

## Resolution

passed by the General Meeting of EPSU CJ  
29<sup>th</sup> March 2017

[From its very inception](#), EPSU CJ has always refused to be either a “conveyor belt” into the institution for an external decision-making centre, or a “company union”. From day one, the union has functioned democratically and its finances have been managed transparently.

Now almost 10 years since it was set up, EPSU CJ has changed the landscape of staff representation at the Court of Justice. Founded on the complementarity between:

- the trade unions and staff associations, that “act in the general interest of the staff” (Article 10b of the Staff Regulations), and
- the Staff Committee “set up within each institution” (under Article 9 of the Staff Regulations),

since December 2008, EPSU CJ has made the [Staff Committee](#) legally and democratically accountable.

EPSU CJ [has been a member organization](#) of the Union Syndicale Fédérale (USF) since May 2015, which allows it to negotiate on behalf of the staff at the highest level. This affiliation strengthens our union without reducing us to the status of a “conveyor belt”.

The Staff Committee is the only elected body within the institution that operates based on democratic principles. However, democracy is by definition fragile and exposed to multiple risks, including indifference, lack of courage, routine and complacency.

Over the 2013-2016 term, a lack of unity amongst the controlling team from our union, the concentration of tasks in the hands of a narrow group of elected members seconded to the Staff Committee, who on the whole were unfit for the task and conspicuously under-occupied, the resulting accumulation of responsibilities by the Chairman and the chronic tardiness with which the Staff Committee informed staff, handed a group of elected officials the opportunity to turn staff discontent against our union and against unions in general.

This group deftly attributed staff discontent to “union constraints” or “union instructions”, which is wrong, since our union had neither the intention nor –with zero human resources– the power to guide the Staff Committee in place of the elected officials.

In the new period, EPSU CJ

- will ensure its elected members and delegates fight to defend staff to the best of their ability using the opportunities offered by their positions in the staff representation;
- will use all means of action available to it as a union to inform, raise awareness and mobilize staff;
- will not succumb to the lure of corporatism, which is just another form of populism and turning inward, which, in its various guises, undermines the foundations of Europe and the world;

- will continue to “meddle” in institutional issues which have irretrievably poisoned the life of our institution, the Court of Justice; will continue to fight for a Europe that is open, democratic, social and based on solidarity.

Bearing in mind that:

- the ability of a “trade union *or* staff association” to defend the staff depends on how [representative](#) it is in the institution in question (Article 10c of the Staff Regulations), which in turn depends on the Staff Committee election results;
- those who call themselves “independent” (only in relation to trade unions, of course), who rely on the “extended hand” of the employer, in reality are inviting you:
  - to settle for lop-sided staff representation, organized by the employer, upon whom they fully depend;
  - to be represented in negotiations over Staff Regulations, not by your own representatives who are accountable to you, but by unknown third parties;
  - to deprive the unions of the resources that enable them to defend you in court;

EPSU CJ invites all fellow democrats to close ranks with it in order:

- to strengthen the union's democratic legitimacy as an essential social partner to the employers and decision-makers at the various levels;
- to break the code of silence, the spirit of competition, the caste system, the fear and resignation that has resulted; and, replace them with public debate and active solidarity with colleagues and all who live or want to live off their work;
- to constitute a counterweight present in all areas of the institution, able to deter any arbitrary action by management;
- to make management understand that it is in the institution's interest to have an independent social partner that is robust and credible as an interlocutor, and that service efficiency can only be improved by consulting the workers and their representatives.

Resolution passed by the Ordinary General Meeting of 29<sup>th</sup> March 2017, which mandated the Executive Committee to disseminate it to all staff of the Court of Justice.