

GRASPE

Groupe de Réflexion sur l'avenir du Service Public Européen
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*Changer l'état des choses est aisé,
l'améliorer est très difficile*

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A New Era for Europe

I believe that we, as Europeans, feel far too secure. Europe's political and economic leadership in the world, which was still unquestioned at the turn of the century, has long since ceased to exist. Will Europe's dominant cultural influence be maintained? I don't think so, unless we defend it and adapt to new conditions; history has shown that civilisations are all too perishable.

(Speech by Konrad Adenauer on the pursuit of European integration (Brussels, 25 September 1956))

The post-war world, the world of Bretton Woods, multilateralism, and the rule of international law, is dying before our eyes. It was a world of expanding international trade thanks to the free movement of goods and capital, and floating exchange rates, following R. Nixon's decision on 15 August 1971 to end the dollar's convertibility to gold. In Europe, the German D-Mark was the reference currency of the monetary system, with limited fluctuation margins that later became wider. Twenty years later, this led to the Economic and Monetary Union and the historic creation of a common currency.

This also marks the end of the era of hyper-globalisation that began with the collapse of communism in Europe and the modernisation of China. Like the Bretton Woods system, this too has died in stages. In this system, the United States played a hegemonic role through international cooperation and its economic and military power.

With Trump's re-election, we observe that US leaders show no interest in global cooperation. 'America First' isn't just an economic project; it's also the embodiment of a new political regime that challenges the separation of powers, attacks the rule of law, and aims to establish an authoritarian, even despotic, state. It also involves attacking the independence of universities and scientific research, repudiating medical and climate science, and showing contempt for multilateral institutions and alliances.

So we're experiencing a transition towards a more conflictual world in which the **dollar's influence could well decline**. This is leading to a questioning of the open project between rival economic powers, and perhaps tomorrow, more integrated monetary zones. Yesterday's world was one of an open, cooperative economy. What's going to replace it? How will international economic relations be organised, and what will Europe's place be? These are the pressing questions we need to start asking ourselves.

The Rise of Protectionism and the 'Trump' Shock

The world shifted in 1979 with the arrival of **Mrs. Thatcher** in the United Kingdom, bringing a radical conservative agenda. This was followed by **Reagan's election** in the United States in 1981. Under Reagan, an economic doctrine was developed (sometimes called **Reaganomics**) based on deregulation (the "less government" approach) and tariff protection for declining American industries. For instance, he introduced quotas on Japanese imports, particularly on steel, automobiles, and electronic products, which, like Chinese imports, were flooding the American market. During Trump's first term, **customs tariffs of around 25% were imposed on steel and aluminium imports**, though Biden later suspended these. The new American economic doctrine rests on a simple assumption: an international system founded on increasing global imbalances – with current account surpluses on one side (China, Germany) and large, persistent deficits on the other (United States) – is fundamentally unsustainable. In a highly controversial report, **Stephan Marian**, a key inspirer and Trump's chief economic advisor, described a hostile world coalesced against the United States and argued for a reorganisation of the global economic system.

The main proposal is to **reduce the dollar's value aggressively**, in a non-cooperative manner, unlike the 1985 Plaza Accord where allied economic and monetary authorities reached an understanding. What differs in this new approach (rhetorically referred to as a **Mar-a-Lago Accord**, named after Trump's residence) is that **customs tariffs are used as a bargaining chip, or even a tool of submission**, against targeted countries. The real stake is **reducing the enormous US debt**, which has exceeded 130% of GDP. In

itself, this isn't a problem if it evolves synchronously with the GDP of other countries. However, Stephen Miran's proposal, adopted in the federal budget, to **tax foreign holders of federal Treasury securities** risks compromising international financial stability. The goal is to devalue the dollar to make American exports more competitive.

Officially, the administration is considering a "usage fee" levied on interest paid to foreign investors. Essentially, foreign entities would have to pay to use the dollar, as it's considered US property. Thus, **China, the world's largest creditor**, would be taxed at a time when it is gradually disengaging from the dollar. Indeed, China, which once held 18% of US government bonds, has now reduced its holdings to 4%, becoming the third-largest foreign holder of assets after Japan and the United Kingdom.

In his speech on **2 April 2025 (dubbed "Liberation Day")**, Trump outlined a radical shift in US economic and financial policy, centred on imposing new tariffs as a means to restore public finances. According to this announcement, a **generalised tariff of 10% would be applied to all imported goods**, followed by even higher customs duties on countries with which the United States has the largest trade deficit. These are historic measures: never in the post-war period has the United States so extensively repudiated the system of reciprocity agreements that governs world trade.

However, this spectacular announcement prompted a reaction from financial markets, particularly the **10-year US Treasury bond market**: yields saw a sharp increase due to rising interest rates, which translates into a heavier burden on US debt. Consequently, the so-called reciprocal tariffs were suspended for a 90-day period, except for China. After initial tensions, a temporary agreement was reached between the United States, raising its customs duties to 30% from 145%, and China, to 10% from 125%.

Despite this relative easing, which was welcomed by financial circles, it represents a **major shock to the global economy**, with consequences that are still difficult to predict depending on the reactions of the various countries affected by the tariff measures. But above all, it's a **major blow to all economic models based on hyper-globalisation**, such as those of Germany or China, which had become dependent on industrial exports. Due to this greater trade openness, Europe will be more affected than the United States, which has a more closed economy and is more resilient to external shocks.

What's the European Union's Response?

How the European Union (EU) will react to the protectionist shock is a crucial question for its future. Firstly, it would be very difficult for the EU to win a trade war given its greater economic openness, and it will therefore be more affected than the United States for the reasons already mentioned. If services are included in the balance of trade, exchanges with the United States are relatively balanced. It's also important to remember that the EU has exclusive competence in trade matters and possesses numerous and varied instruments such as anti-dumping measures or the anti-coercion instrument it has already used against China.

So, what can the EU do in this situation? There are three possible scenarios.

The first scenario involves responding to the United States **firmly and proportionately through retaliatory measures**. A single wave of customs duties generally has little effect. The calamity of a trade war arises through retaliation. The EU knows what it exposes itself to if it imposes tariffs, even slight ones, on American products; Trump is likely to respond disproportionately, as he did by initially imposing duties of 145% on Chinese industrial products, while China imposed duties of 125% on American products while restricting exports of 'rare earths' to the US¹.

The same scenario could unfold if taxes were imposed on services, particularly digital services, where the EU has significant leverage through existing European legislation

¹ In June 2025, after weeks of negotiations, the United States and China reached a temporary agreement to ease their trade tensions. Under the terms of this deal, the **US has agreed to reduce its tariffs on Chinese imports to 55%**. In return, **China will impose a 10% tariff on American imports** and, critically for US industry, **will allow the export of rare earth minerals**, which are vital for many American manufacturing sectors. This agreement marks a temporary de-escalation of what had been a significant and escalating trade dispute.

(DMA/DSA). However, such a measure should be a last resort given the American interests at stake.

The second scenario involves offering a conciliatory solution. The European Commission's proposal for a "zero for zero" trade agreement, aiming to eliminate tariffs on industrial goods, might seem appealing, but it raises numerous questions. The US administration has a clear objective: to correct the trade imbalance with Europe. The "zero for zero" option would, at least in the short term, have the opposite effect. The trade surplus between the EU and the United States currently exceeds **€200 billion per year**. Should we buy more American weapons when our stated goal in the Re-Arm EU plan is to become more independent? The European Commission also can't directly steer European gas buyers towards purchasing American gas, as this depends on international market conditions. Even if we were to agree to buy — in violation of our own health and food safety standards — more soybeans, chlorinated chickens, or GMO products, this would only scratch the surface of the structural trade surplus with the United States.

The third scenario for the EU is to **become more autonomous and less dependent on trade surpluses**, particularly with the United States. The EU has the potential to boost its internal demand through its vast internal market, and this room for manoeuvre can be utilised immediately. Simultaneously, it will seek, as it has already begun to do, to **diversify its trade partnerships within the framework of active and balanced multilateralism**.

The Path Forward

Regardless of the scenario chosen, resolving trade imbalances requires a **change in macroeconomic regimes on both sides of the Atlantic**: more investment and savings in Europe, as well as fiscal consolidation in the United States. Unfortunately, the economic diplomacy of the G7 in the 1970s and 80s, when Germany became the global economic locomotive, or during the 1985 Plaza Accord to curb the dollar's rise, is no longer feasible.

The message from K. Adenauer, cited in the foreword, resonates particularly strongly with the spirit of today's Europe. The **European Union** is struggling to adapt to new conditions — the **end of hyper-globalisation and the mercantilist model** — and the very conditions it must adapt to are constantly shifting. In this fluid world, Europe must seek to **assert its power as an economic and geopolitical actor** on the international stage.

Firstly, the EU needs to **develop new cooperative relations with China** on a functional basis. There's certainly concern that Chinese products will be redirected to the European market following the announcement of tariffs on Chinese imports. However, common sense dictates that it's important to **look beyond tariff policies** and focus on the long-term future of a world order based on multilateralism.

The most urgent issue is to **coordinate economic policies to avoid a global recession**, especially in the wake of US decisions to impose tariffs on the rest of the world, particularly Europe and China, which will be hit hard. If global coordination with the United States is no longer on the agenda, there's no reason why other powers shouldn't find common ground to avoid these negative effects. In this context, the question is whether to **resuscitate the Comprehensive Agreement on Investment (CAI)**, which was proposed in 2013 but never signed due to a lack of reciprocity regarding market access in China. Therefore, it's not about coordinating retaliatory measures, but rather about **opening markets on a commonly established basis**.

Another area where immediate cooperation would be desirable concerns **financial stability**. The period we are currently experiencing will be marked by turmoil in financial markets. As recent history teaches us, a financial crisis in the United States can have much broader effects on the rest of the world: this was the case with the relationship between the global financial crisis and the sovereign debt crisis in Europe. The financial industry had not anticipated the shock of customs tariffs and is desperately trying to bet on a decrease in interest rates in the US government bond market.

However, beyond these market manoeuvres, there's a **strategic coordination space** among a relatively large group of countries to support the multilateral world order, or at

least strengthen the status quo in economic and trade relations. We could go further: the **European Union could fill the void left by the United States** and become a provider of economic stability.

A monetary union that refuses to become a fiscal union and remains dependent on imbalances caused by trade surpluses will always be vulnerable to external shocks. This is therefore the opportune moment to **rethink its economic model** – just as it's doing in defence and security – as it's no longer viable. It should refocus on **investment, innovation, and the completion of the internal market** to strengthen and further integrate fragmented markets in the energy, digital services, and financial sectors – as advocated by the **Letta report presented to the European Council in April 2024**. We should be less concerned with US customs tariffs than with those we impose on ourselves: according to recent IMF estimates, internal EU barriers are equivalent to a **45% customs tariff for goods and 110% for services**.

Europe can only exist if it remains open to the world. Our foreign policy is based on the idea that we impose our values on third countries rather than accepting the principle that countries evolve through different cycles of development in political, economic, and cultural terms. This is why we must establish an **integrated common foreign policy** that brings together defence and security, development aid, neighbourhood policy, and cooperation in education and culture.

Europe must reclaim its place in a complex geopolitical world by **asserting its autonomy of action vis-à-vis the United States** and strengthening its industrial, technological, and financial capacity. Certainly, we must be realistic, as all of this will not happen spontaneously, and there's a risk that some member states will act in disarray. We can only hope that they won't once again miss an opportunity to rise to contemporary challenges.

June 2025

An Union Without Money is a Powerless Union

By Guillaume Duval, former speechwriter for HR/VP Josep Borrell, advisor to the Jacques Delors Institute, member of the editorial board of Graspe review.

They say money is the sinews of war, and rightly so. Indeed, the budget the EU can (or cannot) command determines its ability to pursue the many public policies we so desperately need across the continent. But for now, this **budget remains meagre**, and there's no indication it's set to increase significantly in the coming years.

The Union's budget is set for several years, and negotiations are about to begin for the **budgetary cycle covering the post-2028 period**, with talks extending until 2027. The European Commission is expected to present an initial proposal in July. Everyone agrees: it's essential to **reduce inequalities among Europeans**, which fuel social dumping and Euroscepticism. It's urgent to **boost innovation** and finally **reduce our excessive dependencies** on both China and the United States. We must **accelerate the energy transition and ecological transformation** to address a worsening environmental crisis. And finally, we must **immediately strengthen our defence** to withstand the threat posed by the alliance of Donald Trump and Vladimir Putin.

However, for now, **Europe has virtually no money** to implement these policies. Nearly 70 years after the Treaty of Rome, we've only agreed to pool **1% of the wealth we produce each year**. That's forty times less than within each of our member states and more than twenty times less than the US federal government's budget. And every time this budget is discussed again, the only real question seems to be how to decrease it.

Furthermore, unlike its member states, the EU isn't allowed to borrow money. An exception was made in **2020**, when the Union jointly borrowed **€750 billion** to tackle the COVID-19 pandemic and its fallout. However, it's been impossible to repeat that exercise since, even in the face of Russia's war of aggression and the threat it poses to all of Europe.

With the recently launched **SAFE programme**, the Union has indeed just borrowed another **€150 billion**. But unlike Next Generation EU, this money will only be used to provide **loans to member states** that request them. In other words, it won't genuinely be additional funds injected directly into European defence by the Union.

An added handicap is that the European Union currently has almost **no sources of funding it can act upon independently**. Its resources mainly come from **transfers from member states** and therefore must be negotiated with them.

To repay the €750 billion loan, it was decided in 2020 to equip the Union with new "**own resources**", and the Commission made proposals to that effect. But since then, these proposals haven't been adopted. If they aren't by **2028**, the Union's budget will have to be cut by approximately **€20 billion per year, or 10%**, to repay Next Generation EU. That would be catastrophic.

For now, in a deteriorating economic climate where the far-right is setting the agenda everywhere, there's no indication that the European budget can be significantly increased, that the Union can be provided with own resources commensurate with its needs, or that it can borrow again jointly at meaningful levels.

If such a forecast proves true, it would be no surprise if our technological gap continues to widen, if Europe remains a phantom on the global geopolitical stage, and if Vladimir Putin eventually succeeds in dividing and subjugating us.

European Defence: What Role for the Union?

GRASPE Conference with Olivier Jehin (May 2025) Journalist at Agence Europe, specialist in defence issues, associate researcher at GRIP (Peace and Security Research and Information Group)

Olivier Jehin:

Five years after the emergence of the CFSP (Common Foreign and Security Policy), the ancestor of our current common security and defence policy, the volatility of the geopolitical environment, the increasing threat, and the return of high-intensity warfare to our borders have certainly contributed to some progress. However, we are still far – very far – from defining a common European defence, and the Union's legitimacy in this area remains highly contested. Just over a year ago, during my previous intervention at the invitation of U4U and Graspe, I made the following observations:

Firstly, defence spending by the Twenty-Seven has increased considerably since Russia launched its full-scale war against Ukraine in February 2022: **€240 billion in 2022, €279 billion in 2023, and even €326 billion in 2024**, according to data from the European Defence Agency. Collectively, the EU member states have dedicated **1.9% of their GDP to defence**. Seven countries, lagging significantly – particularly **Belgium, Italy, Spain, and Portugal** – prevent the collective from reaching the minimum threshold of **2% set by NATO**.

Secondly, in 2022 and 2023, a considerable portion of budgets continued to be swallowed up by personnel and infrastructure costs; this is no longer the case today. According to the latest NATO estimates, investments in major equipment would have **increased by 2.5 times between 2023 and 2024, reaching 38% of total expenditure**. This is good news, even if joint acquisitions and mutualisation are making little progress, and the majority of acquisitions are still made outside the Union.

Thirdly, our industrial capabilities aren't matching our needs, nor those of Ukraine. This remains true despite some progress, supported by instruments like **ASAP for missiles and ammunition**. Other observations, such as those related to capability gaps, also remain valid. I won't list them all; the text from last year's conference was published in GRASPE.

I propose, instead, a quick review of what's happened over the past year, before discussing the return of Donald Trump, then what's called "the sense of urgency," and finally, in a fourth and last section, the potential for improvement in European defence and the role the Union can hope to play in it.

First, let's rewind.

The year 2024 was marked by a **complex Commission programme**, including a large number of often highly innovative instruments. These included a new legal structure for European armament programmes, the **SEAP (Structure for a European Armament Programme)**, a category of European projects of common interest, and a "European Military Sales" mechanism, inspired by the US FMS.

Presented on 5 March, this no less than 96-page **defence industrial programme** aimed to address a wide range of issues: moving to industrialisation (i.e., the phase after the European Defence Fund, which only covers research and development), developing large-scale European capability projects – particularly in anti-aircraft and anti-missile defence – ensuring equipment availability for urgent needs or for export, security of supply, and supporting the Ukrainian defence industrial base.

However, it came with a **minimalist budget**: barely **€1.5 billion** awaiting the next Multiannual Financial Framework, meaning by 31 December 2027 – a drop in the ocean compared to member states' spending and investment needs. This initiative, more than a year after its presentation, remains becalmed. In the most optimistic scenario, this programme could be adopted in July, with implementation beginning to roll out from 2026.

On the Eastern front, **Ukraine resisted and even launched an incursion into Kursk, Russia**. Nevertheless, Russian forces managed to regain ground. On 25 June 2024, accession negotiations opened between **Ukraine and the European Union**. A few days later, at the Washington summit between 9 and 11 July, the Allies confirmed the irreversible nature of **Ukraine's trajectory towards NATO membership**.

But – as we shall see – what is said by 32 can easily be gainsaid by one.

Throughout 2024, Ukraine also benefited from **unprecedented military aid: €50 billion committed**, with more than half provided by European Allies and Canada.

Announced during the formation of the new Commission as the masterwork of its first 100 days, the **White Paper on the Future of European Defence** ultimately brings little in the way of operational measures. Renamed "**Readiness 2030**," this compilation of existing instruments, embellished with some strategic announcements and dialogues with industrialists, was even reclassified, and I quote, as a "simple roadmap" by the Commission President on the eve of its official presentation on 19 March.

Defence funding remains a thorny issue, one that Ursula von der Leyen was reluctant to tackle throughout 2024, despite repeated requests from the European Council to present options. That changed on **4 March 2025**: on that day, in Germany, Christian Democrats – winners of the legislative elections – and Social Democrats agreed on a **massive rearmament plan based on exempting defence spending from the debt brake**.

The same day, the Commission President announced a "**We Arm Europe**" plan, including the activation of the national safeguard clause for defence spending, and a loan instrument dubbed "**SAFE**," amounting to **€150 billion**.

The risks associated with a potential return of Donald Trump to the White House were already on everyone's minds last year. His intentions were well known, yet Europeans chose a wait-and-see, even denial, approach.

When **Pete Hegseth** addressed NATO on **12 February**, it was a cold shower. In a matter of minutes, the US Secretary of Defence presented his President's approach to Europe:

1. **Returning to the 2014 borders is an unrealistic goal** – in other words, Crimea, and at a minimum Donbas, are meant to be recognised as Russian, while Europeans have consistently defended Ukraine's territorial integrity within its internationally recognised borders.

2. The United States does **not believe that Ukraine's NATO membership is a realistic objective** for a negotiated settlement – what was "irreversible" eight months earlier is now radically challenged.

3. **Europe must provide the overwhelming share of lethal and non-lethal aid to Ukraine** – meaning significantly more than the current 50-60%. Since his return to the White House, Donald Trump has certainly not blocked aid committed by his predecessor, but he has not announced any new aid.

4. If there were to be **troops on Ukrainian soil, it would not be a NATO mission**, would not fall under Article 5, and there would be **no American troops deployed**.

5. It's up to **Europeans to assume the collective defence of their continent**, and they must invest **5% of their GDP** in it.

At the same time, the US President engaged in **direct negotiations with Russia**, leaving Europeans on the sidelines and making their sanctions policy an adjustment variable. He alternately wielded threats – even that of a military annexation of Greenland – and promises of a transactional policy. He also entered into negotiations with Ukraine to gain preferential access to the country's mineral resources, and with Iran – again, without the Europeans. All of this was coupled with a **trade war**, with the announcement of prohibitive, all-encompassing customs duties.

This brief summary of the new American administration's first weeks would obviously not be complete without mentioning the **US withdrawal decisions from several international organisations or agreements**: WHO, Human Rights Council, Paris Agreement, and deep cuts to international cooperation agencies and budgets.

What can we take away from all this?

Firstly, the **low standing of Europeans** – labelled "parasites" by the Americans – and their **high dependence on American goodwill**. A simple change of administration in Washington can, in a matter of weeks, relegate Europe to the sidelines of the international stage. The unleashed hurricane Donald – hurricanes always carry first names – has caused a wave of general panic and the invocation of a supposed **"sense of urgency"** whose effects are hard to discern, except for a frenzy of almost daily, sometimes even simultaneous, meetings. And thus, also the building of capabilities. This is true in Europe, and it's also true in the United States. Besides those already planned in the Union or at NATO, there was a first meeting of the contact group on aid to Ukraine, co-chaired by Germany and the United Kingdom, the day after a meeting of the volunteer coalition co-chaired by the United Kingdom and France, all at NATO headquarters. There were also multiple meetings in Paris or London, in various formats, to which those of the Weimar+ group should be added. And on Ukraine, planning meetings of defence chiefs with the beginning of a potential mission to be deployed on Ukrainian territory in case of a ceasefire and/or peace agreement. The acceleration of an already announced "reset" between the United Kingdom and the European Union is another effect that should lead to the signing of new partnership agreements on **19 May 2025**, including a defence and security partnership, to which must be added a rapprochement with Canada.

