social interests and to help the participation of national trade union confederations in the process of European integration. In the interest of above mentioned aims it collects, arranges and transfers all those information from national and international sources, which are relevant in the subject. Since its emergence the Hungarian NIC not only has tried to perform a coordinating and informing role towards the trade unions on the EU issues but also to generate a specific trade union strategy and analysis on the European integration, mainly from two points of view:

a) The consequences of the entrance of Hungary in the European Union, that is who will be the winners and who will be the loosers and what kind of compensation should be developed for the latest.

b) How the trade unions could take part in the negotiating process, how and where they should and/or could influence the official bargaining process between Hungary and the European Commission.

Evaluating the effects of Integration Commission's activity it has to be stated that the best results are in relation with informing on EU issues. In the interest

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5 Confederation of Autonomous Trade Unions, Trade Union Confederation of Intellectual Workers, Democratic League of Independent Trade Unions, National Confederation of Hungarian Trade Unions, National Confederation of Workers’ Councils and Co-operation Forum of Trade Unions.

6 We have to add, that identical national integration commissions have been organised also in other “EU “first” and “second” wave applicant countries like (Poland, Czech Republic, Slovaquia, Romania, Bulgaria, the Baltic States) partly supported by a Phare Democracy Programme project on the base of a co-financing agreement in 1996 between the European Community and the European Trade Union Confederation, ETUC.

7 Fragments from The statute of the National European Integration Commission of the Hungarian Trade Unions:

I. Definition, aims and activities of the Commission
1. The National European Integration Commission of Hungarian Trade Unions is a co-ordinating working commission without independent legal personality of the Hungarian trade union confederations.
2. The National European Integration Commission’s objective is to support the representation of employees’ economic and social interests and to help the participation of national trade union confederations in the process of European integration.
3. The National European Integration Commission of Hungarian Trade Unions (in the interest of the above mentioned):
   3.1. Collects, arranges and transfers all relevant information from national and international sources which are related to European integration and within it the employees’ situation.
   3.2. Organises and operates a documentation centre.
   3.3. Develops and maintains relations with all those national governmental and non-governmental organisations which are: entitled to address the integration issues, the European Integration Working Group of the ETUC, the national commissions of other CEE countries engaged in ETUC Phare project, professional institutions of EU and other international organisations being in relation with the European integration.
   3.4. In the interest of the cadres, specialists and members of the trade unions, the National European Integration Commission of Hungarian Trade Unions organises seminars of informative character, offers professional help for the preparation of similar seminars of the confederations and publishes information, analysis, etc. in its periodical bulletin.
   3.5. The Hungarian European Integration Commission of Hungarian Trade Unions executes all those tasks that could help the successful economic and social representation of employees during the process of the European integration.
   3.6. The Hungarian European Integration Commission of Hungarian Trade Unions during the fulfilment of its duties systematically co-operates with the specialists of the confederations, employees’ representatives in the professional commissions of the Council of Interest Reconciliation and if necessary, involves external experts.
   3.7. The Hungarian European Integration Commission of Hungarian Trade Unions organises - in case of necessity - working commissions.