And then another effect, the Mertz bazooka – even if he didn't immediately succeed in gathering enough votes in the Bundestag to become chancellor – while the debate on strengthening defence and the first measures with the **€100 billion Sondervermögen Bundeswehr** are not new, the revolution that is the **constitutional reform allowing defence spending to be exempted from the debt brake** has been largely facilitated by the attitude of the American administration. Germany can now rearm without limits, with only ordinary defence spending, about €45 billion, remaining subject to debt limitation rules. And then finally, a third effect, the general acceptance of the need to **increase defence spending**, including the NATO 2% norm which could be raised to **3.5% at the Hague Summit in June**.

However, in many respects, progress towards a true European defence still seems to face an insurmountable mountain. With very real obstacles, but above all, an **inability to**

think as Europeans. Let's start with the obstacles, foremost among them the **accumulated delay in defence due to chronic underinvestment for 30 years.** This cannot be caught up in a few years. A minimum of an **additional €269 billion annually** should be allocated to defence by the 27 member states if the 3.5% of GDP target mentioned at NATO is adopted. However, we are told that initially, such an investment would first be essential to guarantee the implementation of only the regional defence plans for the alliance's territory. Added to this are many other difficulties. How will this money be spent if it becomes available, and on whom? At this stage, industrial production capacities do not allow for such an increase in demand, an increase that would also occur in the United States since they themselves only spend 3.2% of GDP, unless, of course, deliveries and thus also the building of capabilities are spread out over a long period. One can also mention delays in certain technologies and dependencies on various critical raw materials. Added to this is the succession of recent crises – financial, pandemic – which have contributed to weakening Europeans while sharply increasing their debt, as well as a global trade war likely to lead to a major recession. It's a bit like racing a **Citroën 2CV against a Ferrari** when the sky threatens a storm and the radio announces a tempest with gusts of wind at 140 km/h.

It's understandable, then, that only **16 out of the 27 member states** have, at this stage, requested the activation of the **national safeguard clause**, which would allow them to annually exempt defence investments up to **1.5% of GDP** from the Stability Pact's debt rules until 2028. And it's not surprising that heavily indebted countries like France, Italy, or Spain are not among those who have activated this clause.

Similarly, one might question the realism of setting **3.5% of GDP as an investment volume in defence** for countries like Belgium, Italy, Spain, or Portugal, which in 2024 fall within a range of 1.3% to 1.6%. For them, this would mean **doubling their spending, or even more.**

Beyond these obstacles, Europeans still struggle to conceive of a truly European defence. The recent White Paper, which I just said is, at most, a compilation of existing or nascent instruments, with the announcement or confirmation of a series of roadmaps and other thematic strategies, also turns out to be a **visionless White Paper.** It offers nothing in terms of reflection on a future political and institutional architecture.

And while the text does include a reference to a vague "European preference," namely, and I quote, "to help the defence industry overcome its weaknesses, the review process of the Defence and Security Procurement Directive, planned for 2026, will take into account the recommendation of the competitiveness compass to introduce a European preference," end quote, **strong reluctance remains, as evidenced by the examination of the progress of the EDIP programme.** More than a year after the Commission's proposal was presented, member states have still not managed to agree on the degree of the programme's openness to third countries. And the same debate is being replicated for the SAFE loan instrument.

Since February, the **Polish presidency has put forward a compromise proposal**, which certainly provides that the cost of components originating from the Union or associated countries – i.e., currently Norway – should not be less than 65% of the estimated value of the equipment project eligible for European funding. However, it introduces a **derogation for equipment already in service in a majority of member states** participating in a joint acquisition project.

Additionally, a distinction is made: defence products subject to various restrictions, particularly on export or transfer, would remain eligible, with the exception of those subject to restrictions affecting their operational use.

But here again, the dossier is stalled. COREPER has still not ruled on this compromise, presented last February. It is high time to recognise that **European defence can only be federal.**

No one, not even Donald Trump, would imagine that the defence of the United States could depend solely on the National Guards of the federal states and on procedures in which the latter could slow down or block any decision. No one in Uncle Sam's country disputes the Buy American Act. Instead of applying the same recipes that built the power of the United States, we remain confronted with logics favouring intergovernmentalism and Atlanticist dilution, in the mode of "anything but the Commission."

As the recent Bruegel report shows, with its European defence mechanism open to all winds – when it is not simply a question of dismantling the European Union, according to the projects of the Hungarian and Polish sovereignists, of the think tanks Ordo Iuris and Mathias Corvinus, who would like to reduce the Commission to a mere general secretariat function, transform the Parliament into a purely consultative assembly, and the Court of Justice into a banal body for settling disputes between member states. In other words: a pale copy of the Council of Europe, which one wonders why it should be duplicated.

However, these extremist and populist nationalists, supported by Trump circles and members of the American administration, are gaining momentum, as the result of the first round of the presidential election in Romania has just shown.

My conclusions – which I submit for your reactions – are strong, but it must be noted, and it is with great regret, that a quarter-century of CFSP, ESDP, and CSDP, with the establishment of a wide range of instruments, has not allowed a real European defence to emerge.

The only operational defence tool on the continent remains **NATO**, which is also the main vector of subjugation to American power. In an optimistic view, it remains to be hoped that a possible gradual disengagement of the United States in the coming years could, if necessary, lead to a greater "Europeanisation" of these structures, which would thus eventually form an embryo of European defence – but an embryo still non-federal.

Jean-Paul Soyer:

Thank you, Olivier, for this thought-provoking, even frightening, presentation. You can now take the floor and ask your questions directly.

Athanase:

I speak in a personal capacity. I cannot in any way represent the opinion of the department to which I am attached, but I fully subscribe to what I have just heard. I have recently become interested in defence, as an external researcher, and it seems to me that what you are saying, Sir, was already the case since the EDC [European Defence Community].

When I was younger, I thought that the EDC was a more federal project, but delving further into my research – I am participating in a book on the European Union of Defence, coordinated by Elsa Bernard and Stéphane Rodriguez, of which I am the author of the last chapter – I learned, in the introduction to the book and by studying the EDC treaty, which was not adopted, of course, that from the outset, there was a subordination to NATO. It is now enshrined in the Treaty on European Union. So, we have never done things correctly. We have never conceived of a truly fully autonomous European defence. While we have always been told – and this is not empty rhetoric, it is not indoctrination, people are sincere – the teachers, the professors we had said that the European Union, the European Communities, had always been a project focused on defence, on peace. But it is in its infancy. Concretely, we have never had, even as a project, a treaty that proposes a truly federal defence. So I fully subscribe to your remarks, specifying that, in my opinion, this has always been the case. And we are still waiting for the politicians who would want to change that.

Olivier Jehin:

To react very briefly: yes, absolutely. Generally speaking, defence only appeared late in the treaties. That was 25 years ago, in 1999. It was not until the Treaty of Lisbon that there was mention of the possibility of moving towards a common defence. And this shift is foreseen as a potentiality, but it never had the slightest chance of happening.

Elsa Bernard:

Hello. I am Elsa Bernard. Indeed, I have also been interested in these defence issues as part of a book. I wanted to ask you, Mr. Jehin, how you would envision this federal

Europe in defence matters, institutionally. Because beyond the idea that it is up to the European Council to take this decision – to move towards a common defence unanimously, with all the guarantees that this implies in a very intergovernmental framework – very concretely, how would this translate institutionally, legally? What form would, in your opinion, a truly federal defence take?

Olivier Jehin:

Very concretely, it is not possible if we do not proceed with the necessary major reform: **shifting towards a federal model**. That is, in my mind at least, the *sine qua non* condition. It requires a **revision of the treaties** to get there. We can tinker with things in the meantime, to try to get closer to that stage. But at some point, we must take responsibility and finally accept the idea that the system must be **federalised** – and that it will not work without it. And that means building on current institutions, but strengthening them, obviously.

Antoine Cahen:

I work at the European Parliament, in the research service. Hello Olivier, thank you for your very realistic and not very optimistic intervention. I have a question: beyond the "federal Europe of defence" formula, could we envisage – as has been done in other areas, such as internal security for example, a kind of **Schengen of defence**? That is to say, a concerted action by a vanguard of states, even if it means communitising it later. Or does that also seem completely unrealistic to you?

Olivier Jehin:

Anything that can contribute to complicating the system carries risks. The more "pipework" you add, the more illegible the system becomes – and it can also become dysfunctional. So, there is always a risk in going in that direction.

On the other hand, yes, one can imagine a solution driven by a group of countries that would distinguish themselves and move faster than the others. However, this group would still need to equip itself with **truly federal institutions**. Because without truly federal institutions, there can never be efficient operational chains: neither a political decision-making chain upstream, nor a command chain capable of responding to political decisions.

This is somewhat what we described in a book written in 2018, if my memory serves me right, which spoke of the European army as a project gradually structuring European defence. Not as something that would be immediately functional, but as a project progressively laying the foundations for what it could become.

This hypothesis remains valid. But it also carries risks, because there is currently, within Europe itself, a trend where a number of countries are being swept up by populist and extremist tendencies. And there is a real risk that this type of project would today reinforce a division within Europe – which would not help.

Colombe Warin:

Actually, I had two very different questions. The first goes back to the institutional aspects you mentioned. It seems to me that a federal Europe has been talked about for a very long time in certain circles. Unfortunately, it's not really on the agenda, and, as you noted, with the rise of populism, it's not the best time for it either – and I regret that, as do undoubtedly some of you here.

But my question is this: today, there is more and more talk of a European defence. We have been under the wing of the United States for 80 years. We have understood – perhaps a little late – that we should, in any case now, be more independent in that regard.

Do we have the military capabilities? If truly, with the Twenty-Seven, we were to come together – and perhaps also with our friends from the United Kingdom – would we be able to form an operational European army? Because beyond decisions, beyond

institutional questions, we need to know if we physically have that capacity. That's my first question.

The second is very different: you didn't mention the **European Defence Agency**, which is here in Brussels, in your presentation. Do you see a more important role for it to play in this international context? What would its place be, in your opinion? Thank you very much.

Olivier Jehin:

On the one hand, yes, **we would have that capacity**. Overall, there's a defence tool — as I said — which is **NATO**. The entire command and control dimension is structured within it. An operational architecture exists there. Outside of NATO, we don't have it. We would have to rebuild it within the Union, starting from the very small European Union staff — which would take years and years. But within NATO, we have this tool. And this command tool isn't exclusively American; Europeans are integrated into it and would largely suffice for most missions and operations on their own. We also have the personnel. We also have a certain number — most — of the capabilities. There are capability gaps, of course: in anti-missile, anti-air, in intelligence — there are gaps in the system, and it will take time to fill them. But, overall, there is still a mass there that can meet the needs. What we probably wouldn't be able to do is manage several risks or several threats at once without the Americans. And we're not capable either — I don't know if you're French — but we have a nice aircraft carrier, which is useless on its own, or of little use. Similarly, it's often said that France has the second largest maritime domain in the world. But we are not able to ensure the protection of that entire maritime space — neither individually nor collectively. It's the same for the space component. So there are gaps, but also a tool that exists — that of NATO — which would allow us to move much faster than if we had to build everything from the current, microscopic European Union staff.

Colombe Warin:

The European Defence Agency, which is based in Brussels. Do you think — given the international context — that it would be called upon to take on more power? Currently, it is indeed small, but do you see a role for it in this new geopolitical context? It depends on the Council, I believe...

Olivier Jehin:

It depends on the Council... Well, it doesn't really depend on the Council. It depends on the member states as such. And its characteristic is that it is **intergovernmental**. And overall, what is intergovernmental doesn't work very well. On certain subjects, we manage to gather the necessary consensus. But the real question to ask today is: **what has the European Defence Agency produced since its creation twenty years ago? What is its track record? And what could it do tomorrow?** Well, it hasn't done nothing. It is the mouthpiece — it has always presented itself as such — for the member states and their needs. But have we seen more cooperation thanks to the European Defence Agency? Have we truly improved the number of common projects? Yes, there are projects that are supported by the Agency, but this hasn't truly allowed all of this to move forward.

Jean-Paul Soyer:

We have two questions in the chat that are, in my opinion, somewhat complementary.

The first: **are there already agreements between EU states at the military level?** And the second question concerns the **role that the rapid reaction corps could play**, which has the dual hat of EU/NATO intervention.

Olivier Jehin:

So, regarding the first question: yes, there are **multiple agreements between states**. I assume this refers to **bilateral agreements** — like those between France and the United Kingdom (the Lancaster House agreements), or those that fall within the framework of

Franco-German cooperation. There is also Franco-Italian cooperation, German-Italian cooperation.

There are agreements between Belgium and the Netherlands, which have a common navy. There are agreements between the Netherlands and Germany, which share land forces. And there are many other cooperations of this type. I cannot list them all here, but there is quite an astronomical number, in reality. And concerning the role of the rapid reaction corps, which has this dual hat, if the question concerns its function in the eventual creation of a European staff, that is not its function.

Murielle Pickaert:

Yes, hello. Regarding the command structure, you said that for now there is only NATO's. A priori, there is also the rapid reaction corps, which is not a command structure, but which allows for taking command in an operation. So I was wondering to what extent the rapid reaction corps could be amplified to become a command body.

Olivier Jehin:

It's a staff function, in this case, and it's an intermediate function. A rapid reaction corps cannot constitute an entire military command structure, for example, on a continental scale. A rapid reaction corps is a structured and trained unit, but it's not an embryo of a complete structure. It has a dedicated function. It is trained and certified for precise functions: either to serve as an intermediary in the command of an operation, or to be deployed in an operation and serve as a force headquarters. I don't know if I'm making myself clear...

Jean-Paul Soyer:

Very good. Are there any other questions?

I don't see any. I have one of my own. If we look a bit at history, we realise that the capacity for defence — or rather, if we go back further, the capacity to wage war — is the result of the creation of a community, a sense of belonging, and also a will to exist. We can say, for example, that France was created by its government, by its kings. Because, at the level of the human community, it was something very diverse.

However, we don't see any of that in the European Union. We don't see any awareness, nor any will to create a true cultural community that feels it exists as such. And on the other hand, we don't see, in a crisis situation, strong decisions, a will to say: "we will take this seriously, and make enormous changes, both at the budgetary and operational levels." The Union is in a situation where it is neither the cause nor the result of a crisis. The question is therefore: what could change that? It is obvious that the European Union is not going to invade another country. But, on the other hand, we have the threats of being invaded. However, it does not seem that this is being taken seriously. So the question is: what could change things, so that the European Union takes this threat seriously?

Olivier Jehin:

I want to answer that human beings, in general, are often in denial when faced with risks and threats. No doubt many Ukrainians themselves preferred not to see the risk of a Russian invasion on the eve of 22 February. Just as, within Western European states, there was the idea that Putin would never do that — while the Poles, on the other hand, had been sure of it for at least ten years.

And I believe that's fundamentally it: **we prefer to remain in denial**. It's much more comfortable to do nothing, to believe that everything will be fine, than to take the measure of things and get organised for battle. But, despite everything, this awareness is now very strong — not only in some Eastern front countries, like Poland, but also across all the Nordic countries, for example. There is now a real awareness of the risk, of the threat that Russia, in particular, represents. And there is also, whenever Europeans are

surveyed, a very strong demand to have **more European policy in terms of security and defence**.

But then, when it comes to voting, everything happens at the national level. And in that context, everyone votes for their pension, their benefits, or other subjects — **not for defence and security**. Which perhaps also explains the attitude of politicians.

Jean-Paul Soyer:

It remains for me to thank you all, and to thank our speaker, Olivier Jehin, who was — as usual — very precise, very clear, very brilliant. I am certain that things will move, that the landscape will change, and that we will again need Olivier's insights for a future conference. Thank you all very much, and I wish you a good afternoon.



Document

Conflict in the Middle East

U4U Trade Union Statement

Not to be Silent

Why We Must Take a Stand

We, as agents of the European civil service, are concerned by the ongoing conflict in the Middle East and the atrocities that have been taking place there since 7 October 2023. These events cannot leave us indifferent.

Indeed, our profession, our mission, is European construction. A project, values that embody the overcoming of hatred between the peoples of the European continent, which has been marked by numerous wars, acts of pure barbarism, and a genocide that remains vivid in our collective memory.

The European Union is the fruit and symbol of a transcendence, of overcoming old wars and hatreds, by building together a democratic space of cooperation and solidarity. This space was founded not on concealing the past, but on a conscious and self-critical recognition of our history, without obscuring its causes and responsibilities. This European model serves as our compass and guides us. It is the only one that strongly promotes our founding values and principles, to chart a path towards peace and harmony.

Therefore, we, members of the European civil service, in the name of our history and our European identity, believe that our institutions must work, simultaneously, for:

- The immediate release of all hostages;
- Respect for the laws of war, international humanitarian law, and fundamental rights;
- The urgent delivery of humanitarian aid to civilians in Gaza;
- An immediate and permanent ceasefire, applied by all parties, as a first step towards negotiating a lasting resolution to the conflict.

We therefore call upon the Presidents and leaders of the European Institutions to act in this direction with all their strength and the means they deem useful and necessary.

It is essential to find a political solution that can shape a future for the Palestinian people, without which there can be no future, security, or peace for the Israeli people.

It is our responsibility to promote this demand for humanity and hope.

Artificial Intelligence: Opportunity or Threat for Workers and Employment?

In 1678, Jean Baptiste de Gennes presented his new machine for producing fabric "without the aid of any worker" to the French Academy of Sciences. According to legend, Queen Elizabeth already criticised the inventor for wanting to deprive workers of employment, at the risk of turning them into beggars. In the 18th century, leaders feared that unemployment generated by machines would create public disorder. In the 19th century, economists Ricardo and Marx (each independently) considered the possibility of substituting workers with machines. At the same time, textile workers destroyed the machines designed to replace them. Marx summarises the trajectory of this vision in the *Manuscripts of 1844*: "As the worker has sunk to the level of a machine, the machine can oppose him and compete with him." Nevertheless, for Marx, machines are also a potential force for the liberation of labour. This is what emerges most clearly from the "Fragment on Machines" contained in his *Grundrisse* (1857). According to the philosopher, automation "in fact, reduces to a minimum the quantity of labour necessary for the production of a determined object. This will play in favour of emancipated labour and is the condition of its emancipation."

Nevertheless, Marx's vision needs to be qualified: while it is true that machines will – partially – replace employees, there is no indication that they will contribute to the emancipation of workers. Nor is there any indication that productivity gains or the reduction of labour necessary for the production of a given object would generate a proportional benefit – in terms of wages or free time – for workers. Although workers did indeed gain free time during the 19th and 20th centuries thanks to the advent of machines, the question remains open as to the increase in productivity through AI. Productivity gains in recent decades have tended to benefit capital remuneration rather than the expansion of workers' free time.

In 2025, a great many jobs are threatened by AI automation. In its 2023 report on employment², the World Economic Forum estimates that 83 million jobs could be at risk by 2027. The IMF, for its part, estimates that 40% of global jobs are threatened. This rate could even rise to 60% in developed economies³.

On 30 January 2025, GRASPE had the opportunity to host a conference⁴ with Mr. Loïc Lerouge, Director of Research at the CNRS and a specialist in occupational health. His contribution sheds light on labour rights in the face of AI, as well as the mechanisms to be put in place to guarantee a healthy and efficient professional environment.

Firstly, the Bordeaux academic highlights the links between a digital environment that respects fundamental rights (dignity, physical and mental integrity, right and protection of health at work, etc.) and working conditions conducive to productivity and the smooth functioning of the economy.

Secondly, he reminds us that the Law already requires companies to take into account the impact of their activities on human rights, notably via the 2024 CSDD Directive⁵. However, the professor does not overlook the fact that civil society actors, social partners, associations, and others also have a role to play in raising awareness among political leaders about the need for protection against AI and digitalisation.

Furthermore, Mr. Lerouge points out the numerous risks to physical and mental health caused by digitalisation at work. For example, sedentary lifestyles promote the risk of cardiovascular diseases, obesity, and MSDs (Musculoskeletal Disorders⁶). Work overload due to digital multitasking and the simultaneous management of several tools can lead to professional burnout.

High expectations regarding productivity can exacerbate this problem.

Furthermore, digital work can **reduce face-to-face interactions**, which can lead to a feeling of **isolation**, while repeated and prolonged exposure to screens can also **disrupt sleep** and thus complicate daily work.

Finally, being permanently connected implicitly induces an injunction for responsiveness. This ties into the topic of the **right to disconnect**, which the academic also addresses: the right to disconnect consists of ensuring that employees do not receive reprimands if they do not respond to requests from their hierarchical superior during non-working hours. This also involves a dialogue between employers and social partners to establish the terms of this right to disconnect.

A Massive Destruction of Jobs...

Antonio Casilli, a professor at Polytechnique Paris and researcher at the Interdisciplinary Institute of Innovation, has extensively studied the repercussions of AI's arrival on the job market. According to the results he presents in his contribution to the book "Robots will soon replace workers," **47% of jobs in the United States** fall into the "high-risk" category⁷, meaning they could be automated fairly quickly, perhaps in the next ten or twenty years⁸.

In the same vein, the study on the future of work in Europe by the consulting firm McKinsey predicts that **51 million European workers will need to "retrain" by 2030** due to automation. The firm also identified the sectors where the percentage of jobs potentially displaced by automation is highest in Europe: **accommodation and food services (94%), arts (80%), wholesale and retail trade (68%), construction (58%), and transport and warehousing (50%)**.

² https://www3.weforum.org/docs/WEF_Future_of_Jobs_2023.pdf

³ <https://www.imf.org/fr/Blogs/Articles/2024/01/14/ai-will-transform-the-global-economy-lets-make-sure-it-benefits-humanity>

⁴ In GRASPE n 50

⁵ Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859

⁶ Musculoskeletal disorders (MSDs): pain in the neck, shoulders, back, and wrists. For example, carpal tunnel syndrome is a common condition among people who frequently use a mouse or keyboard.

⁷ Antonio A. CASILLI (2023) « Les robots vont bientôt remplacer les travailleurs. » ["Robots will soon replace workers]. In Marie-Anne Dujarier (ed.), Idées reçues sur le travail, Paris: Le Cavalier Bleu Éditions, pp. 181-186

However, according to another study by the World Economic Forum, the coming years should also bring substantial job growth on other fronts, with approximately **69 million new positions**. These creations would, however, be accompanied by a greater destruction, with **83 million jobs destroyed**. The net balance would therefore be a negative **14 million positions**.

Still according to the same study, these jobs are expected to be **unevenly distributed**, meaning that **40% of European workers could find themselves in regions where the labour market is shrinking**⁸. Regarding forecasts on AI use, **75% of companies surveyed** in the World Economic Forum study state they are already using or plan to use AI. Among them, **50% believe that AI will generally create jobs, and 25% believe it will destroy them**⁹.

The table produced by McKinsey, included in the appendix, shows that job creations generated by AI might seem balanced with job destructions, but it's clear that very few jobs will have a zero-sum game. Furthermore, it's clear that the jobs created generally require **higher qualifications** than the jobs destroyed. This raises a number of questions regarding the evolution of the labour market and the development of worker training.

The arrival of AI in the labour market will have a **differentiated impact on social categories**, but workers in **lower-skilled jobs** and those in **routine or repetitive roles** are often cited among the most vulnerable. These employees are mainly found in sectors such as **catering, manufacturing, administration, and services**, where tasks can be easily automated by AI and digital technologies.

The report also indicates that roles such as **administrative secretaries, data entry clerks, and accountants** are among the most threatened by job disappearance, reinforcing the idea that less advantaged social categories, often employed in these types of positions, will be more severely affected by AI-induced changes.

Moreover, sectors such as **care and personal services**, which are often filled by workers from more modest social categories, are expected to be less impacted due to the nature of these jobs, which require human skills that are more difficult to automate. Thus, the social categories most affected by job destruction due to AI will primarily be those dependent on low-skilled, routine, and automatable jobs.

However, not all skilled jobs are safe: **radiologists, financial analysts, accountants, lawyers, translators/interpreters**, and many others are also at risk of being replaced. Furthermore, these are significant and numerous positions within European institutions.

...To Be Qualified?

In 2020, before the health crisis, countries with the highest automation rates (Japan, Singapore, South Korea) had the lowest unemployment rates among the G20¹⁰. However, a multitude of indicators can influence these rates, so caution is advised when considering this argument.

In the **17 most industrialised countries**, the Institute for the Study of Labor (IZA) at the University of Bonn found **no significant effects of multi-functional industrial robots on overall employment** in terms of reducing the total number of hours worked. If the number of hours actually worked does not decrease, this means that the introduction of intelligent robots does not generate the expected productivity gains, or that these gains are offset by the development of new forms of production. On the contrary, the **overall productivity growth rate is collapsing**. In this situation, more staff are needed to produce the same economic results¹¹.

⁸<https://www.mckinsey.com/~media/mckinsey/featured%20insights/future%20of%20organizations/the%20future%20of%20work%20in%20europe/mgi-the-future-of-work-in-europe-discussion-paper.pdf>

⁹ https://www3.weforum.org/docs/WEF_Future_of_Jobs_2023.pdf

¹⁰ Antonio A. CASILLI (2023) « ["Robots will soon replace workers]. In Marie-Anne Dujarier (ed.), Idées reçues sur le travail, Paris: Le Cavalier Bleu Éditions, pp. 181-186.

¹¹ Antonio A. CASILLI (2023) « Les robots vont bientôt remplacer les travailleurs. » ["Robots will soon replace workers]. In Marie-Anne Dujarier (ed.), Idées reçues sur le travail, Paris: Le Cavalier Bleu Éditions, pp. 181-186.

Finally, as early as **1980 in the United States**, the introduction of ATMs in the banking sector did not lead to the disappearance of bank employees but to a transformation of their activities. The number of ATMs increased from 100,000 to 400,000 in a few decades, but the number of tellers remained stable. The explanation lies in the fact that with ATMs, fewer employees were needed to run a branch, which encouraged the opening of more branches (+43% in the United States between 1990 and 2020). It was therefore the **economic expansion of the sector that allowed jobs to be sustained**¹².

To some extent, therefore, jobs don't disappear; **they transform**.

What Role for Trade Unions in This Transformation of Work?

The automation of tasks will make certain professions obsolete and radically change the skills sought in the labour market. **Trade unions will play a crucial role** in representing workers during this transition, while influencing the pace of AI integration into the workplace. It's conceivable to work towards subordinating this pace to social needs rather than economic ones. This representation can take two parallel strategies:

Resistance Against Hasty Implementation

In the face of the true revolution awaiting the world of work and workers, it is not inevitable that all areas potentially colonisable by AI must actually be so. While some particularly arduous jobs might disappear, there are also professions where we might consider that AI has no place. For example, facing this threat to Hollywood cinema, US actors fought to preserve their rights and obtained (temporary, one might fear) guarantees regarding restrictions on AI use in Californian productions.

Thus, certain professions can be defended to **slow down the implementation of AI** in production methods and limit the replacement of humans. A gradual and partial replacement of the human workforce by machines would be a condition for considering a cohabitation beneficial to workers. That said, this is a topic that needs to be addressed today, because the more time AI is given to establish itself, the more complex it will be to backtrack.

To do this, it is necessary to **study the most impacted sectors precisely** and develop struggle strategies according to the targeted sector, in order to activate the appropriate levers for each case.

Adaptation to Changes

The introduction of AI could modify power relations within companies. Trade unions will need to be vigilant to ensure that workers have a voice in decisions concerning AI implementation. This can, for example, lead to opposition to redundancies and advocate for AI replacement during retirements. Furthermore, automation could increase job insecurity for some workers. Trade unions will need to **fight to guarantee job security and decent working conditions**.

Given the number of "reskilling" efforts to come, trade unions will have a fundamental role in negotiating to obtain **training and professional retraining** according to employee needs.

This will also involve a **re-evaluation of job classifications and collective agreements**. Trade unions will need to integrate these new professions into their structures and demands. Moreover, AI could exacerbate inequalities between skilled and unskilled workers. It will therefore be necessary to **fight for the reduction of these inequalities**, by advocating for continuous training and inclusion policies.

Furthermore, the use of AI in the workplace raises **ethical questions**, particularly regarding surveillance and privacy. Social partners will need to ensure that workers' rights are protected in the face of these new technologies.

¹² Antonio A. CASILLI (2023) « Les robots vont bientôt remplacer les travailleurs. » ["Robots will soon replace workers]. In Marie-Anne Dujarier (ed.), *Idées reçues sur le travail*, Paris: Le Cavalier Bleu Éditions, pp. 181-186.

However, AI could well offer new opportunities for trade unionism, for example by **using digital tools to improve communication and organisation of workers**. Adapting to these new technologies will be important to benefit from them and maximise their benefits. Using these technologies will also be a way to take control of them, monitor their developments, and potentially participate in shaping them.

Finally, trade unions are not the only ones with room for manoeuvre. States can also adapt by, for example, establishing a **tax on production made using artificial intelligence**. Thus, the additional cost would allow for a slowdown in the replacement of humans via a more competitive "labour" cost. This tax could then be used in sectors that require significant investment for the transition and to support the workers concerned: for example, making the proceeds of this tax available to pension funds so that machines, which would occupy jobs previously filled by humans, contribute to rebalance the deficit generated by the reduction in the number of workers.

In conclusion, the integration of artificial intelligence into the labour market presents both **significant opportunities and challenges**. While AI can automate certain tasks and increase productivity, it also **threatens numerous jobs**. Studies show that millions of positions could be affected in the coming years, implying a need for **rapid adaptation of skills and training**. However, history teaches us that technological innovation doesn't necessarily lead to a net destruction of jobs, but rather to a **transformation of roles and skills**. Trade unions and policymakers will play a **crucial role in managing this transition**, ensuring that workers' rights are protected and that the benefits of AI are equitably distributed. It is essential to adopt a **proactive approach** to anticipate these changes and guarantee a fair and sustainable future of work.

Artificial Intelligence, Democracy, and Public Debate

Artificial intelligence (AI), which is infiltrating our lives, institutions, production methods, and decision-making processes, has until now remained outside the reach of popular sovereignty. AI is appearing in numerous areas without citizens having been consulted. While global leaders, from Emmanuel Macron to Donald Trump and Ursula Von Der Leyen, are already anticipating weak regulation, the impacts of AI don't seem to be getting the debate they deserve.

AI's Growing Presence Across Many Domains

Artificial intelligence has countless uses. The general public is now familiar with generative AI, whether it produces text, images, videos, or music, but this represents only a tiny fraction of what AI is capable of. Society also benefits from the work of many AIs without necessarily knowing it. In **healthcare**, AI can assist in diagnosis, scientific research, and designing individualised treatments for each patient. In **finance**, it's a formidable tool for advice, risk assessment, and fraud detection. We also find AI in **autonomous vehicles** and **traffic management**, in **logistics**, on **production lines**, in **agriculture**, **meteorology**, and so on.

AI is also used for **security and defence purposes**. Video surveillance, cybersecurity, and autonomous combat robots are all areas heavily invested in by AI. In the United States, artificial intelligence has been used as a **predictive policing tool** for the past 10 years.

Significant Consequences That Merit Public Debate

While some of these uses appear beneficial for society, others are not straightforward and **deserve to be questioned through public debate**. For example, in **video surveillance**, AI can be used to enhance mass surveillance, particularly through video

processing in public spaces. Technologies like **facial recognition** and the **analysis of personal data** can be deployed without explicit consent, thereby threatening individual liberties. In the **artistic field**, the unlimited creation of photo, video, and musical content represents unfair competition for human productions. Video editors, film dubbers, and digital graphic designers are already suffering from this competition. In 2023, Hollywood actors effectively used their bargaining power during a 4-month strike to defend their **right to consent, their right to work, and fair remuneration**¹³.

However, many less exposed professions are also threatened, such as translators, cashiers, and administrative assistants. In its article of 29 October 2024, the World Economic Forum estimated through a study that "83 million jobs could be threatened by 2027"¹⁴ worldwide. The question of work, after that of threats to democracy, remains to be addressed.

AI Issues Still Beyond the Reach of Citizens

Thus, before adopting or condemning a possible use of AI, it seems natural for any self-respecting democratic regime to **involve citizens in the regulation process**. However, we observe that issues related to artificial intelligence are hardly in the hands of the public.

In 2021, for example, the **National Commission for Public Debate (CNDP)** in France regretted¹⁵ that the establishment of data centres – which raise a number of questions regarding environmental standards – had not been the subject of a public debate. In the same report, the CNDP recommended that the government organise some form of **consultation on the use of big data**.

These investments might raise questions among French citizens when their representatives are, at the same time, adopting a budget that cuts tens of billions of euros from public service investments.

Leaders, Listening to Industry, Reluctant to Regulate AI

When it comes to AI regulation, citizens don't seem to be consulted any more either. Although the French President continues to advocate for "international AI governance," he stated at the Paris AI Summit in February 2025 that he had "heard the message of investors"¹⁶ and insisted that "we must not regulate before innovating, otherwise we will cut ourselves off from innovation."¹⁷ This viewpoint seems to be shared in Europe. Also in February 2025, the President of the European Commission, Ursula Von Der Leyen, proudly announced **€200 billion in AI investment in Europe**. At the same time, a draft directive on liability for artificial intelligence was withdrawn from the European Commission's work programme¹⁸. The EU seems inclined towards a pro-business turn regarding AI, despite the risks posed by a deregulated AI industry.

Across the Atlantic, Donald Trump shows no more regulatory inclination. His Vice President, J.D. Vance, used his visit to the Paris summit to warn Europeans against "excessive regulation" that would inevitably harm "progress."¹⁹ More ambitious than the Europeans, Trump announced a **\$500 billion AI investment plan** as early as January.

¹³ RTBF, "Hollywood : de nouvelles restrictions sur l'utilisation de l'IA grâce à la grève des acteurs", 17 novembre 2023, URL : <https://www.rtbf.be/article/hollywood-de-nouvelles-restrictions-sur-l-utilisation-de-l-ia-grace-a-la-greve-des-acteurs11285388>

¹⁴ Euronews, "Les emplois européens en danger : quels sont les secteurs les plus menacés par l'automatisation ?", 29 octobre 2024, URL : <https://fr.euronews.com/myeurope/2024/10/29/les-emplois-europeens-en-danger-quels-sont-les-secteurs-les-plus-menaces-par-lautomatisation>

¹⁵ Site de la CNDP, "Favoriser la participation du public - Recommandation de la CNDP (data center, 5G)", 17 janvier 2022, URL : <https://www.debatpublic.fr/favoriser-la-participation-du-public-recommandation-de-la-cndp-data-center-5g-718>

¹⁶ L'Echo, "Comment Emmanuel Macron veut investir 109 milliards pour développer l'IA en France", URL : <https://www.lecho.be/dossiers/intelligenceartificielle/comment-emmanuel-macron-veut-investir-109-milliards-pour-developper-l-ia-en-france/10586912.html>

¹⁷ 7BFMTV, IA: Emmanuel Macron annonce 109 milliards d'investissement en France "dans les prochaines années", 9 février 2025, URL : https://www.bfmtv.com/tech/intelligence-artificielle/ia-emmanuel-macron-annonce-109-milliards-d-investissement-en-france-dans-les-prochaines-annees_AN202502090424.html

¹⁸ La Croix, "Intelligence artificielle : à Bruxelles, l'heure est à l'allègement de la régulation", 18 février 2025, URL : <https://www.la-croix.com/societe/intelligenceartificielle-a-bruxelles-l-heure-est-a-lallegement-de-la-regulation-20250218>

¹⁹ Le Monde, "Intelligence artificielle : Ursula von der Leyen annonce 200 milliards d'euros d'investissements en Europe", 11 février 2025, URL : https://www.lemonde.fr/international/article/2025/02/11/intelligence-artificielleursula-von-der-leyen-annonce-200-milliards-d-euros-d-investissements-eneurope_6541891_3210.html

The race seems to be officially on, and the European Union risks struggling to keep pace with US investments.

However, the stakes are high for Europeans: the construction of European sovereignty over AI begins today.

Without regulation, societies leave themselves vulnerable to all the threats posed by AI. Here's a non-exhaustive list of the risks artificial intelligence poses to the democratic functioning of societies.

On the Functioning of Democracy Itself

AI can be used by governments to **centralise power and weaken the mechanisms of checks and balances** between different branches of government. Furthermore, large technology companies that possess AI technologies can exert a **disproportionate influence on political and economic decisions**. This is reflected today in political discourse claiming that regulating AI would stifle innovation.

On Voting

The primary risk lies in the **manipulation of public opinion through mass disinformation**. For example, the use of bots on social media to spread false information and influence elections. During the 2016 US presidential elections, bots were used to disseminate disinformation and manipulate public opinion, notably on Facebook²⁰, in what is now known as the **Cambridge Analytica scandal**²¹. This scandal also highlighted violations of fundamental rights regarding the personal data of millions of Facebook users.

Political campaigns can use AI technologies to **target political advertisements with extreme precision**, thereby influencing elections. For instance, during the Brexit referendum, campaigns used personal data to target voters with personalised messages.

On Individual Liberties and Privacy

AI can be used by governments to **surveil citizens, political opponents, or activists**, which infringes upon their freedom of expression and their ability to participate fully in democratic life.

AI can also **collect and analyse massive amounts of personal data**, which threatens citizens' right to privacy. For example, in China, the social credit system uses AI to monitor and evaluate citizen behaviour, which can then be used to restrict their freedoms.

On Political Equality and Discrimination

As mentioned earlier, there's a considerable risk of **reproducing or amplifying biases** that lead to inequality in access to information and public services. AI can also be used to **reduce freedom of expression and information by censoring online content**.

However, a broader problem arises with cases of **discriminatory AI**. AI systems can reproduce and amplify biases present in training data, leading to discriminatory decisions. This can affect fairness in areas like criminal justice, employment, and social services. Numerous examples have been revealed by the press. As early as 2016, the US media outlet ProPublica published an article²² accusing the **Compas tool** of being biased. This tool is part of correctional policy and is supposed to estimate an individual's risk of re-offending. Facing the problem of bail disadvantaging the poor and the problematic prison overcrowding across the Atlantic, this system for analysing

²⁰ Le Monde, "Accusé d'avoir influencé l'élection américaine, Facebook se défend, 11 novembre 2016", URL : https://www.lemonde.fr/pixels/article/2016/11/11/accuse-davoir-influence-l-election-americaine-facebook-se-defend_5029769_4408996.html

²¹ Le Monde, "Ce qu'il faut savoir sur Cambridge Analytica, la société au cœur du scandale Facebook", 22 mars 2018, URL : https://www.lemonde.fr/pixels/article/2018/03/22/ce-qu-il-faut-savoir-sur-cambridgeanalytica-la-societe-au-c-ur-du-scandale-facebook_5274804_4408996.html

²² <https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing>

probabilities of flight and dangerousness appeared more objective than judges' decisions. However, the study conducted by ProPublica claims that the Compas tool is biased and disadvantages Black individuals. Nine years later, the problem hasn't been resolved: on **10 February 2025, Amnesty International condemned the fact that these predictive policing systems, still used in the US, target Black individuals twice as often as others.**

The same biases have been denounced concerning the processing of police video surveillance by AI. **Individuals from ethnic minorities are invariably discriminated against.**

In the case of video processing, the problem primarily lies with the **training models**. AI systems receive a very large number of faces to learn to recognise features from different angles.

However, in Western societies, the majority of these faces used for training correspond to the **Caucasian type**, leading to a relative lack of AI knowledge regarding the faces of non-white individuals. In the case of the **Compas tool**, conversely, the AI is "fed" with numerous sources. These human-produced sources contain many **biases that are then (unintentionally) transmitted to the AI**. Thus, by feeding it our biases, the AI internalises and reproduces them through the responses it provides. In their article²³, Winston Maxwell and Valérie Baudouin reported experiments in American universities where AI associated **pejorative adjectives with Black individuals**, while associating white individuals with a lexical field related to purity.

On the Rule of Law

Decisions made by AI systems can be **opaque and difficult to understand**, making it challenging to hold institutions and individuals accountable. Autonomous AI systems can make decisions without human oversight, raising questions about legal and ethical responsibility. AI algorithms can be "black boxes" whose functioning is difficult to understand and audit. It can be hard to determine who is responsible for decisions made by AI systems, especially in cases of harm or error. Without accountability in political decisions, the **foundations of democracy are weakened**.

On Information

AI algorithms can create **online "echo chambers" (also called "filter bubbles")**, where users are only exposed to information confirming their pre-existing opinions, which reduces the diversity of viewpoints. Large technology platforms can control access to information and thus limit the pluralism of media and opinions. For example, Facebook's algorithms can primarily show content that matches users' political opinions, thereby depriving them of different perspectives. Worse still, on X (formerly Twitter) and Meta platforms, namely Facebook and Instagram, a practice called **shadowbanning** involves platforms censoring certain content by disadvantaging its appearance in users' feeds. In February 2024, Médiapart revealed²⁴ that many supporters of the Palestinian cause are subject to this invisibility on social networks.

Conclusion

Facing these threats, it is **imperative to rethink our approach to artificial intelligence** to ensure that its development and use are aligned with democratic values. It is crucial to **engage in open and inclusive dialogue with citizens**, in order to collectively define the necessary limits and safeguards to protect our fundamental freedoms. Policymakers and citizens alike must recognise the urgency of this situation and act proactively to establish **balanced regulation** that encourages innovation while preserving individual rights and freedoms.

²³ DOI: 10.3917/res.240.0071

²⁴ Médiapart, "Les soutiens à la Palestine tentent de contourner la censure des réseaux sociaux", 3 février 2024, <https://www.mediapart.fr/journal/international/030224/lessoutiens-la-palestine-tentent-de-contourner-la-censure-des-reseaux-sociaux>

Reading Comprehension Sheet

Artificial Intelligence and Social Dialogue

Source: Observatoire du dialogue social – Fondation Jean Jaurès

1- Why integrate AI into social dialogue?

The integration of artificial intelligence (AI) into the world of work is profoundly disrupting working methods and re-distributing tasks between humans and machines. This transformation impacts the distribution of skills, raises questions about the role of humans, and generates legitimate concerns about employment and working conditions. For trade unions and employee representative bodies, it is therefore essential to understand these changes in order to support workers and defend their rights. AI is no longer limited to repetitive tasks or manual trades; it is now entering intellectual professions (writing, summarising, analysing), which increases its potential impact on job security and production quality.

This upheaval also raises fundamental questions about the **mental and physical health of employees**, with a risk of work intensification or cognitive overload. Furthermore, **algorithmic biases** (gender, age, disability) demand increased vigilance to prevent discrimination. The question of **sharing productivity gains** is also central: AI creates value, but how will this be redistributed between employees and companies? This sharing must not result in work intensification or precarious employment.

Finally, AI raises major issues of **data protection and digital sovereignty**. Through social dialogue, it is therefore essential to establish a shared social norm that allows for the regulation of AI integration in the service of social progress and decent work.

2- How to organise social dialogue around AI?

Organising effective social dialogue around artificial intelligence (AI) first requires **bringing this technology out of clandestinity** to allow all stakeholders to fully grasp it. It's not about treating AI as just another subject, given its cross-cutting impact and how it disrupts traditional work balances. To achieve this, trade unions, employers, and employees must be **trained and supported** to understand the actual uses of AI in the company and to discuss them collectively. A **framework of trust** must be established that allows employees to use AI without fearing that every mistake will be held against them, while clarifying the division of tasks between human and machine. This approach involves adapted **Job and Career Management (GEPP)**, making it possible to redefine the necessary skills and anticipate the training to be put in place. Social dialogue must also include reflection on the **life cycle of AI systems** — from design to operation, including validation and monitoring — to avoid disorganised integration and sources of tension. Social partners must thus agree on the **regulation of uses** (for example, choice between "weak" AI and a Large Language Model (LLM)) and jointly define the conditions for deploying tools, while ensuring data security and preventing biases. Finally, a social dialogue worthy of the name must ensure that AI is a tool serving collective progress, and not a factor of precariousness or social division.