8 To fulfill its information duties the National Integration Commission published its periodical bulletin, IntegRáció, it issued until December 1999 17 numbers, in with the aim to disseminate the information on the European integration not only among the trade union leaders but also among employees’ representatives at the work place level. It edited a
to acquaint the trade unionists, trade union experts as well as ordinary members of the trade unions with EU issue, the Integration Commission organised several seminars and meetings of informative character and offered professional help to the preparation of similar seminars of the confederations. The conferences and seminars organised by the Integration Commission dealt with topics like labour law harmonisation, adaptation of EU directives, practical implementation of harmonised EU regulations, health and safety harmonisation and its requirements, need of the harmonisation of ILO standards and EU directives. By the beginning of 1998 within the framework of the National Integration Commission special working groups- on law, on health and safety and on public sector and labour market and wage policies - have been established. The Working Group on Labour Law and Legal Practice had to look also for the issues of harmonisation of legal proceedings. With the participation of Working Group on Occupational Health and Safety Regulations Harmonisation was organised a national-wide conference with the participation of all secretaries of Safety Committees and safety representatives giving information on EU standards and the developments of Hungarian regulation. In the field of safety regulation has raised not so much the duty on harmonisation with the EU regulations but their implementation in practice. According to the Public Sector Working Group needed to specify labour law, labour market and interest reconciliation as well in the Public Sector during the process of integration. The Labour Market and Wage policies Working Group has considered a large number of issues to be elaborated to help the employees representatives during the EU integration process. These themes which raised as need to investigate were as follows: EU directives and recommendation in the field of employment and wage policy; wage situation in the member countries of the European Union (wages in case of different professions, wage situation in case of part time employees, equality or disequality among men and woman concerning the wages); employment in the member countries of the European Union. Employment in form of part-time; the question of working time, the decrease of working time; migration, free movement of labour force; arbitration in labour issues in the European Union and the future of labour arbitration in Hungary.

The National Integration Commission's activity contributed:

- To stimulate the trade unions to think about taking part in the pre-accession process, as first raised the need to elaborate a trade union standpoint concerning the EU integration.
- To improve the co-operation and better understanding of Hungarian trade unions through the common work of the delegates from the six national confederations.
- To serve as basic information channel for trade unions and its members on the issues of EU and the process of integration through its periodical bulletin and other documents published by it and by its home page rich of easy accessible information and analysis.
- To better the level of trade union education work providing learning materials (handbook) as well as trainers in the person of the members of

handbook in 1998: BORBÉLY, Szilvia: “Towards Social Europe. Social policy of the European Union: principles and decisions” and in two volumes the Collection of main EU documents (directives and others) on the social and employment issues. The different analysis made within the framework of NIC can be find on its web-page, also in English: www.matav.hu/uzlet/mszeib

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integration commission.
- To have permanent contact and close collaboration in several topic with trade unions (national integration commissions) of other countries in the process of preaccession.

4. TRADE UNION INTEGRATION STRATEGY.

As it was already mentioned, until 2000, the six Hungarian national confederations have had not a common strategy concerning the European integration. Also only few confederations have their own position and it is even worth the situation concerning the knowledge and standpoint on EU in branch level unions.

Notwithstanding, there is (non-official) consensus in trade union movement on some issues as:

- The need of Hungary to join the EU.
- The need to protect those employees who would be losers of the integration process.
- The need to take seriously not only the freedom of movement of merchandises, services and capital but also the freedom of movement of labour which must be treated not only from the point of view of EU-members' fear on migration but as "brain drain" phenomenon.
- The need to lessen the gap between the Hungarian and EU average wage level which (naturally) must go together with the rise of productivity and modernisation of production.
- The need to lessen the heavy regional unbalances, to develop the underdeveloped and crisis regions, to take part in the Regional Development Councils and in the elaboration and monitoring of regional development plans.
- The need to harmonise such issues like the working time (the introduction of shorter working week in Hungary too).
- The need to regulate the new working forms like atypical works and to elaborate the employees' protection employed in such way.

To generate the trade unions' integration strategy the National Integration Commission organised a common seminar, in March 1998. The data of seminar was chosen consciously: at this day (30 of March) has started in Brussels the negotiation with Hungary and other countries on the integration. The seminar aim was to promote a strategy to be followed during the negotiations. The participants tried together to find out the place and the way of the trade unions in this process. There raised the urgent need for two things: firstly, the trade unions had to know toward whom they should express their opinion (who could be their partners) and, secondly, they had to have concrete opinion and knowledge on the possible specific effects of the integration on their branch, area, region or even individual companies. The trade union participants (leaders and experts) agreed that not only general remarks needed

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9 The participation of social partners in the regional development processes - which are partly financed by EU resources - is a condition laid down in EU directives on Structural Funds and Cohesion Fund. In Hungary in the former Counties' Development Councils the social partners were invited to take part. Paradoxically they were left out from the new Regional Development Councils notwithstanding that they were established exactly to deal with EU financial resources.
but also deep sectorial and branch level analyses on effects (for example, employment effects) of integration.