3- How to make this social dialogue successful?

To succeed in social dialogue truly commensurate with the challenges posed by artificial intelligence, it is essential to create conditions conducive to an informed and balanced negotiation. This begins with **transparency of the objectives pursued by companies**: why integrate AI into a particular service or profession, and for what purposes? Such clarity is essential to alleviate fears and enable employees and their representatives to understand the concrete impacts. It is also crucial to **allow sufficient time for the social dialogue process**, as the life cycle of an AI system — from design to evaluation, including data collection and deployment — is complex and requires rigorous testing and validation phases. Social partners must be able to debate the consequences of AI on working conditions (organisation, health, working hours), on bias prevention, on the distribution of productivity gains, and on the protection of personal and professional data.

Particular attention must be paid to the **environmental impact of AI**, given the energy consumption and resources required for its operation. Finally, the success of this social dialogue depends on the **digital training and acculturation of workers**, to enable them to be actors in this technological transition and not merely endure it. This is why trade unions and employer organisations must demand massive support through a national training plan and adapted collective agreements.

4- The EU's role in the establishment of AI

For social dialogue to truly meet the challenges of the artificial intelligence revolution, it is essential to **reframe the issue at the European level**. Indeed, given the rapid deployment of AI, often dictated by non-European actors, the European Union must mobilise **massive investments** to catch up in technological development. This collective effort is essential to preserve our strategic autonomy and avoid increased dependence on imported technological solutions. A **major European investment plan** must therefore support research, development, and the industrialisation of AI solutions adapted to our values and needs, while supporting businesses of all sizes, particularly SMEs and VSEs, which are often less equipped to meet these challenges. This European financial support must be articulated with **strengthened social dialogue**, which allows social partners to be involved at every stage of AI integration: from defining needs to concrete implementation methods in companies. It is under this condition that Europe will be able to define its own standards in terms of ethics, data protection, and environmental impact, while remaining competitive on the international stage. Trade unions reiterate that only ambitious and concerted European coordination will make it possible to build a solid framework for AI that serves technological sovereignty and respect for workers' rights, while ensuring balanced regulation between innovation and social protection.

5- What differentiates AI from previous technological revolutions

This technological revolution driven by artificial intelligence clearly stands out from previous ones due to its **scale, speed, and profoundly transversal nature**. Unlike other waves of innovation that often affected specific industrial sectors, AI is now integrated diffusely and sometimes chaotically into all economic and social activities, including those traditionally considered protected from automation, such as intellectual professions. Its rapid adoption is particularly favoured by widespread digitalisation, which leaves little time for workers and businesses to adapt calmly, thus generating increased risks of disorganisation and tensions over skills and work organisation. Moreover, AI is an **evolving and constantly changing technology**, making continuous monitoring of its impacts on productivity, work quality, and data security necessary. Its ability to learn and improve continuously, sometimes autonomously, also disrupts traditional benchmarks for regulation and responsibility. Finally, its often **informal or clandestine integration** into organisations further complicates the assessment of risks and benefits, making increased vigilance from social and economic actors indispensable. These specificities make AI an unprecedented challenge for social dialogue and collective regulation, forcing companies and trade unions to rethink their governance methods and support tools to control its effects while making the most of it.

Conclusion

Ultimately, the integration of artificial intelligence into the world of work constitutes a major turning point that forces a rethinking of the modalities of social dialogue. At the crossroads of industrial and digital revolutions, AI is not just another technology: it profoundly transforms professions, organisations, and relationships between employees and employers. This transformation requires a **collective, transparent, and anticipatory approach**, mobilising all social dialogue actors around questions as varied as the redistribution of productivity gains, the prevention of algorithmic biases, data protection, and environmental impact. In this context, social dialogue must be **strengthened and broadened**, not only within companies but also at the level of professional branches and European bodies. Because only a shared vision of AI — co-constructed between employers, employees, trade unions, and public authorities — will make it possible to lay the foundations for controlled and sustainable technological development. Finally, **digital education and continuous training** appear as indispensable levers to enable workers to exercise critical and informed judgment on AI, and for this transformation to be understood, supported, and mastered. More than a technical issue, AI is a true democratic challenge that calls for a social dialogue that is both ambitious and pragmatic.

Here's the reading comprehension sheet for "Chat GPT, an intelligence without thought?" translated into UK English:

Reading Comprehension Sheet

ChatGPT, an intelligence without thought?

Hubert Krivine, "ChatGPT, an intelligence without thought?", 2025

"We make science with facts just as we build a house with stones. But an accumulation of facts is no more science than a heap of stones is a house." — Henri Poincaré

In his work, "ChatGPT, an intelligence without thought?", Hubert Krivine explores the concepts of intelligence and thought through the lens of artificial intelligence, particularly ChatGPT. The author poses a provocative question right from the introduction: **how can an entity be intelligent without thinking?** This question serves as the starting point for a meticulous exploration of the nuances and complexities inherent in these two often interchangeably used concepts.

The author specifies that the book is written by a non-expert in AI, which can bring a fresh and less biased perspective. He announces that the book will contain more questions than certainties and will address various themes such as thought, intelligence, and the societal impacts of AI. This humble and open approach invites the reader to actively participate in the reflection and to question their own conceptions of intelligence and thought.

Intelligence and Thought

Definition and Distinction

The book begins by broadening our understanding of intelligence, defining it as the **ability to solve problems**, a faculty shared by all living beings. It proposes to clearly distinguish between intelligence and thought, the latter being a **shifting, anarchic, and non-hierarchical universe** that concerns reasoning, dreams, desires, intuition, curiosity, and other non-quantifiable subjects. The author highlights that thought can be divided into several meanings: thought linked to memory and forgetting, deep thought linked to understanding and reasoning, and thoughts as a breeding ground for an infinite number of ideas. This complexity makes thought difficult to define precisely, which explains why there is abundant literature on artificial intelligence, but very little on what "artificial thought" would be.

Intelligence in Living Beings

Through examples drawn from the animal and plant kingdoms, Krivine demonstrates that **intelligence is not exclusive to humanity**. This perspective leads us to question traditional conceptions of intelligence, often limited to an anthropocentric view. By criticising the creationist view of "intelligent design", the author encourages us to view intelligence as an **emergent phenomenon**, resulting from evolution and adaptation, rather than as the product of a supernatural will.

He cites the example of animals and plants practically solving their survival problems, which proves that intelligence is a capacity shared by all living beings. He also stresses that human intelligence is the product of Darwinian development, marked by sexual reproduction and natural selection, which has produced remarkable but difficult to artificially reproduce results.

Artificial Intelligence and its Limits

ChatGPT and its Capabilities

The author describes ChatGPT as a language model based on the GPT architecture (predictive models), capable of understanding and generating text in a coherent and contextual manner. This technology, although impressive, raises fundamental questions about the nature of thought and intelligence. Krivine points out that ChatGPT functions by recognising structures in textual data, but he warns against the limits of this **inductive approach, which seems to prohibit any original creation**.

ChatGPT is described as a language model that has been trained on a wide range of textual data from the Internet, allowing it to understand and generate text in a variety of styles and formats. It can answer questions, participate in conversations, write texts on a multitude of subjects, translate languages, and much more, by imitating the way humans would write or speak. However, the author highlights that this ability to generate coherent and contextually relevant text relies on its training to recognise patterns in the textual data it has analysed, which **limits its capacity to produce truly original responses**.

The "Black Box"

One of the central issues addressed by Krivine is that of the "**black box**," where the machine's decision-making process is not explicit. This opacity raises ethical and practical questions about the use of AI. The author emphasises the dangers of using ChatGPT without understanding its operation, as this can create the **illusion of human interaction**. This illusion, though appealing, can lead to misunderstandings and errors, particularly in areas where precision and reliability are crucial.

The professor reminds us that AI primarily operates in an **inductive mode**, meaning it attempts to predict the new from the old, which seems to prohibit any original creation. He also highlights the problem of the "black box," where the path taken by the machine to reach a result is not explicit. This opacity can lead to surprisingly accurate and interesting results, but also to absurdities, as AI is indifferent to the truth of its assertions and adapts them to its interlocutor.

Induction and its Limits

Krivine explores the **limits of induction**, which consists of generalising from particular cases. While induction is useful in everyday life, it is **insufficient for scientific research**, which requires explanatory and predictive theories. The author quotes Einstein to illustrate this idea: "No inductive method can lead to the fundamental concepts of physics." Induction is limited by the fact that it cannot anticipate rare and unpredictable events that play a crucial role in evolution and science.

The author points out that induction is widely used in daily life because most processes generally evolve continuously. However, in science, **induction cannot anticipate the rare and unpredictable events** that play a crucial role in evolution and science. For example, financial crises, pandemics, and natural disasters are rare events that cannot be predicted by simple extrapolation of past data. Krivine explains that AI, and particularly ChatGPT, primarily operates through induction, which means it is **limited in its ability to innovate and make revolutionary scientific discoveries**. He emphasises that AI can be useful for analysing data and identifying correlations, but that it cannot replace the **hypothetico-deductive method**, which consists of formulating hypotheses and testing them experimentally.

AI and Scientific Creation

The Intelligent Exploitation of Data

Krivine reminds us that **data alone is not sufficient to build a scientific theory**. He quotes Poincaré to illustrate this idea: "We make science with facts, just as we build a house with stones. But an accumulation of facts is no more science than a heap of stones is a house." Observations and data can generate new ideas and contradict existing theories, but they cannot replace theoretical work.

The author gives the example of Galileo, who discovered the moons of Jupiter through his observations but also formulated revolutionary theories about planetary motion. He emphasises that observations are specific data that are guided by human will and always linked to context, unlike the use of big data which generally does everything to decontextualise them.

Discovery or Invention

Hubert Krivine explores the distinction between **discovery and invention**. Some discoveries, like those of Galileo or Christopher Columbus, consist of revealing a pre-existing reality. In contrast, scientific theories, such as the theory of relativity, are **inventions** that can be surpassed and replaced by new theories. The author highlights that ChatGPT can invent "hallucinations," but it **cannot formulate new scientific theories**. This demonstrates the limits of AI in the field of scientific creation.

Krivine cites the example of the theory of evolution, which revolutionised our understanding of life, and the theory of relativity, which allowed for the prediction of black holes and gravitational waves. He stresses that these theories were formulated using the hypothetico-deductive method, which allows for transcending the limits of induction by proposing theories that go beyond existing data.

Societal and Ethical Implications

AI and Education

The physicist discusses the implications of AI for **education**, stressing that ChatGPT can **obstruct the ways in which humans come to understand things**, by providing ready-made answers and discouraging reflection and learning. He underlines the need to adapt teaching methods to account for ChatGPT's shortcomings and to encourage critical thinking and reflection.

The author explains that ChatGPT can be used as a marvellous typewriter whose typist is unknown, but that it cannot replace the theoretical work of scientists. He points out that AI can be useful for analysing data and identifying correlations, but that it cannot formulate new scientific theories, which limits its usefulness in the field of scientific creation.

Ethical and Practical Challenges

Hubert Krivine addresses the difficulties and challenges posed by AI, particularly concerning **responsibility, morality, and the distinction between correlation and causation**. He points out that AI exacerbates more general problems that human thought still faces, such as the confusion between correlation and causation, and the cultural biases conveyed by society. The author also highlights the ethical and practical challenges posed by AI, notably concerning **dehumanisation and the loss of the doctor-patient relationship**.

He cites the example of autonomous cars, which are equipped with numerous sensors and navigation systems, but which struggle to anticipate unpredictable situations and make ethical decisions in the event of an accident. He emphasises that automatic driving on roads is far more complex than driving on rails, as it requires constant interaction with a dynamic and unpredictable environment.

AI can be used for telemedicine, but this can lead to the **loss of the doctor-patient relationship**, which is essential for diagnosing and treating illnesses. He stresses that a medical consultation is not limited to biological data that can be perfectly analysed by AI, but also involves contact and exchange with a flesh-and-blood doctor, which contributes to the effectiveness of the examination.

Conclusion

This book offers a deep and nuanced reflection on the **limits and potentialities of AI**, particularly ChatGPT. Hubert Krivine invites the reader to question the philosophical, ethical, and practical implications of this technology, while emphasising the need to understand its limitations and challenges.

The author concludes by synthesising the reflections and analyses presented throughout the work, and by highlighting the need to reflect on the political and ethical choices posed by AI. He stresses that AI can be useful in many areas, but that it cannot replace the theoretical work of scientists and the critical thinking of humans. This work invites the reader to consider new possibilities for the future of AI, while remaining aware of its limitations and challenges.

"The Rule of Law in the European Union: What State is it In?"

Meeting with Luis Romero Requena, former Director-General of the Legal Service of the Commission with Catherine Vieilledent, Secretary-General of the UEF Europe Group

20 February 2024, Brussels

The meeting is co-organised by the UEF Europe Group and the Think Tank on the Future of the European Public Service (GRASPE), to discuss the rule of law. We thank the Central Library of the Commission for hosting us this evening.

Introduction by the Moderator, Catherine Vieilledent (Secretary-General of the UEF Europe Group)

We have doubts about the permanence of consensus on principles considered established, such as democratic institutions, the separation of powers, and the independence of the judiciary or the media. Several member states have stated that the rule of law is not a matter for the EU. I will not speak about a country I know well, on the occasion of the vote on the immigration law, several provisions of which were censored by the Constitutional Council. Some extreme parties spoke of a "rule of law coup d'état." We have entered a strange phase of internal attacks against institutions, questioning the European Court of Justice, and criticising judges who want to govern the world. The Court of Justice, fortunately, has provided clarifications.

But without going any further, I want to give the floor to Luis Romero Requena, whom I will remind you came from the Spanish Ministry of Finance before working at the Directorate-General for Environment, then for budgets, first for resources, then for expenditures, before heading the Legal Service of the Commission from 2009 to 2020. He therefore experienced firsthand the muscular dialogue that began in 2018 between the Union and certain member states that challenged the primacy of Union law.

Hello everyone,

When I started talking about the issue of the rule of law, it wasn't possible to discuss it internationally. Today, it is, especially if we remember that in **January 2021**, a mob attacked the US Congress to question the results of democratic elections. The Union was conceived as a legal construct, and the treaties drafted by diplomats, thus by gentlemen. When the officials responsible for applying them are not gentlemen, the situation becomes complicated.

Three types of arguments are used to justify the defence of the rule of law at the European level: **common values** (fundamental rights, democracy, rule of law), the **mutual trust of judicial systems** that allows for cooperation between them, and the

promotion of the rule of law in our external policies when our partners are not democracies. Without a consolidated rule of law in all member states, the Union as we know it will no longer exist, because in the treaties, the only means available to ensure the uniform application of Union law are infringement procedures and preliminary rulings. When I started at the Legal Service, the volume of infringement procedures was decreasing, but there was a strong increase in preliminary questions (PQs), which meant that European law was percolating down to grassroots judges. Without the rule of law, without the independence of the judiciary, we can forget PQs. A judge whose career depends on it or whose actions are subject to internal review will cease to introduce such questions.

How did we get here? If I had given this presentation three years ago, I would have been more pessimistic. After years of procrastinating and wanting to ignore the problem, the impression was that the seriousness of the situation was not understood, that the institutions were not ready to seriously address the problem. Finally, that the budgetary instrument, even if it can be very useful, cannot alone become the solution to the problems posed by non-compliance with the rule of law.

Today, that has changed. The Commission has set up a panoply of instruments; for the first time, the "bad guys" are in trouble.

The repressive paragraph of **Article 7 TUE** comes from the Amsterdam Treaty, while the preventive paragraph, which gave more power to the Commission, comes from the Nice Treaty. In the meantime, Mr. Haider's far-right party had entered government in Austria and, despite a political reaction from European governments, the institutions did not have the appropriate means at their disposal to react. Nothing could be done, apart from suspending political dialogue, because there had been no violation of the rule of law. The preventive paragraph was added to Article 7. Following this, the Commission, in a 2003 communication, concluded, with enormous naivety, that henceforth the institutions had the means to guarantee respect for the rule of law in all member states.

Following a controversy that arose in **2010** and reached considerable proportions, between the French authorities and the responsible member within the Commission, President Barroso decided that the **Legal Service would be the "lead service" on the issue of respect for the rule of law**. I should have understood already in 2009 that the invitation of the President of the Republic of Hungary by the Hungarian minority in Slovakia, whose entry into its territory had been prohibited by Slovakia, was a first warning of what was to come later. The Hungarian authorities went before the Court of Justice on the basis of the free movement of persons, but obviously other rules apply in this specific case. Hungary logically lost in the infringement procedure attempted against Slovakia on the basis of **Article 259 TFEU**.

It was American visitors, academics, who first alerted me to the situation in Hungary, and very quickly, a first group of infringements reached the Legal Service. These were very different cases. Notably, the **forced retirement of some 200 judges**, followed by a later raising of the retirement age, but also the **dismissal of the person in charge of data protection**, as well as other independent regulators and the governor of the national bank. These actions were considered by the Commission to be contrary to Union law. From a legal point of view, these were different cases, but taken as a whole, they left no doubt about the intentions of the new Hungarian government and its parliamentary majority. In **January 2012**, it was decided to launch letters of formal notice against Hungary. Immediately after the College meeting that took the decision, a briefing had to be organised to answer questions from about twenty journalists, mostly Hungarian. It was clear that they had been very well informed beforehand by the Hungarian officials about the technical aspects of the infringement procedures that the Commission had just launched. Ultimately, the Court ruled in favour of the Commission, and from then on, we were able to verify the Hungarian government's tactic of provoking "rule of law" situations that led to proceedings before the Court, before adopting measures that moved in the direction of what the Commission was requesting.

The Commission subsequently faced a very delicate situation in **Romania**. The government tried to overthrow the President of the Republic via a referendum whose conditions were far from clear, and voices were raised for the Commission to ensure respect for the rule of law. Ultimately, the solution did not pose too many problems because the Romanian Constitutional Court declared that the conditions for the

referendum had not been met, and the President of the Republic was able to complete his term.

The second election of Mr. Orban, even broader, led to new legislative manoeuvres: for example, it was planned that if a judge ruled on an infringement and decided on compensation to be paid by the state, the government would create a special tax to settle the financial burden that would result. Another initiative was to create a single-person judicial body which, for reasons of procedural efficiency, could decide on the transfer of a case between different courts, which went against the principle of the natural judge. The Hungarian authorities corrected course and retreated, but in **October 2015**, elections took place in **Poland**.

It was the end of the Barroso Commission and the beginning of the Juncker Commission. Mr. Timmermans, appointed First Vice-President of the Commission, was now in charge of rule of law issues. He put an enormous amount of energy into making the Polish government backtrack, a government that never hid its intentions regarding the independence of the judiciary. In the case of Poland, the government's attitude in this area was much more systematic than in Hungary. Mr. Orban would try a move, then, if the protest became significant, he would backtrack and try to accommodate. For this reason, within the Commission, we were convinced that with infringement procedures, we could control the situation in Hungary without activating **Article 7 TUE**.

With Poland, right from the start, the situation was very different: we had the feeling that what interested them was not the outcome, but the provocation, but provocation for internal political ends, as if, every time they attacked Europe, it gained them votes. They therefore constantly insisted on undermining the rule of law and, in general, EU law. The Minister of Justice, Mr. Ziobro, did not stop taking initiatives against the independence of the judiciary. They started with the Supreme Court and then they attacked the Constitutional Court, then jurisdiction by jurisdiction. The way they did it was to create a new appointment procedure to appoint new judges and promote them to positions of responsibility. In doing so, despite the resistance of the existing judicial bodies and with the unwavering support of the President of the Republic, they colonised the highest judicial offices in the country by appointing sympathisers of the parliamentary majority.

We were constantly faced with questions from commissioners, cabinets, departments: why weren't we tackling the problem of the total loss of judicial independence in Poland? You can imagine, the Director-General of the Legal Service must be a cautious person. We didn't even have the slightest trace that an infringement procedure on this basis could succeed. Furthermore, before launching an infringement procedure, you must have a more than solid case, because the Court of Justice is very demanding with the Commission's requests, and the devil is in the detail of the facts, documents, communications with the responsible authorities, etc. In this specific case, the failure of an infringement procedure would also have been interpreted as the failure not only of the Commission, but also of the defence of the rule of law in the EU. Caution was necessary.

In **October 2018**, we had a tremendous surprise: the way forward clearly emerged from a judgment of the Court of Justice that had nothing to do, in principle, with the problem of defending the rule of law. It was the so-called "**Portuguese Judges**" judgment. This judgment concerned a request from representatives of Portuguese judges who challenged the reduction of their remuneration following the adoption of budgetary austerity measures by the government. The question put to the Court was whether the reduction in question could not be considered an attack on the independence of the judiciary. The Court ruled in favour of the Portuguese government, as it was a matter of general economic policy to ensure sound public financial management. But they took the opportunity to introduce a few sentences, which were a godsend, where the Court called on the European institutions and member states to **guarantee the independence of the judiciary** because **Article 19 TUE** of the Treaty obliges member states to guarantee citizens effective remedies. From there, we began a battle with Poland before the European court, the outcome of which was favourable to the Commission's arguments. Without an independent judiciary in Poland, i.e., without guaranteed remedies for citizens, there would have been no assurance of the application of Union law in Poland, which was in fact the goal of the parliamentary majority at the time.

I'll end the bad part of the story there. The new Polish government is now facing the need to remedy the situation, to correct all the wrongdoings of the previous government, and to bring its judicial system up to European standards. This is to close the **Article 7**

TUE procedure that was opened in **2017**, on the Commission's proposal. I know that this morning there was a press conference with the new Polish minister and the two responsible commissioners. I imagine they agreed on an action plan that won't be easy because there will be appeals from all the judges whose appointments will be questioned, which will take time. I remember that, in the College debates, we already anticipated the difficulty of restoring the independence of the judiciary.

I'll move on to my conclusions. Attacks on the rule of law are like COVID, they're contagious. We've just had a new case in **Slovakia**, where the new majority seeks to abolish the anti-corruption office. I don't have enough information to know if this is part of a broader, systemic plan, but we're on a knife-edge. This is an issue that could still lead to problems.

If I had given this presentation three years ago, I would have said that the situation was very worrying. Now, I can be more optimistic because we've started to take the bull by the horns and tackle the problems. The first thing is the **conditionality regulation**, which was proposed when I was still active in the Legal Service. It is undoubtedly the regulation I presented the most times, whether to the College, to groups of commissioners, to directors-general, etc. It wasn't an absolute novelty; we already had precedents like the **macroeconomic conditionality of 2006 and 2013** concerning the cohesion fund and structural funds. The secret to the success of this proposal was not to present it as a sanction, since the means of sanction provided for by the treaties are exhaustive. We cannot invent means of sanction, as the Legal Service of the Council often reminds us, and rightly so. But this is not a sanction; it is a conditionality. With macroeconomic conditionality, the reasoning was that giving European funds to member states that would not pursue sound budgetary policies would be like throwing money away. It's the same for the rule of law conditionality mechanism: it's not useful to give money to Hungary or others if I'm not sure that the rule of law mechanisms in application in Hungary can guarantee the responsibility of the European institutions, which is to ensure the sound financial management of European funds.

Hungary and Poland challenged the regulation before the Court of Justice, which gave its **green light in February 2022**. We weren't surprised by the ruling, but the Court of Justice also explained that there must be a close and direct link between the violation of the rule of law and the sound management of funds. It's not because the rights of a minority are violated that it poses a problem for fund management. The conditions that can be established and obtained via the conditionality mechanism are those limited to sound budgetary management. This cannot be the solution to all problems, but it is already a step forward. Hungary and Poland said that they had obtained that the regulation would not apply as long as there was no judgment from the Court of Justice. Finally, the Court moved quite quickly, and following the entry into force of this regulation, the Commission made a first proposal for an implementing decision to the Council in the second half of 2022. There were back-and-forths between the Commission and Hungary, between the Council and the Commission, because the Council had requested more information. Finally, in December, the Council adopted the decision proposed by the Commission. Last December, the Commission adopted a new decision stating that there had been no progress in Hungary and that, therefore, a whole series of payments were suspended, due to the conditions established in that implementing decision.

The first element of the change in situation was the application of the **new conditionality mechanism**. Even though it's clear that this cannot be the sole solution to attacks on the rule of law, it has a clear advantage: it puts the "bad guys" – those who don't respect the rule of law – in a difficult position, for the first time since the beginning of this crisis.

The second element is something that surprised me, and which I found excellent. Just before I left, the Commission made an almost revolutionary proposal for a **Recovery and Resilience Facility** budget to counter the negative effects of COVID, and national plans were put in place. The Council accepted the Commission's proposal to include what are called in French "milestones," a whole series of reforms that practically all member states must address on very varied subjects, and notably on the functioning of justice. These reforms of the functioning of justice could not have been implemented in the context of the conditionality regulation because they do not have a direct effect on the management of community funds. In the context of the recovery plan, member states that do not meet these milestones do not receive the payments that should come from

the European Commission. The most striking example is that of Poland, because of the disciplinary chambers for judges; these chambers were set up to ensure that judgments were favourable to certain authorities in Poland.

Finally, another good initiative by the Commission in this area is the **annual report on the rule of law in the EU**, based on a 2019 communication. This is what a Spanish journalist called "the European Semester of the Rule of Law." A first report was published in **July 2022** and a second in **July 2023**. The advantage is that all member states are concerned. This can cover the digitalisation of courts, but also more essential things. The judicial system, the fight against corruption, media freedom, and finally the balance between institutions, these are the four chapters that the Commission analyses each year to give an opinion on the state of the rule of law in each state. I find reading it very useful; sometimes we have the feeling that in our very consolidated democratic states, this kind of problem never occurs. The reality is different: there are problems, and the Commission takes the responsibility of identifying them in order to remedy them.

I don't want to finish without stressing two small things.

Firstly, as I already said, it's a **contagion problem**. In case of a pandemic, it's better to get vaccines and, if necessary, proceed with isolations, because we're already seeing it, and we'll see it even more in the coming years if we're not careful. Member states that are now in a delicate situation, let's say in infringement, risk spreading to others. This is a real problem because the rule of law is in the **DNA of the European Union**, with truly independent institutions. Above all, there's a **future problem** that should concern us all and hasn't been addressed yet. The correspondent for a major Spanish newspaper said a few days ago in an article that enlargement was unthinkable until recently, and that it has become unstoppable in a few days. Among the candidate countries, we have former Soviet republics like **Ukraine, Moldova, Georgia**, the **four Western Balkan countries with Kosovo, Turkey, and Albania**. The least we can say is that these are not democracies with a strong tradition of respecting fundamental rights and the rule of law. Moreover, these countries, quite naturally, come with territorial and community conflicts.

We can imagine hundreds of excuses in each of these states to try to go against, or simply circumvent, the rule of law necessary for the proper functioning of the European Union. This is a very serious problem that will have to be addressed in the very short term if we really want this enlargement to happen. And, in my opinion, we need to act on two levels: first, we need to **resolve what already exists**, fundamentally the problem posed by Poland and Hungary, but also, so that this problem does not recur in the future, the **alert must be triggered much earlier** than what we have seen in the past, and we need to find formulas allowing the institutions to immediately **suspend the participation of member states where the rule of law is not respected**. I always try to summarise the issue of the rule of law within the EU as follows: the day the absence of the rule of law harms free movement and the internal market, it will be too late. The day an Irish company decides not to invest in Poland, or elsewhere, because the independence of the local judicial system will not be guaranteed when it has a problem with authorities or another economic operator, it will be too late.

I've talked too much, but it's a subject I'm passionate about, and now I'm at your disposal to answer your questions.

Mr. Romero, thank you for this brilliant presentation, which is somewhat like a novel. This story, which kept us on tenterhooks, should be told, I think, even beyond this debate. I clearly understood that we were naive. We often say that about Europeans, but we must not repeat it. I also noted that the wage weapon and wage reduction are a way of keeping things under wraps. But there's not much time left; we have some small constraints in this building, so I'll give the floor to the audience.

Questions & Answers

Questions

- This morning, I learnt of the US extradition request for an Australian citizen to be imprisoned there under an espionage law. I know that in the United States, it isn't exactly the European rule of law, but in fact, we're talking about what's happening in the world, haven't we become a global rule of law?
- I'd like your opinion on unanimity in the Union.
- What are the possibilities for reforming own resources?
- A question in English from JEF (The Young Federalists). Many Member States have started to use the ideas of national legal tradition and national constitutional identity through their constitutional courts. Isn't this the renationalisation of European law and a way of undermining the applicability of European law in countries?

Responses

I'll answer in reverse order of the questions. The **primacy of EU law** was introduced by case law and now features in the treaties by means of a declaration. According to the case law of the Court of Justice, Union law takes precedence over the law of the Member States. Even if everyone accepts the principle, the Member States have always been somewhat reserved about introducing the principle into the treaties, as the Council's Legal Service had requested.

A relatively little-known fact is that, in the early 1960s, there was a judge who is said to have swayed the deliberation in favour of primacy in the **Van Gend & Loos** judgment. The same judge, the following year (1964), was the reporting judge in the **Costa/Enel** judgment, which established the principle of the direct effect of Union law. His name was **Robert Lecourt**. He also presided over the Court of Justice for many years and ended his career at the Constitutional Council in France. Nevertheless, what's interesting is that just before being a protagonist in the establishment of the principles of European law, he was a minister of state to General de Gaulle, who wasn't exactly a Europhile, as they say now.

The principle of **primacy** is a cornerstone of the system. Without the principle of primacy, we can't work: if a national court starts deciding whether to accept it or not because it's contrary to its Constitution, obviously as it interprets it, everything can stop. We'll all do something else, intergovernmental perhaps, because primacy is indispensable.

On unanimity and own resources, I spent a good part of my life discussing and trying to find new own resources. A Spanish philosopher said that futile efforts generate melancholy. At one point, I thought melancholy would overcome me. We've taken steps backwards: in 1989, when the GNP resource was created, we set up a financing of the European budget through contributions from Member States. In the absence of genuine own resources, unanimity in this area makes a lot of sense, because it is the national parliaments that cede a part of their tax resources to the European Union and they must have their say. Obviously, this gives enormous power to those who want to block and this applies to any other unanimous decision. As long as we have the treaty we have today, it is up to us to resolve the difficulties both legally and politically, and things are proceeding more or less correctly.

Much was said at the time of Brexit that **Article 50 TUE** was written never to be applied, and I think the same can be said of **Article 7 TUE**. Furthermore, when it was first intended to be applied, it wasn't a single Member State at fault, but two Member States were concerned, which made its application impossible due to unanimity. Will things change now? This morning, newspapers reported a press conference, to be held today, about the plan to exit Poland from the ongoing Article 7 TUE procedure. This change could be an opportunity to continue the procedure against Hungary. This is possible, but other political developments that have recently occurred in other Member States could prevent it again.

On the global rule of law, I find it very difficult to compare Assange and Navalny, firstly because one is alive and the other is no longer with us. We can have all the feelings we want about Mr Assange, what he did, what he didn't do, etc. What we cannot say is that there is no rule of law in the United States. In the United States, the courts function, Supreme Court judges are appointed by the president, but appointed for life. They are very independent. I am not a fanatic of the system in which judges get elected, but it is the system the Americans have and it works. There are things that are questionable, but

also in our systems. There is no judicial system that is absolutely perfect, but that does not mean that it does not work or that it does not respect the rule of law.

Is there a global rule of law? Yes and no. There isn't a rule of law, in the sense we've given it in this presentation today, that applies to all countries in the world. That said, there has been a trend towards multilateralism that has tried to regulate international relations more and more through legal rules established by agreement of the parties. We can say that this is still a development of public international law and that it is enormously complex. When I gave presentations to young law students, there was always a question about the advice I would give students on which specialisation to choose. My answer was always that it would be data protection. Why? Because we face a global challenge. In Europe, personal data is a part of private life that must be protected above all else in accordance with our Charter of Fundamental Rights, etc. On the other hand, across the Atlantic, personal data is a commodity like any other, worth money and traded. Obviously, the Commission is constantly between a rock and a hard place. For economic, political and other reasons, we want to have good relations with the United States and allow the exchange of data between the two sides of the Atlantic, but we have legal constraints that prevent us from doing so, because the US does not have a protection system equivalent to the European system.

There are a thousand other aspects of this issue that we could talk about at length. We try to allow companies to exchange data between their headquarters in Seattle and their branch in Dublin. Regularly, we have Austrian activists who go before the Court of Justice, which annuls one decision after another, because its conclusion always remains the same: the American data protection system is not essentially similar to Europe's.

[Intervention from the floor: The world's leading company in 3D organ printing is European and based in Leuven; it prints organs for American patients to send to the United States or vice versa. You are sending medical data across borders, the Americans tell them, who are concerned about preserving their own market.] I don't know the details at all, but it's a good example of the current dispute that shouldn't make us forget that relations with the US are good.

Two more questions, out of respect for online participants, even if we have to leave the room after 7 pm.

- Does the Commission have the means to ensure continuous monitoring of the implementation of conditionality?
- What about the 2024 rule of law report, additionally with candidate countries. What consistency can be seen there?

Response

Does the Commission have the means to permanently monitor conditionality? I would say yes, as long as conditionality, as is currently the case, only affects one Member State. If the number of affected states were to multiply, the Commission might not have the means to ensure this monitoring. To date, I think this is not a problem. The **2024 Report** is not yet available. The **2023 one** follows the **2022 recommendations**: broadly speaking, there has been progress on two-thirds of the recommendations but no progress on the last third. I dare not speak about candidate countries, it's still too early. As long as they are outside, there is no rule of law problem. They will undoubtedly swear to respect everything to enter, but afterwards, everything is uncertain. We need to deal with the existing stock at this stage before finding formulas to anticipate and resolve any future problems.

Regarding treaty reform, I find it hard to imagine a question of constitutional identity that affects Union law. The case of the German Constitutional Court (the euro, the ECB) is different. It's clear that they attached enormous importance to the judicial review of the ECB and its mandate. Fortunately, the problem was resolved satisfactorily. All Member States benefit from the **primacy of Union law**. Without this principle, the EU will not function. Putting it down in black and white in the treaties, if necessary, would undoubtedly be useful. But treaty reform should probably be considered after having resolved the issue of the rule of law in Poland and Hungary. I'll stop there.

Loud applause from the room. The moderator thanks the speaker for his vivid testimony. The question is a priori very technical but it impacts our democracies. Good evening

everyone!

The insertion of immigrants in the labour markets of OECD countries: competition or complementarity

(Article based on Ch 4, Talani, L.S., and Rosina, M., (2025, forthcoming, The migration question, London: Hurst, OUP)

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Abstract:

One of the most contentious topics surrounding migration is whether migrants take jobs from the local workforce or drive down wages. Most contemporary research suggests that regular migration is beneficial for the economies of host countries. Examining the long-term effects of immigration on employment, productivity, and skill dynamics, prominent economists argue that local and foreign workers are not in competition. On the contrary, international migration is seen as a powerful driver of global productivity and income growth, offering significant opportunities. This article tackles this debate, drawing on recent studies, expert interviews, and relevant data.

Key words

Immigrants, labour markets, host economies, competition, complementarity

Introduction

One of the most contentious topics surrounding migration is whether migrants take jobs from the local workforce or drive down wages. Most contemporary research suggests that regular migration is beneficial for the economies of host countries. Examining the long-term effects of immigration on employment, productivity, and skill dynamics, prominent economists argue that local and foreign workers are not in competition. On the contrary, international migration is seen as a powerful driver of global productivity and income growth, offering significant opportunities. This article tackles this debate, drawing on recent studies, expert interviews, and relevant data.

The positive impact of immigration on the economies of receiving countries

In public discourse and media narratives, migrants are often portrayed as having a negative economic impact on their host countries. They are accused of taking jobs from locals, driving down wages, and worsening working conditions. For instance, the claim that immigrants were stealing jobs from natives was a central theme during the 2016 Brexit referendum campaign. However, academic research consistently highlights that immigration significantly contributes to a nation's wealth. While different schools of thought in political economy may vary in how they approach the economic benefits of migration, none deny their existence. The neoliberal economic perspective presents the most optimistic view, emphasizing the substantial advantages of international migration. Economists like Giovanni Peri argue that migration boosts employment, productivity, and skill levels in host countries. Peri states: "*For economists, (...) international migration has the formidable ability of increasing total world income and productivity, generating huge global economic opportunities*" (2012:37).

The World Bank (2005) supports this view, demonstrating that increased international migration can lead to a significant rise in global GDP, surpassing gains achievable through complete trade liberalization. Some estimates predict that fully liberalizing international migration in OECD countries could increase global GDP by 150% over 50 years.

This dramatic growth occurs because international migration enhances productivity. When workers are employed in systems where they can generate up to five times more value per hour than in their home countries, human labor becomes far more efficient

(Clemens, Montenegro, and Pritchett, 2009). The key question remains: who benefits most? While migrants clearly gain, does this come at the expense of locals, or is it a win-win scenario for all?

Peri's research debunks the myth that migrants take jobs from locals, demonstrating that migration benefits both groups. In the medium to long term—and even in the short term—foreign workers complement rather than replace local labor, as workers are not interchangeable and economic variables are dynamic. For example, when immigrants take on roles such as caregiving, local workers are freed to pursue more skilled jobs. In Italy and the U.S., the arrival of migrant caregivers allowed women to enter the workforce, thereby increasing labor force participation, GDP, and job satisfaction (Portes, 2019).

Far from harming local job opportunities, immigration boosts labor demand. Recent immigration to the UK from Central and Eastern Europe, for instance, not only avoided negative effects on native workers but also created new jobs for them (Portes, 2019).

Similarly, immigration's effect on wages has been thoroughly studied. David Card's seminal research on the 1980 Mariel boatlift, which brought a large influx of Cuban refugees to Miami, found virtually no impact on local wages, even in low-skill labor markets. While some have challenged these findings, most economists uphold Card's conclusions (Portes, 2019). In summary, immigration does not harm native workers' wages or job opportunities. Instead, it creates positive economic dynamics by increasing labor demand, productivity, and opportunities for all. These trends will be explored further in this chapter, focusing on the mechanisms through which migration influences labor markets and wages.

According to Peri (2012), several factors explain why migration benefits host countries:

1. Innovation and Investment: Migration encourages innovation by increasing the workforce, prompting firms to invest more to maintain a balanced ratio between capital and labor. This not only raises overall output but also enhances the innovative content of production as companies adopt newer technologies. Additionally, the free movement of people fosters the exchange of ideas, patents, technologies, and knowledge, further boosting innovation (Portes, 2019).

2. Skill Complementarity: Migrants often possess skills that complement those of the local population rather than compete with them. Since immigrants vary in their levels of education and expertise, their impact on native workers depends on these differences. For example, migrants may lack fluency in the local language, leading them to take on manual labor roles, thereby enabling local workers to transition into higher-skilled positions. This dynamic improves productivity, raises wages for natives, and enhances economic efficiency overall (Peri, 2011; Ottaviano and Peri, 2013).

3. Lower Production Costs: Migrants often earn lower wages than natives for the same work, reducing production costs, boosting productivity, and generating more jobs. For instance, a study by the IMF in 2016 revealed that a 1% increase in the migrant population in the UK resulted in a 2% rise in GDP per capita and productivity (Portes, 2019).

In summary, migration drives investment, creates complementary skill dynamics, facilitates job upgrades for natives, and promotes innovation and technology adoption. These factors contribute to higher GDP, increased productivity, and job creation, disproving the myth that migrants take jobs from locals. Furthermore, migration helps address challenges like aging populations and labor shortages in OECD countries (Peri, 2012).

Neoclassical economists often advocate for fully liberalizing immigration, especially for highly skilled workers, and sometimes even for low-skilled laborers. The benefits of migration, they argue, are well-supported by evidence and align with institutionalist and human rights-based libertarian perspectives, particularly in the era of globalization (Betts, 2011; Koser, 2010).

Global migration requires coordinated international solutions. Options include establishing a powerful global institution to manage migration or relying on existing

international laws. Current governance relies on multilateral agreements (e.g., the 1951 Refugee Convention), regional frameworks (e.g., EU and NAFTA policies), and bilateral agreements. Other mechanisms include embedded governance, where migration rights are addressed indirectly through international laws in areas like human rights, trade, and labor (Betts, 2014).

While these systems facilitate migration, they also limit states' ability to restrict it, as reflected in Hollifield's observation that global openness increasingly enables free movement of people (2012).

Despite its economic benefits, migration can generate political opposition, particularly in the context of globalization. Scholars like Rodrik (2012) argue that globalization creates tensions between economic integration, national sovereignty, and democracy. This "globalization paradox" suggests that maintaining national sovereignty and democracy may require limiting economic globalization, including migration, despite its economic advantages.

Populist movements, such as those led by Trump in the U.S. or Le Pen and Meloni in Europe, often exploit economic anxieties by framing immigrants as competitors for jobs and public resources. These narratives contribute to opposition against globalization and migration, threatening democratic values (Rodrik, 2018).

While the economic case for migration liberalization is compelling, political backlash rooted in globalization anxieties complicates its implementation. It is however clear that regular migration brings significant economic benefits without competing with native workers, contributing positively to host countries' labor markets and overall economies.

The insertion of immigrants in the labour markets of OECD countries in practice

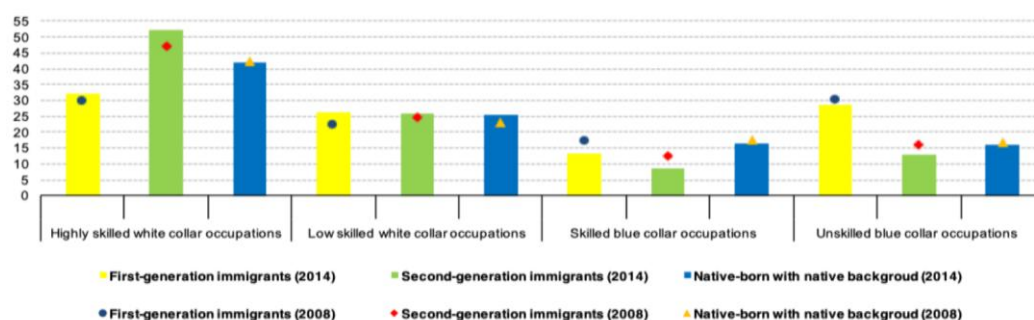
One key reason there is little competition between immigrants and the local workforce is that migrants often accept lower employment standards. But what does this mean in practical terms? This dynamic can be understood by examining the limited data available on how international migrants integrate into the labor markets of host countries.

Data from the OECD, based on the 2000 census, reveal that migrants are disproportionately employed in low-skilled jobs, particularly in agriculture and industry. Among foreign women, the majority work in low-skilled personal and social service roles, often as caregivers for children and the elderly. Many also find employment in entry-level positions in restaurants and hotels, such as waitstaff or housekeepers. While native-born women also work in these sectors, foreign-born women are significantly overrepresented, especially in Southern Europe. For instance, in Greece, 16.3% more foreign women work in personal and social services compared to native-born women; in Portugal, the difference is 7.9%; in Italy, 7%; and in Spain, 3.3%.