Although the problem and the way to solve it was clearly identified it has not been solved until present time due to lack of willingness to sacrifice financially for this purpose. The deficit of deep rooted analysis and its consequence, that is the lack of a solid basis for the development of trade unions’ standpoint on the different chapters of negotiation between Hungary and EU, made not really essential for the trade unions to have negotiating partners as the trade unions could not develop their standpoint on the chapters of (EU) negotiation.

The National Integration Commission of the six confederations already in 1997 prepared a debate proposal in subject of standpoint and strategy to the European integration and it initiated a debate on the issue in its regular bulletin IntegRáció.10 The proposal for a common trade union strategy was too premature as the trade unions by this time still did not want to have a common approach possibly thinking that they had enough spiritual and financial strength

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10 Proposal of the National Integration Commission of Hungarian Trade Unions:

1. The Aim of the Hungarian trade unions.
   a) The Hungarian trade unions consider of great importance for Hungary to form part of the developed Europe economically and geopolitically as well.
   b) Their aim is that Hungary being part of the developed Europe should be winner in economic and social field generally and from the employees’ point of view too.
   c) Also, the Hungarian trade unions support and identify with that standpoint which looks the economic, social and societal stability and security in the origination of the united Europe and within it with the participation of Hungary.
   d) The aim of the trade unions is that the conflicts which could appear during integration would be solved in an adequate and manageable way.

2. The condition of organic integration.

On the opinion of Hungarian trade unions the condition of organic integration is the multidimensional and complete integrational process, which consists of the following elements:

- The major possible enlargement of trade, economic and monetary relations (also the capital movements) and defence of the process against political changes, that is the continuity of the integration, the organic integration has to be carried out.
- Continuing the harmonisation of legal and institutional system, which has already started and advanced.
- The continuous information of the employees and preparing them for the possible conflicts.
- The presentation of the employees’ interest.

According to the trade unions the integration process has to be carried out in such a way that the interests of employees should be protected. In the interest of this the following fields has to be underlined:

- The adequate progress of social and labour law harmonisation.
- The progress in the subject of equivalency of diploma and certificates.
- As regard the workers’ mobility the progress on the area of bilateral agreements with the EU member countries on the subject.
- The harmonisation of workplace health and safety and the general and workplace protection of environment.
- Managing the issue of equal opportunity.

3. The presentation of the employees’ interest.

The trade unions emphasise the need of the trade unions’ participation in some way and with determined rights in these processes.

The trade unions consider as condition (and at the same time consequence) of the positive integration process in medium and long term the following:

- The increase of employment and the support of so called maintainable - balanced and environment-friendly - economic growth which as has aim also the social modernisation, which has as its main activators from one hand the export production and from other hand the enlargement of domestic market based not at least on the increase of real wages and dynamic investments.
- With the possible growing flexibilisation of labour market and parallel with the non-typical works there is need to create the adequate trade union answer.

There is need also to formulate social policy which takes into consideration not only the equilibrium elements of budget and finance but also offers an adequate protection for the employees and population.

The Hungarian trade unions consider as guiding principle the following standpoints of the European trade Union Movement:

- The restricted fiscal and monetary policies obliged also by the convergence criteria derived from the Maastricht Treaty have to be concomitant with offensive social policy.
- The present unemployment level is no permisssible and its management may be transnational. The employment policy has to be raised to EU level.

The Hungarian trade unions consider necessary their full right participation in the employees’ organisations of European level. They also support and stimulate with their particular tools the domestic application of the EU directive on European Workers’ Councils.

The Hungarian trade unions have to analyse thoroughly and urgently how the different branches of the Hungarian economy would be influenced by the integration.