Recent data suggest this trend has persisted. Eurostat's 2014 figures show that over 25% of first-generation immigrants were employed in low-skilled roles, particularly elementary occupations and service jobs, while approximately 30% held high-skilled white-collar positions. In contrast, native citizens were much more likely to occupy high-skilled jobs, with over 40% working in high-level white-collar roles, compared to only about 15% in low-skilled blue-collar jobs. On average, first-generation migrants are concentrated in lowskilled occupations. However, second-generation migrants stand out as the group most likely to hold high-skilled jobs. According to Eurostat, more than half of second-generation migrants were employed in high-skilled white-collar positions, indicating significant upward mobility across generations.

Figure 1: Occupation of employees by migration status and year, EU, 2008 and 2014 (%)

Figure 2: Occupation of employees by migration status and year, EU, 2008 and 2014 (%)

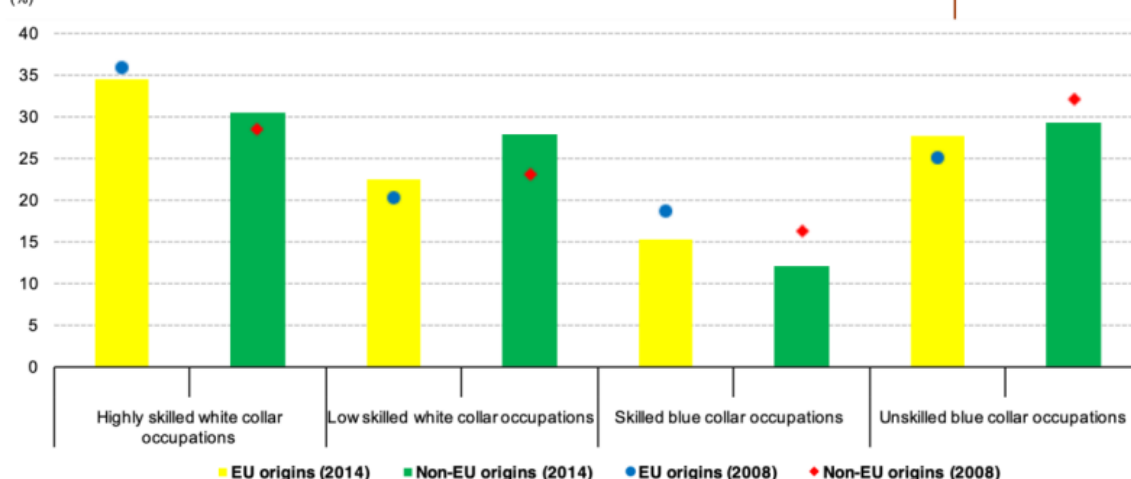


Source: Eurostat, EU LFS AHM2014/2008

There are notable differences between first-generation immigrants originating from within the EU and those from outside the EU. In both 2008 and 2014, EU-born immigrants were more likely to hold higher-skilled jobs compared to their counterparts from non-EU countries (Figure 2).

Figure 2: Occupation of first-generation immigrant employees, by origin (EU and non-EU), 2008 and 2014 (%)

Figure 3: Occupation of first-generation immigrant employees, by origin, EU, 2008 and 2014 (%)



Source: Eurostat, EU LFS AHM2014/2008

Source: Eurostat, EU LFS AHM2014/2008 Overall, in the EU, first-generation immigrants are mostly employed in (1) 'elementary occupations', (2) service jobs and shop sales, and (3) professional jobs (figure 3).

Figure 3: Top three occupational groups of first-generation immigrant employees, 2014

	First	Second	Third
EU-28	Elementary occupations	Service workers and shop and market sales workers	Professionals
Belgium	Elementary occupations	Professionals	Service workers and shop and market sales workers
Bulgaria	:	:	:
Czech Republic	Service workers and shop and market sales workers	Craft and related trades workers	Professionals
Denmark	:	:	:
Germany	:	:	:
Estonia	Plant and machine operators and assemblers	Craft and related trades workers	Service workers and shop and market sales workers
Ireland	:	:	:
Greece	Elementary occupations	Service workers and shop and market sales workers	Craft and related trades workers
Spain	Elementary occupations	Service workers and shop and market sales workers	Craft and related trades workers
France	Service workers and shop and market sales workers	Professionals	Elementary occupations
Croatia	Service workers and shop and market sales workers	Craft and related trades workers	Elementary occupations
Italy	Elementary occupations	Service workers and shop and market sales workers	Craft and related trades workers
Cyprus	Elementary occupations	Service workers and shop and market sales workers	Professionals
Latvia	Elementary occupations	Technicians and associate professionals	Legislators senior officials and managers
Lithuania	Craft and related trades workers	Professionals	Service workers and shop and market sales workers
Luxembourg	Professionals	Technicians and associate professionals	Service workers and shop and market sales workers
Hungary	Professionals	Service workers and shop and market sales workers	Craft and related trades workers
Malta	Legislators senior officials and managers	Professionals	Service workers and shop and market sales workers
Netherlands	:	:	:
Austria	Service workers and shop and market sales workers	Elementary occupations	Craft and related trades workers
Poland	Professionals	Service workers and shop and market sales workers	Legislators senior officials and managers
Portugal	Professionals	Service workers and shop and market sales workers	Elementary occupations
Romania	:	:	:
Slovenia	Craft and related trades workers	Elementary occupations	Plant and machine operators and assemblers
Slovakia	Plant and machine operators and assemblers	:	:
Finland	Professionals	Service workers and shop and market sales workers	Elementary occupations
Sweden	Professionals	Service workers and shop and market sales workers	Technicians and associate professionals
United Kingdom	Professionals	Service workers and shop and market sales workers	Elementary occupations

Note: population aged 25–54.

Source: Eurostat, EU LFS AHM2014/2008

Source: Eurostat, EU LFS AHM2014/2008

According to OECD data from 2017, 18% of immigrants worked in low-skilled or elementary jobs, compared to only 11% of local workers. Within the EU, this disparity was even more pronounced, with 20% of immigrants engaged in such jobs versus 8% of locals. In Southern Europe, excluding Portugal, the percentage of immigrants in low-skilled roles consistently exceeds 30%, roughly three times the proportion of native workers. For instance, in Greece, immigrants are six times more likely to be employed in elementary occupations than locals (33.1% compared to 5.2%). In Austria, Germany, Sweden, and Norway, 40% of low-skilled jobs are performed by foreigners, while in Switzerland and Luxembourg, this figure reaches 60%. Non-EU immigrants are particularly overrepresented in lowskilled positions, except in countries like the UK, Ireland, and Hungary.

Conversely, immigrants hold fewer high-skilled jobs in most OECD countries, except in places like Australia, New Zealand, Portugal, Malta, Türkiye, and some Central European nations (e.g., Bulgaria, Slovakia, and Poland). The gap in high-skilled employment between immigrants and locals has widened since 2007.

The distinction between immigrant and local employment becomes evident when examining sectors. First-generation immigrants are heavily concentrated in industries such as construction, accommodation and food services, administrative and support services, and domestic work. For example, 7.4% of first-generation immigrants work in household activities, compared to only 1% of natives and second-generation migrants. Similarly, nearly twice as many immigrants are employed in the hospitality sector compared to the other two groups. However, they are less represented in sectors like education, public administration, and social security, where locals dominate.

First-generation immigrants are also less likely to engage in selfemployment than natives (OECD, 2018). Job insecurity is another challenge for legal immigrants compared to natives. In 2014, 17% of first-generation non-EU immigrants were employed on temporary contracts, compared to 11.9% of locals across OECD countries. This trend was consistent across EU nations, with countries like Spain, Belgium, Greece, Portugal, Italy, and Cyprus showing significant differences—for instance, a 12% gap in Spain in 2014.

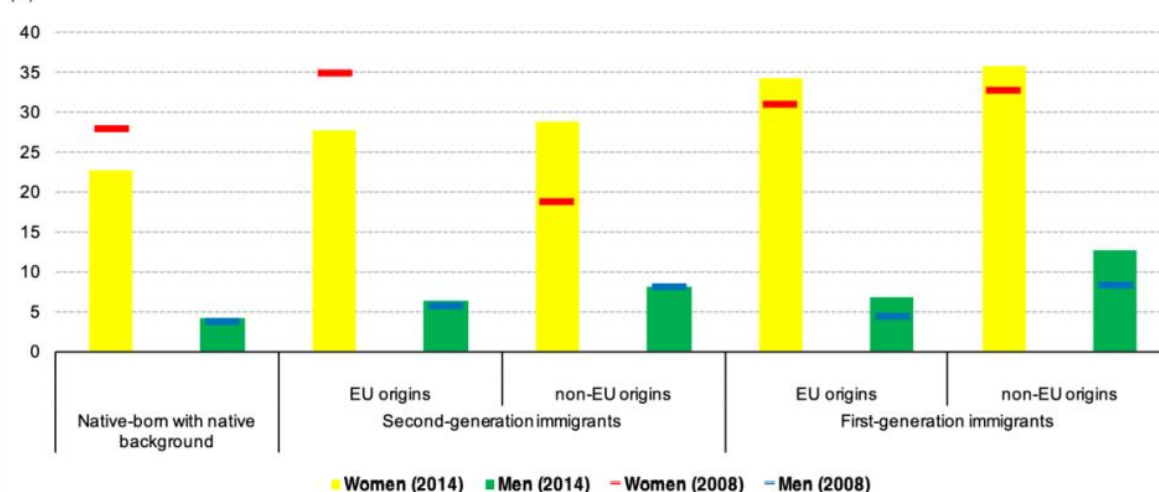
In the EU overall, temporary contracts are more prevalent among non-EU migrants, with 18% holding such roles. However, in Central and Eastern Europe, the UK, Austria, and Italy, EU-born migrants are more likely to have temporary contracts due to the inclusion of individuals from developed regions like the USA, Canada, and Australia.

Part-time employment further highlights the precarious situation of immigrant workers, especially women. Female migrants, both first and second-generation, are significantly

more likely to hold part-time jobs than their male counterparts, with a gap of up to 18%. In 2014, over 35% of first-generation female immigrants worked part-time, compared to 6.7% and 12.7% for men of EU and non-EU origins, respectively. Among male workers, first-generation non-EU immigrants were three times more likely than natives to have temporary roles, underscoring their vulnerability. Overall, first-generation non-EU immigrants, regardless of gender, are disproportionately employed in parttime or temporary jobs.

Figure 4: Part-time employment by migration status, sex, and origin, EU, 2008 and 2014 (%)

Figure 6: Part-time employment by migration status, sex and origin, EU, 2008 and 2014 (%)



Note: population aged 25–54.
 Source: Eurostat, EU LFS AHM2014/2008

Source: Eurostat, EU LFS AHM2014/2008

This trend is evident across all EU member states, except for Cyprus, Luxembourg, and Austria. The disparity between native populations and non-EU first-generation immigrants is particularly significant in Greece (13.6%), Spain (10.7%), and Italy (12%). In 2014, 20.4% of first-generation immigrants from the EU and 23.3% of those from outside the EU held part-time positions within the EU-28. In countries like Belgium, Italy, Spain, and Austria, this figure surpassed 25% for both EU and non-EU first-generation immigrants.

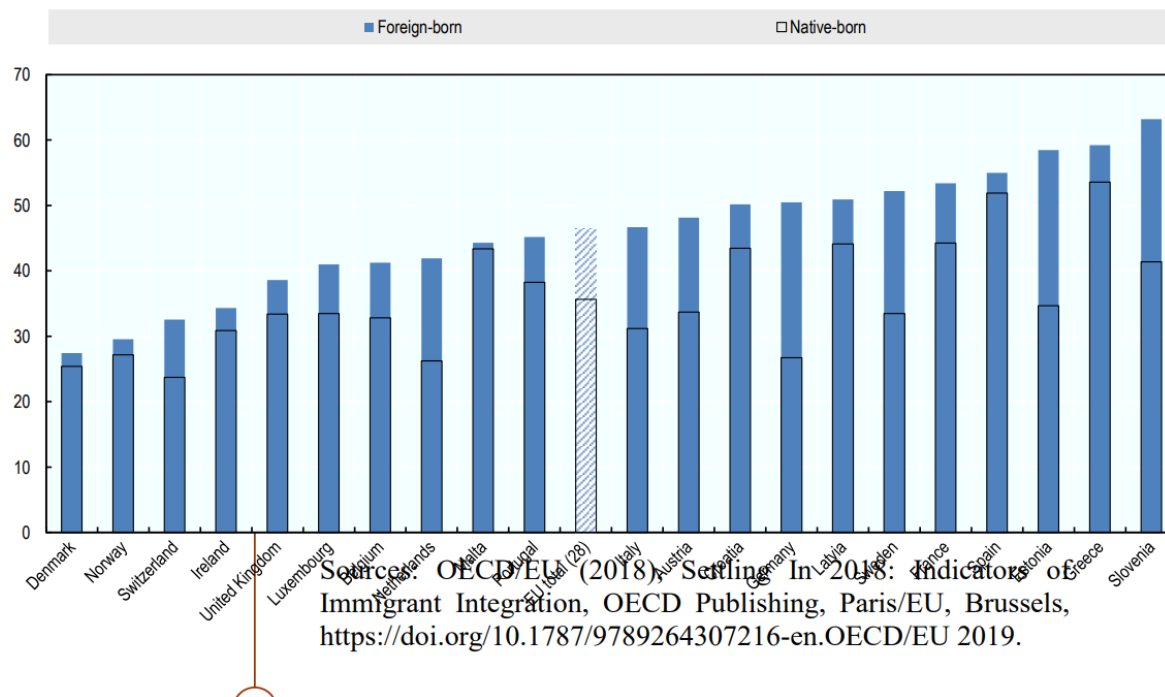
Overall, most OECD countries show a higher prevalence of part-time employment among immigrants, especially women (OECD, 2018).

The lack of competition between native and immigrant workers is further highlighted by the share of atypical jobs, characterized by irregular working hours such as evenings, nights, or weekends. Immigrant groups tend to occupy these roles at significantly higher rates than locals, with men being more affected than women. In 2014, approximately 54.4% of first-generation non-EU immigrants held such positions, reflecting their high vulnerability in the labor market. First-generation non-EU immigrant women also faced a high rate of 49.5% in these jobs (Eurostat, EU LFS AHM 2014/2008).

Within the EU-28, first-generation immigrants of non-EU origin accounted for the largest share of atypical jobs at 52.1%, except in countries like the UK, Croatia, and Poland, where EU-born immigrants were more prevalent in these roles. Additionally, legal immigrants often take on hazardous jobs that locals tend to avoid. In 2015-2016, 46% of foreign-born workers in Europe were employed in jobs posing physical health risks, compared to only 35% of native workers. In some countries, including Germany, Slovenia, Estonia, and Sweden, this gap exceeded 20% (OECD, 2018). These risky jobs are usually lowskilled, but even high-skilled risky positions are disproportionately filled by

immigrants. In 2015, nearly 60% of low-educated immigrants were employed in high-risk jobs.

Figure 5: Shares of the foreign- and native-born in occupations that put their physical health at risk Percentages of 15- to 64-year-olds in employment, 2015-16



Migrants' precarious positions in the labor markets of host countries are further exacerbated by their overrepresentation among the unemployed in nearly all OECD countries, with exceptions including the Slovak Republic, Mexico, Poland, Hungary, and Greece. In several nations, particularly in the Nordic countries, Switzerland, and Belgium, unemployment rates for foreigners are more than twice those of natives. For example, in France, the unemployment rate for immigrants is 7.6 percentage points higher than for natives, while in Germany, the difference is 9.4 percentage points.

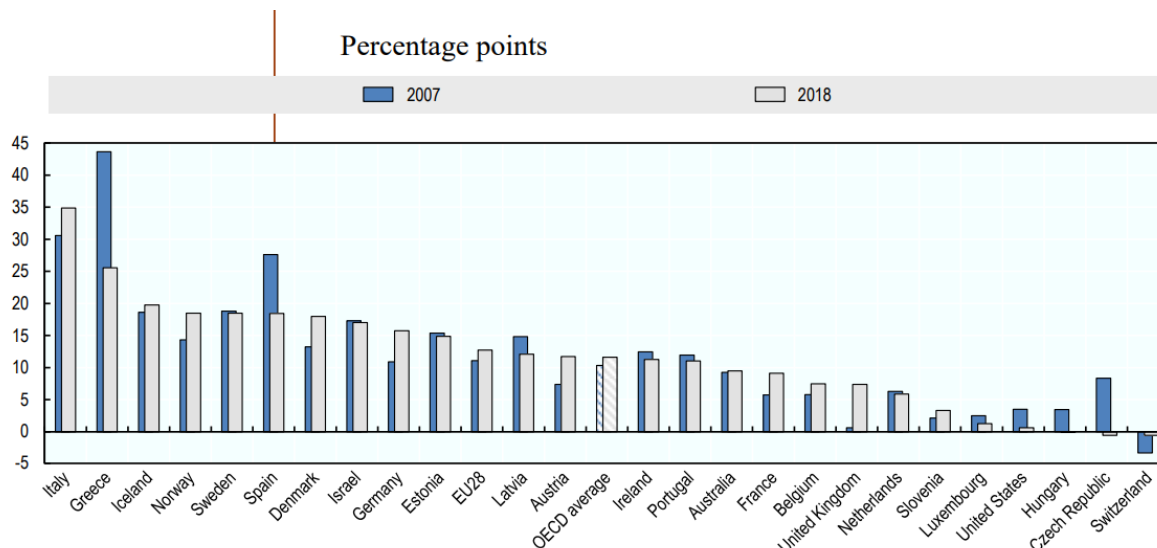
The situation is particularly challenging for regular immigrants in Southern Europe (except Portugal) and in Sweden, Finland, and France, where their unemployment rates exceeded 13% in 2018. Across the EU-28, non-EU-born migrants faced unemployment levels twice as high as native workers. However, the situation was more favorable in countries like the USA, Australia, and Canada.

Immigrants also experience greater labor market exclusion compared to locals. According to the OECD (2018), during 2015-16 in the EU, 50% of non-EU unemployed migrants and 44% of EU unemployed migrants—nearly two million individuals—had been unable to secure employment for over two years. Furthermore, approximately 25% of immigrants in the EU are involuntarily inactive, compared to just one-sixth of inactive native workers. In contrast, in the USA, fewer than 10% of both native and foreign workers face involuntary inactivity. Young migrants who are not in education, employment, or training (NEET) represent another issue. Between 2013 and 2018, more than 18% of legal immigrants in the EU fell into this category, compared to only 11% of their native peers in 2018. This problem is less prevalent in non-European OECD countries, with exceptions like New Zealand and Mexico (OECD, 2018).

Additionally, non-native workers are often employed in roles beneath their qualification levels, indicating significant underemployment. This benefits local workers by freeing up higher-responsibility positions, as immigrants fill less desirable jobs. A substantial proportion of tertiary-educated immigrants work in low- or medium-skilled occupations. In 2018, this trend was widespread across OECD countries, with all but Switzerland

reporting much higher overqualification rates for foreigners compared to natives. On average, this gap was 12%, peaking at 35% in Italy and 25% in Greece (OECD, 2019).

Figure 6: Differences in over-qualification rates between foreign- and native-born workers, 2007 and 2018

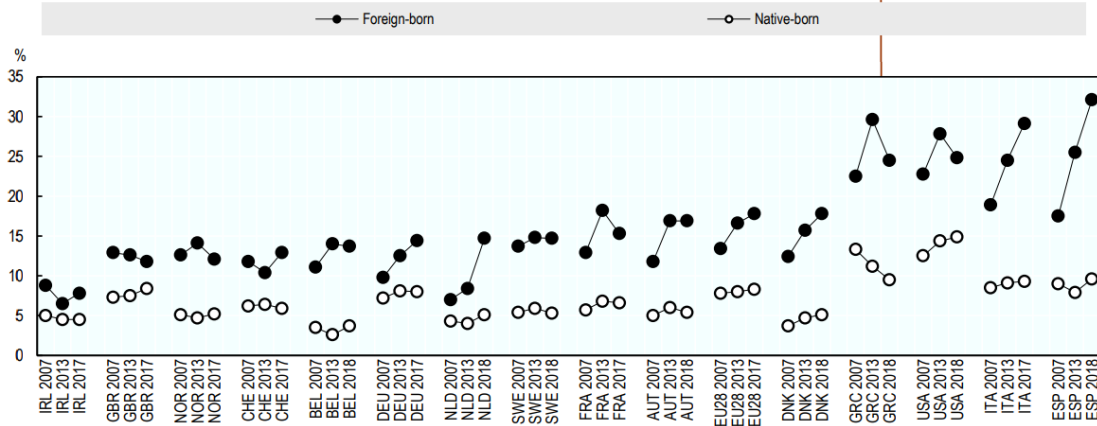


Note: The reference population are persons with a high education level aged 15-64 who are not in education, except in Israel where the calculation includes persons in education. For 2018, the data for European countries and Türkiye refer to the first three quarters only. The data for Australia refer to the years 2014 and 2017.

Source: European countries: Labour Force Survey (Eurostat); United States: Current Population Survey; Israel: Labour Force Survey. OECD 2019.

It is unsurprising that the percentage of legal migrants living below the poverty threshold is significantly higher than that of native workers across all EU countries. In 2017, approximately 18% of immigrant workers aged 18 to 64 lived below the poverty line, compared to just 8% of the local workforce. This disparity widened from 6% in 2008 to 10% in 2017. In some countries, such as Denmark, Germany, and the Netherlands, poverty rates among foreigners increased sharply. In Southern European nations, particularly Spain and Italy, nearly one-third of the legally resident immigrant workforce lived in poverty during 2017–18.

Figure 7: Poverty rates of workers by place of birth in selected OECD countries, 2007, 2013 and 2017-18



Note: The poverty rate used here is the share of workers living below the poverty threshold as defined by Eurostat (60% of the median equivalised disposable household income in each country).

Sources: European countries: Eurostat dataset (population aged 18-64) [ilc_iw16] extracted on 10 July 2019; United States: Current Population Survey (population aged 15-64).

All the previously discussed indicators shed light on why a significant number of regular migrants live below the poverty line. In many nations, this situation arises because migrants predominantly occupy low-skilled positions for which they are often overqualified. Their working conditions are generally inferior to those of the native workforce; they tend to work longer hours in more hazardous roles and remain in more vulnerable and precarious situations when not employed. In summary, we can confidently assert that legally residing foreign workers do not pose a threat to the employment opportunities of native populations. This is because migrants must accept significantly worse working conditions compared to their native counterparts. They typically face higher unemployment rates, are engaged in low-skilled sectors such as agriculture, care, and industry, and are often underemployed and overqualified for their roles. Consequently, rather than competing with locals for jobs, they complement the native workforce.

Conclusion

The analysis presented in this article leads to the conclusion that immigrants, both authorized and unauthorized, make substantial contributions to the prosperity of their host nations. They achieve this by taking on jobs that the native workforce is unwilling to fill or by complementing the skills of local workers, thereby enhancing the efficiency and productivity of the receiving economies. Additionally, while irregular migrants often endure quasi-slavery-like working conditions, even regular migrants are integrated into the labor market under substandard conditions. This lack of competition for jobs with the local population is evident from the limited evidence discussed earlier in this article.

Given the clear economic benefits of increased immigration, why then are we witnessing a rise in hostility toward migrants? The answer lies more in politics than in economics. Since migrants typically do not have the right to vote at the national level, they are frequently scapegoated for the frustrations of citizens. This situation is exacerbated by the securitization of migration and its inherent paradoxes, making legal migration uncommon and leading to the antagonization and even criminalization of irregular immigrants by host societies. As migrants find themselves in increasingly precarious and vulnerable conditions, they become more marginalized, which further deteriorates their perception among local communities, creating a difficult-to-break negative cycle. Nonetheless, this overlooks the fact that even unauthorized migrants contribute to the wealth of their host countries, albeit to a lesser degree than their regular counterparts. They do so despite having to accept often risky and unstable jobs, working in positions

below their qualifications and expectations, and facing greater discrimination than native workers.

Psychosocial Risk at Work

GRASPE Conference with Danièle Linhart

Yorgos Vlandas: Hello. Danièle Linhart joins us again today to address the important topic of psychosocial risk at work. Danièle Linhart is a French sociologist specialising in the evolution of work and employment, and she is an emeritus research director at the National Centre for Scientific Research (CNRS) in France, a member of the editorial board of the *Nouvelle Revue du Travail*, a member of the Observatory of Stress, forced mobilities, and she also participated in the work of France Télécom at a time when there was a particular situation.

Today, we will address the question of psychosocial risk at work from multiple facets, both within the European and French legal frameworks, but also in the context of industrial relations between social groups and in relation to what is happening within institutions.

Danièle Linhart: Thank you very much for the invitation. Well, first of all, I must clarify that I am not a lawyer; I am a sociologist. And so, what interests me most is the spirit of the law, its stated and hidden objectives, and the context in which this law can be implemented, meaning a power dynamic, obviously, between employers and employees.

So, concerning the law, I became interested out of necessity, dear Georges Vlandas, in French law, and particularly in the prevention of occupational risks, which include psychosocial risks. And I wanted to start with a small paragraph that seems quite interesting to me and was published by the Ministry of Labour under the aegis of our Minister of Labour, Olivier Dussopt, which states: "the prevention of occupational risks is essential for both workers and employers. For workers, prevention allows them to work in a healthy and safe environment, which reduces the risk of accidents and occupational diseases." Psychosocial risks can be included in this. "It also improves well-being at work, which translates into better health, a better quality of life, and greater job satisfaction." This we understand very well, and it is entirely logical.

"For employers, prevention helps reduce costs associated with accidents and occupational diseases, such as medical costs, temporary or permanent disability benefits, or the costs of replacing absent workers. It also improves productivity, work quality, and the company's reputation." So, I find that very explicit because it clearly shows that regarding the same type of risk, there are two totally different postures. One is about the lived experience of these risks and the lived experience of the deleterious dimensions of work and the tragedies it can bring.

And the other, the employers' position – here it's explicitly the position of the Ministry of Labour and the Minister of Labour – is to say that all these are costs that must be reduced, and if we want to improve productivity and performance, employees must not be mistreated.

This already indicates the context in which the law is produced. Furthermore, in France, we have a labour code that is very precise, very detailed and tells us, in the famous Article L4121-1, that there is "an obligation on the employer to take the necessary measures to ensure the safety, protect the physical and mental health of workers." So mental health corresponds to psychosocial risks. "These measures include prevention actions, information and training actions, and the implementation of an adapted organisation and means." So, in prevention, there is a whole series of articles: "avoid risks, evaluate risks that cannot be avoided, combat risks at the source, adapt work to the person, particularly concerning workstations, the choice of work equipment, work methods to limit monotonous work, paced work, to reduce the effects of these on health, take into account the evolving state of technology, replace what is dangerous with what is not dangerous or less dangerous, plan prevention by integrating into a coherent whole technique, work organisation, working conditions, social relations, and the influence of a

whole series of factors. Take collective protection measures by prioritising them over individual protection measures, give appropriate instructions to workers."

All of this is a bit of the legal framework, and then there are, and this is not uninteresting either, Articles L4121-3: "the employer must evaluate risks including the choice of manufacturing processes. So, work equipment, chemical substances or preparations, the layout or rearrangement of workplaces or installations, the organisation of work, and even the definition of workstations." So, let's say that this is the general framework of the law, which seems quite precise and charges the employer with a whole series of responsibilities in identifying risks and in the necessary measures to take to avoid them. Now, what's interesting is that it then states: "who contribute to the evaluation of occupational risks in the company, firstly, within the framework of social dialogue in the company, the social and economic committee and its health, safety and working conditions committee. Secondly, the social and economic committee is consulted on the single document for the evaluation of occupational risks and its updates."

So, we see that on one side, there is the employer who is responsible for the measures and the identification of the measures. And on the other, there are contributors to this evaluation, to this identification, and to the taking of measures. And among these contributors, there are these two bodies which are extremely important in France and which are interesting to look at closely. These are the social and economic committee and its health, safety, and working conditions committee. Why is it interesting? Because precisely in 1981, as part of the Auroux laws, the Committee for Hygiene, Safety, and Working Conditions (CHSCT) was established, which had permanent members and the right to conduct investigations, which had budgets to conduct investigations carried out by specialists, experts, and which also had time to go and conduct investigations themselves on the ground. So, we had a place for the extremely interesting constitution of expertise carried out and accumulated by trade unionists, which allowed them to effectively have a well-founded, documented argument, validated by investigations, to compare with the investigations and evaluations of employers. This was something that worked truly well. It also happened to me as a sociologist to participate in this type of investigation, and we truly had the possibility of bringing analyses from the field that clearly highlighted the deleterious factors in the organisation, in working conditions, in the methods of employee mobilisation. Within the CHSCTs, where there were also occupational physicians, there was truly social dialogue with partners who were, one could say, relatively homogeneously equipped. There was not, I would say, a very strong domination on the part of the employer, but there were members of this committee who were able to argue on these issues in a scientific, documented manner. Within the committee which, at the time, was called the works council, there were these represented members who could ask questions in a general way.

However, in 2017, the CHSCT was abolished and replaced by the health, safety, and working conditions committee, which does not have permanent members as was previously the case, and whose members are from the social and economic committee, and therefore, there is a lesser capacity on the part of trade union representatives to build expertise to oppose employers. I think this is a point I wanted to make regarding the law. Because there are two questions I wanted to raise. First, the question of the evolution of this law. However, the rights of trade union representatives have been frontally attacked in France by their diminished capacity to build knowledge that is enforceable against employers in the identification and prevention of psychosocial risks. And secondly, I wanted to put forward for debate, because we need to move relatively quickly, the question of the use of this right. It must be remembered that this right is exercised within a certain type of power dynamic between employers and employees and trade unions. These rights exist in a context that must be characterised by the fact that the employer is a stakeholder; they are considered to be responsible for taking measures to reduce psychosocial risks, and at the same time, they are the origin of these psychosocial risks, since it is they who define the organisation of work and the methods of mobilising employees, and within these methods, there can be extremely decisive elements that eliminate the necessary room for manoeuvre for employees so that they can precisely protect themselves from these psychosocial risks.

It's very important to consider the **managerial modernisation** that has essentially resulted in a **systematic individualisation of employee management and mobilisation**, which has attacked collectives. Collectives, however, are places of defence against occupational risks, including psychosocial risks, because collectives are places where employees are able to accumulate experience and knowledge, which

precisely allows them to minimise the effects of work organisation that could have deleterious consequences on their mental health. The disappearance of collectives undermines all this capital of field knowledge, what sociologists call **real work** as opposed to prescribed work. Collectives were the holders of this real work and this knowledge, and now they no longer have the capacity to protect employees who are managed not only individually, but also in a competitive environment.

In France, there are **personalised objectives for each employee**, personalised evaluations for each employee, and therefore bonuses and promotions are linked to these individual evaluations. So, there is a setting in competition, in the same way that psychologically, subjectively, there is a kind of **self-competition for each individual**, because you have to show how good you are, how capable you are of stepping out of your comfort zone, how capable you are of taking risks, because in managerial ideology, there is also this idea of taking risks, relative of course, but when you constantly hear this managerial incantation that says "you have to know how to get out of your comfort zone, you have to know how to love adventure, you have to question yourself," these are incentives that can lead employees down the path of risk-taking and self-endangerment, at least psychologically, because you accept oversized objectives, because you sometimes set even more demanding objectives for yourself to gain recognition in the company.

There is a stimulation, a solicitation that comes through the mobilisation of employees that puts them in a personal vulnerability, because if they want to be recognised as good, if they want to progress in their careers, they have to show that they are exceptional and show their talent, and showing your talents means not counting your hours, it means constantly challenging yourself. And that directly puts us at risk in terms of **burnout**, in terms of **depression** because if you don't succeed, it's yourself who is completely questioned and there is truly a constitutive context of vulnerability, especially since the margins of manoeuvre are also greatly reduced for each employee individually insofar as their work remains **Taylorian**.

In your case, you are obviously not in the blue-collar sector, but there are procedures, protocols, processes, codifications, methodologies that are concocted by experts and which are totally mandatory for employees, and the fact of not having room for manoeuvre, of not being able to influence the definition of the means necessary to carry out one's missions, which is the case in a Taylorian work environment, well that also has an effect which consists in trapping employees by a very restrictive work organisation, while they are precisely asked to take a certain number of risks to show that they are good employees.

What I believe is most important is to consider that in the real context of putting employees to work, there are the seeds of fragility, vulnerability, and danger. And that's the managerial ideology itself, which tends to psychologise each person's relationship to their work, saying "go on, set yourself challenges, go as far as you can, show us who you are." And indeed, there are no more brakes, no more barriers in terms of calculating the time spent working, in terms of subjective, emotional involvement. We talk about emotion management. We talk about affect management, we talk about it a lot in France, and there, we clearly see how, if employees are mobilised on the register of their emotions, their affects, then obviously not just any emotion, there is an emotional sorting carried out by management because there are good and bad emotions. The good emotions are not those that tell you "be careful, be cautious, don't put yourself in danger, get informed before you go." No, the good emotions are those that involve taking risks, the proof that you are the strongest, the most capable of meeting challenges.

This is something very important because the very configuration of the managerial model is at the root of putting every employee who wants to play by the rules and who thinks "work as it is now demands total involvement" into difficulty, vulnerability, and danger. It is this total involvement that is dangerous because, indeed, within a prescribed organisation where there is no room for manoeuvre, like "well, I worked three full days, I'll take two days to rest" or "I'm going to postpone the deadline for such and such an activity because..." No, that's not possible. We are in a very prescribed framework, a very defined framework. And so, as a result, this psychologising mobilisation of each person as an individual at the expense of professional dimensions that provide certain protections, that set certain barriers, for example: we must not exceed such and such a working time, we must not accumulate such and such a mission.

This aspect is all the more aggravated by the **permanent change** that I also mentioned before, but it's good to consider them in relation to psychosocial risks and the vulnerability that is embedded in work organisation, company functioning, and mobilisation methods. Permanent change is also dangerous because it affects employees' experience. And employees' experience is eminently protective. We know what to do or not to do to avoid putting ourselves in danger. We know that such and such a type of activity, if it is not supported by a collectively defined temporality, for example, can be threatening for everyone. When a surgeon, for instance, performs an operation, if their protocol is changed every six months, that can be extremely dangerous. We need things that serve as stable, fixed benchmarks, because these are protective bases for every worker. I will stop soon, simply by showing two things that Georges and Yves convinced me of. The law is a fundamental dimension that we must and can rely on, but first, when we have institutions like committees, CHSCTs, trade union rights that allow this law to be implemented and used effectively and efficiently within the framework of social dialogue, and secondly, we must also see that it is the very conception of employee mobilisation, the organisation of their work, the organisation of their relationship to time that is deleterious and puts employees in vulnerability and danger.

I believe these two aspects need to be taken into consideration. And I'll conclude by reminding you that in France, with all the laws we have, we've had nearly **700 fatal workplace accidents** every year for about ten years. 700 fatal accidents and a much larger number of serious accidents. We then have a suicide rate – I won't give the figures because it's very complicated to get exact numbers – a suicide rate at work. We saw this with the France Télécom trial, where the three executives were convicted of institutional moral harassment, which speaks volumes. So we have a significant number of suicides at work, a very significant number of burnouts, and also a very worrying number of addictions to psychoactive substances to cope with work, because there are addictology surveys that show that many patients who consult for addiction say that they initially take these psychoactive substances to cope with work, and then, indeed, they become addicted.

The overall situation is very worrying, very concerning, and it must be taken into account. And we need to realise that if the law is indeed an absolutely important pillar, we must ensure that trade unions are able to seize this pillar to wage struggles and conduct effective social dialogue.

And secondly, we must look very, very closely at the conditions under which employees are put to work, from the point of view of the very organisation of work, from the point of view of forms of mobilisation at work, and from the point of view of the relationship to time.

Yorgos Vlandas: Thank you, Danièle, for this introduction. And Yves Caelen from the GRASPE review's editorial board will also report on how this is happening in the institutions, at least at the European Commission, which is the largest employer, with 35,000 people working there. If there are other colleagues who can talk about what's happening, for example, in the Court of Justice or elsewhere, their remarks will be welcome. We can observe a kind of degradation of the institutions or bodies that dealt with this dimension, for example, the Committee for Hygiene and Safety. I remember that in France, it could interrupt work processes if it turned out they were dangerous to health.

In the same way, I don't know if it still exists, trade unions could benefit from the advice of expert firms paid by the employer to allow them, say, to have the knowledge to potentially contest, comment on, or discuss, say, management positions, particularly when discussing things concerning the economic health of the company.

So, indeed, the power dynamic does not allow all these bodies to be maintained. Perhaps the globalisation of the economy too - for which Eugène Descamps, founder of the CFDT, said that it was better to trade than to wage war, that the absence of trade is also the birth of war - creates new conditions of competition, initially, between social groups and therefore that certain rights were questioned. Without going further, I would like to make another remark concerning the emergence of these well-being discourses on burnout, on harassment, which both accept new realities in the company, in institutions, but which at the same time, convey a discourse of accompaniment and obfuscation, let's say of intense ways of doing things that create problems. When I say obfuscation and accompaniment, it's that in a certain way, telework is being

implemented, which poses health problems and allows for an intensification of work. I don't mean that there is an intensification of work for everyone, but it allows for an intensification of work and more sustained rhythms because when you switch from one task to another, you no longer have the journeys, for example, to go to Barcelona, as we do, you can go from a meeting in Brussels to a meeting in Barcelona without transition. So, there is an intensification of work. From there, there is the discourse of accompaniment which consists of talking about the right to disconnect or well-being or harassment, both as a result of an awareness of what accompanies this intensification of work, but also as a discourse of obfuscation since, ultimately, we talk about well-being, we are aware of it and therefore the situation should improve, whereas this discourse on well-being only accompanies a process that is, let's say, more negative.

Danièle Linhart: Indeed, the **right to withdraw** that you mentioned is very important, very interesting. I think we need to reflect on that and focus attention on it. The right to withdraw exists. In the event of a serious and imminent danger, an employee has the right to withdraw from work, and the employer does not have the right to force them to return to work until that serious and imminent danger has been eliminated.

But I'll give a small example that I experienced as a sociologist in a large, very renowned company where a 21-year-old young man had died. This company was a biscuit factory with automated production lines. This young man was on a qualification contract and was found dead because he had climbed onto the production line to try and fix something that wasn't working properly and was causing all the operations to be slightly distorted. As he climbed onto the assembly line, which was open at one point and closed at another, his clothing got caught, and he was crushed against the closing line; he died.

We came as a team of sociologists to try and see how such an accident had occurred. And we conducted interviews and held group meetings with management, and at one point, management said, "but there's the right to withdraw, it's incomprehensible, why did this young man take risks?" And then there was an outburst of indignation from the employees and trade unionists who said, "the right to withdraw, but that's purely formal. This young lad, who was on a qualification contract, knew that if he stopped the line, because he had to stop the line, at that moment he would have been fired directly." They would have told him, "you stopped for nothing and you compromised the flow of the line, so it's serious professional misconduct and you won't get your permanent position."

So, we can clearly see that there's a problem between the law and its implementation. When do you have the right to withdraw? For example, in cases of moral harassment or sexual harassment, you also have the right to say "I'm withdrawing," but withdrawing carries a risk. I was also with European colleagues in Japan, and we discussed this right to withdraw, and the Japanese said, "oh yes, it's very important, we were the first to put it in the regulations." And then we asked, "but what happens, in what cases does it occur?" They looked puzzled, then at one point, someone laughed and said, "no, before exercising the right to withdraw, it's better to commit hara-kiri." Because it was simply unthinkable to implement it. So, this purely formal aspect should never be forgotten.

Yves Caelen: Thank you very much, Danièle, for giving me a great transition with that. Because indeed, it's often, not about the right to withdraw of course, but it's often the kind of comment we'll hear from our colleagues who call the union when they're in a difficult situation. "Oh, I feel completely exhausted, completely drained by my work, but I'm going to see my doctor and I'll ask for two days off because if I take more, I'm afraid of being looked down upon, I'm afraid things will go badly."

We talked about categories more fragile than others, trainees, people on precarious contracts; we also have that in the European institutions with contract agents, temporary agents who also find themselves in the same situations, who sometimes have to work with permanent officials and who sometimes perform the same functions as them, or even more dangerous, more complex functions than the permanent officials they are with. You explained very precisely how the law is not sufficient and the law does not fully protect. We're not talking about psychosocial risk here, but we were recently talking about our interpreter colleagues who have hearing health problems, and I asked yesterday, "but if there are so many problems, why are there so few complaints?" And my colleague from the interpreters' delegation to the Commission replied: "because interpreters don't dare to report the problem."

So if that's the case for issues as obvious as physical health, what must it be like when it comes to mental health, moral health? And there, I immediately want to turn to the questions in the chat. I see that Ana asks us: "what should be done to avoid the risk of burnout? Accepting not being good enough?" I already want to give a piece of advice now, which is **not to stay alone**. As you said, Danièle, truly, the idea is to cut us off from knowledge, to cut us off from information, but it's also to cut us off from the network of relationships. In a conception that one could call neoliberal, in a fragmented conception, if we take up this idea of Zygmunt Bauman on liquid society, in a conception where everyone is in competition with everyone, somehow, what weakens us is isolation.

First thing, if you are struggling at work – because these conferences need to be immediately practical – **find people, colleagues you can lean on, and recreate local solidarities**. If that young man we just talked about, victim of that stupid accident because he didn't dare to stop the line, had found himself in a small solidarity network, it could have helped him. It wouldn't have worked miracles, but it could have helped him. So, the first recommendation I want to bring as a trade union representative here within Union for Unity is: **do not stay isolated, connect with others and face challenges together**. If your manager, whoever they may be, accuses you personally, challenges you personally, try to collectivise the issue, try to stay connected. Now, the second question: "To whom? How can we talk about it to the union or elsewhere?" That's Ana's question. Indeed, **call on us and call on us as soon as possible**. Do not wait until it is too late. Call your union representatives, your representatives on the staff committee, whatever organisations you are affiliated with, by the way. Call them as quickly as possible. Another particular element in the European institutions is that the core of national legislation on workplace risk prevention comes from European directives, but the paradox is that these directives apply to Member States, but this is not the case within the European institutions, since we are not a Member State, we produce the directives, but they do not necessarily apply directly to us. What will apply in terms of rights? The Commission and the Court of Justice will make decisions that will say that such and such a principle applies, but not necessarily all of them. This means that, whereas in national workplaces, everything is systematically organised with legislation, risk analyses that must be carried out regularly, here, it is organised, things exist, but it is organised in a fragmented way and generally when it comes to responding to problems. So we will find decisions on harassment, decisions on the management of hybrid work, but we will not have this systematic side. This morning we had the opportunity to meet a colleague active in these units in charge of preventing psychosocial risks. We are dealing with a very small team which, we were told, has been able to intervene, has been able to do prevention work and training work, in 15 directorates-general over 10 years. You should know that we have about fifty directorates-general and offices in total at the Commission. And I'm not even talking about what happens in other smaller institutions that may have fewer resources. So there is a huge amount of work to be done at our level, at the trade union level, to systematise prevention approaches.

Yorgos Vlandas: I also wanted to mention the existence of an obligation for an annual psychosocial report.

Danièle Linhart: Ah yes, you mean the **single document**. The single document is quite interesting, but the employer is its holder, who keeps it available, but who is the holder of this single document. The document is kept by the employer, is made available to workers and former workers, and must ensure the collective traceability of exposures and documentation. This is the danger to which workers are exposed. So, indeed, it is a document on which all risks are listed. But what needs to be seen is who writes it, who informs it, what is selected to be put in this document – that I don't know, I couldn't tell you more.