With the purpose of fulfill the above-mentioned aims the Hungarian trade unions make to operate the Integration Commission of the Hungarian Trade Unions.

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to tackle with issue one by one.

Only by February 2000 the forum of six trade union confederations to form common opinion in different questions - the so called side - has decided to ask the National Integration Commission to elaborate a possible common standpoint and strategy concerning the EU entrance and negotiation process, pointing also to the needed background analysis, cases studies and the concomitant financial burdens. The first draft has been prepared by the end of February 2000 and put under debate by the members of National Integration Commission to be presented before the "side", in March 2000. 11 This latest draft emphasises as new elements on urgency to concentrate spiritual and material tools of trade unions, analysing the possible branch-, sub-branch and regional effects of the future integration; representing the employees' interest in the process to use the preaccession financial support (ISPA, SAPARD, Phare, etc.) and interchanging experiences concerning the EU integration process with other countries of preaccession.

5. TRADE UNION PARTICIPATION IN THE OFFICIAL INTEGRATION PROCESS

Since the official negotiations have started the trade unions have been looking to find their place in them. Although a big number of chapters has been already definitively or temporarily closed, the trade unions could not still find the way to intervene in some way in the process, at least give any opinion on screening or the position papers or the National Programme of Acquis Communitaire. All members of the European Integration Council received the two big volumes of National Programme of Acquis Communitaire, but the majority of the trade unions experts or cadres even does not know it. It may be stated than the problem is two-fold: not only the official negotiator may want the smoother possible negotiations (without problems from part of trade unions) but also the trade unions were unable to be more active. As we told already, to have an analytical opinion which could be supported by the trade unions there is need to carry out concrete case studies on the possible effects of integration concerning different sectors and branches. In this sense the situation has been bettered during the second half of 2000 as the trade unions have already made

11 The spirit of the new strategy proposal is similar to the first. It has chapters like:

1. The EU membership from the point of view of trade unions (trade union expectations, importance of social dimension, improving living conditions for the employees).
2. Objectives and priorities of trade unions in relation with the joining the EU (interest representation of employees, tools and ways to influence the process.
3. Informing the employees, solidarity issues, EU law and practice in the interest of employees, bettering the quality of social partnership, free movement of labour force, improving workplace health, safety and environment conditions, equality issues, level of training).
4. Tools for the fulfilment of strategy:
   • Achievement of EU-like social partnership.
   • Participation in negotiating process between Hungary and the European Commission.
   • The concentration of spiritual and material tools of trade unions; coordinating the work of trade unionists working at the institutions dealing with EU integration and negotiation.
   • Analysing the possible branch-, sub-branch and regional effects of the future integration.
   • Representing the employees’ interest in the process to use the pre-accession financial support (ISPA, SAPARD, Phare, etc.).
   • Asking the support, the advises, the experiences of the European Trade Union and the European Federations.
   • Interchanging experiences concerning the EU integration process with other countries of pre-accession.

(Source: Notes on the meeting of National Integration Commission, February 16, 2000).
a serie of analysis on some critical branches of the economy and their relation to the enlargement as well as on such issue like the new atypical forms of employment and their appearance in Hungary. These analysis were financed by the so called Labour Market Fund, recollected from taxes on labour cost. This project has been continued also in 2001 but mainly aimed to disseminate the results of the researches.

In 2000 the possibility of trade unions to take part actively in the enlargement process has bettered also from such point of view that the so called position papers of the Hungarian government on the chapters of negotiation ceased to be secretly treated and in a Hungarian translation can be find in the home-page of the Foreign Office. Also the sessions and activity of the European Integration Council have started to be less formal with more real debate (like on issue of agriculture, migration, small-and medium size enterprises, etc.)

As a result we may assume that the scope of the trade unions involvement in the integration process is determined not only the willingness of the government but also by the trade union intellectual limits. Maybe that the future concentration of trade unions efforts, their spiritual and financial strength would even better the situation.