Yorgos Vlandas: At one point, in the institutions, there was talk of this document being produced by the institution, discussed with the organisations. Also echoing what Yves said, it's one thing to have an approach advocated by a small department which, on a voluntary basis, performs a DG-by-DG analysis, discusses risks, makes recommendations. And it's another thing for the Commission itself, discussing with trade unions, to perform a psychosocial risk analysis. At that point, the analysis must take into account factors such as, for example, lack of resources, turnover, frequent mobility, work intensification, specific indicators like absenteeism rates. This document has an objective value and from which one can discuss. The parcelisation, the double parcelisation of approaches, on the one hand the fragmentation Yves spoke of by theme, and on the other hand the fact that it is not globalised and that it does not start from an objective

analysis that is the subject of social dialogue, allows, let's say, for a blur and allows problems to be avoided. Because what is the point of well-being, what is the point of the right to disconnect, if in fact staff shortages push people to work a little more?

Danièle Linhart: Yes, I just wanted to say, in an article, I found it very interesting, which is **L4122-1**, it says, "in accordance with the instructions given by the employer [...], it is incumbent upon each worker to take care, according to their training and capabilities, of their health and safety, as well as that of other concerned persons." So, here too, there is the basis of what can be **individual accountability**. And I saw this in a company, the individual accountability of employees: "if you're ill, it's because you yourself didn't know, and besides, we're going to coach you." And there, I agree with your point, which is very important. We are going to take care of your well-being and we will provide massage sessions, meditation sessions, etc.

It's also the idea that everyone is an entrepreneur of their skills, everyone is also responsible for their health at work. And often, we also see it for suicides, we see it for depressions, etc. So, there are several factors that are all, I would say, seeds, poisons to reduce the employer's responsibility. And all this theory of well-being and coaching is: you need to be accompanied because you don't know how to take care of yourself. I would say, for example, there is another aspect in France. Recruiters are increasingly asked to choose employees who are **resilient and capable of happiness**, meaning they classify employees into two categories: those who are naturally pessimistic and will always be unwell, and those who are resilient and capable of happiness, who will do well. So, we see that there are truly the seeds of an extremely strong individualisation of responsibility for one's mental and physical health, and some employees are even given watches to calculate their sleep hours.

So it's really an intrusion into personal life to individualise responsibility. In fact, if you're not doing well, it's not really because of work, you smoke too much, you don't get along with your spouse, and that's something very pernicious.

Yorgos Vlandas: I wouldn't want to generalise, but often "toxic management," as we call it, is merely the result of a human resources policy where it's considered that "you can't make an omelette without breaking eggs." I've had to deal with people who had been harassed, and senior management considered it a necessary evil. Despite the fact that one person had mistreated a colleague, the only thing they got was a promotion and a smaller team. And more recently at the PMO, Yves wrote a text that we'll publish soon, which essentially says that directors leave, but the problems remain. The director had been accused of poor management – that might be the case – but that director had been forced to make savings of around 15% in a department that couldn't have negative priorities, no flexibility, a department that paid salaries, pensions, emissions, and medical expenses. And so, he was forced to introduce technological innovations at a forced march. And so, at that point, it was sink or swim because he was judged on the achievement, let's say, of his objectives. Very often, with regard to toxic management, we forget that someone put these people in that position, that we realise certain people don't know the subject, but who put them there? While we have people, for example, who know recruitment procedures, why aren't they the ones we find at the head of EPSO, and we find people who come from other institutions, who come there without really knowing the subject. There, there's also a responsibility where, ultimately, the discourses we call **discourses of obfuscation**, which also have an interest because they allow intervention and work on cases, also obscure the responsibility of the people who make decisions, including budgetary ones.

The European Commission, today, has undergone several crises during the programming period. It had to create a recovery plan with a market plan, so hire people, the health crisis, the energy crisis, the war, and what else, all while having a reduced resource budget. The consequence is **precariousness**, because precarious workers have fewer promotions, work is intensified, and "family jewels" are sold, meaning we've gone from 55 buildings to 25.

Yves Caelen: You've said that you've already provided a lot of information on this, notably emphasising the fact that often, the problem is **personalised**. And it's true that the personal dimension is important and meaningful. If we take the PMO director, for example, whose situation Georges mentioned, he had a particular style, a particular approach, and one could say it went down more or less well. But there are fundamental problems; if we take this **Payment Master Office (PMO)**, the salary payment service, it

is very clearly a service where almost everyone is on contract positions at fairly low grades, with administrative work that is relatively repetitive, with precisely rules and ways of working. Even more interestingly, not only have budgets been reduced, but the PMO's workload has increased by at least 20% in recent years because they have new files, new agencies or institutions.

Danièle Linhart: If I may add something, this is extremely important, because in fact, decisions are made at the top and then, indeed, middle or intermediate management is caught in the game. We saw this, for example, at France Télécom; that's exactly what happened. They said we had to make 22,000 people leave through the door or through the window. This was told by the management to the 600 executives who were on site, and since they were civil servants, they couldn't be dismissed, so they had to be made to want to leave, and just in those words, "make them want to leave," the subtitles were indeed, they had to be harassed so that they wouldn't stay, that they wouldn't stay any longer, and that's why they were convicted of **institutional moral harassment**. Without going that far, one has to consider what "lean management" is, which is implemented in all administrations, that is, doing more with less, therefore reducing staff, reducing budgets, reducing deadlines.

Indeed, then we can say that we are very concerned about your health. For example, in France, there are HR managers for well-being and happiness, **Chief Happiness Officers**, and they all say every morning we wake up thinking about you. There is also something fundamental, which is **solitude**, it is **individualisation**, personalisation that has led to solitude and that makes everyone feel personally, individually, alone in their corner, under pressure, under harassment, by having oversized objectives.

Marie Peset, who manages the "Suffering and Work" website in France, always says, **don't stay alone**. And also, sometimes, to save your skin, you have to leave. Because burnout can create irreversible medical situations. We must not underestimate the importance of these psychosocial risks, and especially the fact that the **absence of a collective** means that people don't know what to do and then internalise the responsibility themselves. I have heard very high-level employees tell me: "I realise, I'm not in my place, I'm not good, I'm not up to what's asked of me." That's terrible because they don't talk to others and they don't know that others are experiencing the same thing. So, **recreate collectives, talk, share, realise that these are situations that are common to many people**, and that's extremely important.

Yorgos Vlandas: Well, regarding the European Commission, leaving is possible. Not always, but it's possible because we don't have what exists in France. You can move from the Ministry of Finance to an Education Ministry. You can move from DG BUDG to DG EAC and from DG REGIO to DG ENER, which is not the case in France. But as for other institutions, if I take the regulatory agencies, for example, some departments at the Commission, I take the case of Spain.

The distribution of EU community sites and institutions in Spain was done in a completely clientelist way. So, we have 400 people in Barcelona, Bilbao, Valencia, Alicante, and Seville. So, as a result, these are relatively small entities, and if you're unhappy in one place, there's no labour market allowing for mobility. There are places where people have been put, like in Angers, France, instead of putting everything European in Strasbourg, why did we put 50 people in Angers? There's no support, solitude, isolation, and that's still a general rule. And there, the institution doesn't share, it doesn't resist enough to the pressure from Member States.

Laura: Hello, my name is Laura, I'm on sick leave today. I work at the Commission, for the External Service. First, thank you everyone for your interventions. My small contribution is regarding the appointment of managers, contact points at the delegations. In each delegation, several people are appointed: the person in charge of psychosocial risk, the person in charge of environmental issues, the person in charge of security issues. So, I just wanted to inform you that normally, this part of the delegation is never, at least in my delegation, was not identified by an internal consultation. So, it's always an appointment that falls from the sky. That's what I wanted to share.

Yorgos Vlandas: Thank you for your testimonies.

Maria: Hello! We are listening from the Dominican Republic. We are listening carefully to transmit the messages to colleagues afterwards. Well done for the initiative. Thank you.

Yorgos Vlandas: Thank you, Maria. I also had Barbara in the chat who had intervened. Barbara, you raised your hand. Can you speak?

Barbara: Yes, hello. I experienced burnout twice over a ten-year period, for seven months and ten months, and I returned to the same place. I really contacted four, five unions, the doctor, everyone, no one helped me. All that you're telling me is very nice, but I completely agree with what colleagues have said here, everyone protects themselves. My head of unit was in contact with human resources, they themselves with the control doctor, it was appalling. I was given a terribly bad CDR [Career Development Report]. I remained in the same grade for six years. So, I was punished at all levels, and no one helped me, and even the union was quite hesitant to help me. Either I had to go on invalidity leave, and with an invalidity allowance, I would have ended up on the street because I wouldn't have had enough income from invalidity. I'm alone in Belgium. Or I had to return to the same place. The harassment continues. I couldn't find a new job. So, I was forced to return to the same place because I'm always asked for two or three years of CDRs for interviews. And my managers, they brought me down. They wrote lies and negative things. I spoke with several unions, and even they are afraid of human resources. Yet what is written in the procedure is that I do not have to prove that I am being harassed. The text clearly explains that what matters is what I feel and that I am asking for help and that I am asking to be moved. No union wanted to help me move to another DG.

Yves Caelen: Yes, so indeed, these are often very complicated situations; it shows, in any case, the difficulty of finding oneself within the support structure. These are regulations, and Danièle said that the law is not enough, and that the rules concerning harassment are indeed complicated rules. So I'm not going to respond to your interjection as if I'm on trial; I'm simply listening to what you're saying, and I don't know which union you contacted when, but the objective here is not so much to analyse this particular situation. But overall, indeed, the procedures that are opened in cases of harassment have several levels. So even before going through the informal procedure, people can, as I said, seek support around them, so that's a first element that is not procedural. Then, indeed, there's what's called an informal procedure. In a situation of harassment or malaise at work, the urgency is not to have the harasser condemned – it's important to have the harasser condemned, but it's not urgent. The urgency is to ensure the restoration of well-being. And so, obviously, according to the procedures, and I would add that these procedures have been recently modified, the Commission this year published a new procedure to follow harassment that tries to improve a certain number of points on which there were shortcomings. Overall, for informal procedures, you have what's called the **network of trusted persons**, the network of trusted persons whom you can contact for support, but you also potentially have the option of appealing to the mediator service.

Ana-Maria: Yes, hello. May I intervene? I'm Ana-Maria, I work at DG Research and Innovation. I'm in the same situation as Barbara. I've tried everything – mediators, trusted persons, human resources, I've tried everything. Directors, Directors-General, all stand united for institutional harassment.

Yves Caelen: Thank you for your testimony. We've already said a lot, and notably that, indeed, we are led to work on increasingly thick files with new responsibilities. I'm thinking, for example, of my colleagues at DG CLIMA. In the current context, the more we move forward with taking measures, the more work there is. So, indeed, there is this context with diminishing human resources, and also the snowball effect, because when a colleague goes on burnout, what is the consequence? It's that the other colleagues will take on their work. And so, the situation worsens. If there is no risk analysis, most of the measures taken are palliative measures. We arrive afterwards to repair the damage. So, if there is no properly conducted risk analysis, indeed, we cannot do real prevention. That said, as I mentioned, in terms of prevention, social connection is an important element. So, highlighting approaches linked to social connection in workplaces is not a panacea, but it is something that will help, at least, in terms of prevention.

Anne Gervaise: I was thinking that for me, the solution is **political**. That is to say, I remember very well a small diagram, as we are in Belgium, where there was a team lifting a stone, then the next image, it was fewer people lifting the same stone, the next

image, even fewer people lifting the same stone, and the fourth image, the stone crushed the few people who remained. I believe that at the Commission level, we have already moved from the first to the second, and perhaps to the third. The aim of the game is that whatever the resources, whatever solutions we can find, there are internal solutions of course, but at some point, you have to **remove the stone or bring in more people**. It's as simple as that. If the stone gets bigger, it's a political question, meaning you have to remove it. Go back to the Member States and say it's no longer sustainable. That, I believe, at some point, we will simply have to come to that. And the second thing is to thank Barbara and Anna Maria because what they did is **courageous** and it only confirms the fact that we have no miracle solution. We will look at the cases and what we can do, but it is true that these are difficult cases, but I wanted to thank them for their intervention because it is courageous and it only confirms the fact that the subject is a current one because they dared to speak, but perhaps among the participants, there are others who feel exactly the same thing.

Yves Caelen: Indeed, we say that the solution is political, and that's a fact, but in the meantime, we need to **react today where we are, with what we have**. The advice I'd like to give is **not to get discouraged, not to stay alone, not to stay isolated**. I think that even if we've tried seven or eight things that didn't work, you have to keep going, you have to continue because breaking out of isolation is undoubtedly an effective way, not to solve the problem, but to extricate yourself.

And indeed, as I said, there are many people who say, "I'm not well, but I don't dare take sick leave, even if I'm dead tired," and that kind of thing, so **protect yourselves, do what's necessary, and above all, don't stay isolated**, that's also an important point.

So, let's stay united and bring forward the different elements we've just discussed together so that the situation moves in the right direction. Danièle, a concluding remark?

Danièle Linhart: Yes, well, I think what you're saying is very true, but there's an aspect that's not mentioned there, which is that **to not be alone, others must also surround you**, and I believe that from this point of view, we need to **make others accountable** for what's happening. You know, Marie Peset, who opened "suffering and work" consultations in hospitals, is truly specialised in this issue. Even she, when she receives people who have been harassed, she asks, "Are you the first person to have been harassed in your department?" And generally, people say, "No, there have been others." I believe telling harassed people, "don't stay alone," is very important and true. But we need to **raise colleagues' awareness**, we need to explain to colleagues that these are not bad people, that these are not people who don't want to play the game, that they are not the reason why we have more work, but that these are colleagues who want to work well and who have fallen into a kind of dreadful trap of harassment, of suffering, and that we must be around them and help them.

I believe that's fundamental. We are right to tell people not to stay alone, but we must try to influence others, **don't leave them alone**. Understand that even if you don't feel it, you are a true collective, we need mutual aid. **Raising others' awareness**, that is an obligation, indeed a very important trade union duty, to explain where burnout comes from. It's not a personal failing, it's not a person's bad will, or it's not simply a perverse harasser; **it's a deleterious work organisation**, these are deleterious working conditions, and the only way out is to **face it together**. So, combating isolation is not simply by raising awareness among those who suffer, but by raising awareness among those who witness those who suffer and who share the same conditions, the same work situations.

Yorgos Vlandas: I would like to link all these discussions with something you already told us on another occasion, about the fact that **we approach problems as individual problems** – you're being harassed, you're not adapting, you're destined for burnout, you're a burden – and not as **structural problems**. The institution provides some advice and performs an analysis for the Directorates-General that wish it. There is nothing, and there is no analysis of the existing situation. A few years ago, we fought for an **annual psychosocial risk report** that could serve as a basis for discussion, meaning to move beyond the individual. For example, for the people at the PMO, including the unions, they now advocate psychological support units, but no union action for mobility, no for other careers, no for resources. And so, as you told us, Danièle, for the evaluation report, it's never the individual in the team, but it's the individual in relation to themselves. So,

structural issues are obscured, and even trade union organisations treat it as an individual case.

Danièle Linhart: If trade unions take up the issue by framing it as a **collective one**, then we could certainly imagine actions like a **collective withdrawal** saying: "we are currently witnessing a serious and imminent danger for a person who is one of our colleagues, we are withdrawing from work." Well, I know that sounds a bit excessive like that, but there are possible approaches. So, someone said, I think it was Ana-Maria: "we can't, we are isolated because others are afraid." Yes, it's very true that others are afraid, but that's what needs to be worked on with the help of the union.

Yorgos Vlandas: Well, that's a provisional concluding remark. The story continues. In any case, thank you for helping us, for reflecting on this issue. Thank you, Danièle.

Danièle Linhart: I am wholeheartedly with those who suffer and who truly feel trapped. It's a terrible position. But above all, don't feel guilty; know that it's something that affects many people, that you are, in a way, the sentinels of this curse, one might say. Others need to become aware, and they can do so all the more if the union is there to help them.

Yorgos Vlandas: Thank you. Goodbye everyone, and see you soon for other conferences.

Multilingualism in Brussels

GRASPE Conference on 13 June 2024 with Philippe Van Parijs

Georges Vlandas: I give the floor to Philippe Van Parijs, whom you know. Philippe has participated in several of our conferences, notably on universal income; his texts have been published in GRASPE and in the newspaper *Le Link*. I hand over to you, Philippe.

Philippe Van Parijs: A big thank you for the invitation. Well, I will indeed talk about multilingualism, the promotion of multilingualism, but from a relatively narrow perspective, as it will primarily concern linguistic diversity and the promotion of multilingualism in our small city of Brussels, capital of the European Union. So in Brussels, to understand the linguistic revolution that has taken place in Brussels since the beginning of the century, one must first understand the demographic revolution that occurred in 1961. At that time, **6.8% of foreigners lived in Brussels**. So **93% of the Brussels population was Belgian**. And among these 93%, perhaps a maximum of two, three percent were Belgians of recent foreign origin according to the criteria used by the Belgian statistics office. Being of recent foreign origin means having at least one parent who was not born Belgian. Belgians of recent foreign origin accounted for two or three percent at the time, so **90% were Belgian-born Belgians**. The Brussels population, in fact, began to decrease very rapidly from 1960 onwards. We went from over 1,100,000 to 950,000 inhabitants. And then from 1989, it stabilised, and from 2000, there was a very rapid increase in the population to reach now over **1,200,000 inhabitants**. But what is crucial is that in terms of the proportion of Belgian-born Belgians living in Brussels, we went from **90% to 52% in 2000 and today to 23%** of the total Brussels population, with almost **40% of people having foreign nationality**, mainly European nationality, and also almost **40% of people having Belgian nationality but of recent foreign origin**.

Recently, we had regional, federal, and European elections. We have a slightly complex electoral system for elections in the Brussels region. There are two electoral colleges, a Dutch-speaking college and a French-speaking college. For the Dutch-speaking college, two lists emerged: on the one hand, the **Greens (Groen)**, who came first for the region as a whole, and then a new party called **Team Fouad Ahidar**, launched by a Moroccan. Moroccans form the relative majority within the population of foreign origin in Brussels. And it must also be said within the Brussels population as a whole, the typical Bruxellois today is no longer a Walloon or a Fleming, but a Moroccan. And so there was a list led by a very likeable Belgian of Moroccan origin, a dissident from the Flemish socialist party. And the municipalities where he came first are in fact the municipalities west of the canal, which are the municipalities with a much larger population of foreign origin, of non-European foreign origin. And overall, a poorer population. So you have the "Green Party"

coming first in the majority of Brussels municipalities, especially the wealthier ones, including the part of the Brussels territory where we are located here, the parts closest to the European institutions. And on the other hand, it is this list of a dissident socialist of Moroccan origin that comes first to the west of the canal.

What is even more important to understand to grasp what is happening linguistically in Brussels is the **very high fluidity of the Brussels population**. Here, this gives you an idea: from 2000, from the beginning of the century until 2022, practically **1,500,000 people legally came to live in Brussels**.

So, let me remind you, on 1 January 2023, there were 1,200,000 people, but practically 1,500,000 people came to settle in Brussels and 400,000 people left Brussels. Most of those who arrived came from abroad. Most of those who left, left for Flanders or Wallonia. This gives you an idea of what happens on an annual basis.

So since 1921, in fact, long before that, many more people have left Brussels to go to Flanders than people who have arrived from Flanders to live in Brussels. The same applies, but to a lesser extent, to Wallonia.

So, every year, more people go to live elsewhere in Belgium than people who arrive from outside Brussels to live in Brussels. This is largely offset by a positive balance from abroad. Every year, while there was a negative balance for both Flanders and Wallonia, there was a positive balance with respect to abroad. This, of course, has an effect on population growth. Of course, one must also take into account the natural balance, i.e., the excess of births over deaths, which has always been positive during that period, mainly thanks to the foreign-origin population. We therefore have immense fluidity in the Brussels population, which, of course, contributes to Brussels' linguistic challenge, because no matter how much French and Dutch, the two official languages of Brussels, are taught to newcomers, many of them leave to settle elsewhere in Belgium, and every year, more keep arriving in Belgium, most of them coming from abroad and not knowing Dutch upon arrival, and a small minority knowing French, so the challenge is, of course, permanent.

So here, this gives you an idea of **mother tongues**. In Brussels, in 2000, there was still a majority of the population, practically **52%**, who had French and French only as their mother tongue.

In 2024, we have very recent data published last May, we have fallen to **41%**, a very rapid decrease. For those who have Dutch as their exclusive or parental mother tongue, we went from **9% to 6%**. And so today, practically **30% of the adult Brussels population** now has, or has had in the past, neither French nor Dutch as their mother tongue.

If we look at these other languages in combination with French and Dutch, we reach about **50% of the adult Brussels population** who have had a language other than French or Dutch as their mother tongue, possibly in combination with French or Dutch, from the point of view of knowledge.

So that was for mother tongues. Of course, one can learn languages beyond childhood. But we were not far from **100% in 2000** who said they could express themselves correctly in French; we were at **95% for French**. Indeed, if we compare, we were at **98% of people who could speak Dutch in Flanders** or **99% of people who could speak French in Wallonia**. Brussels was practically a French-speaking city, but this proportion has greatly decreased and today, practically **20% of the Brussels population** is unable to communicate in French. For Dutch, there is also a very, very rapid decline, but a recovery according to the latest linguistic barometer, which is mainly due to the fact that a growing number of French speakers and allophones, people whose mother tongue is other than Dutch, now go to school in Dutch. And so this is starting to manifest itself in the adult population, which explains the recovery of Dutch in the last period. **English is now by far the second language in Brussels**, after French. The gap between English and French is narrowing very quickly. But the most worrying aspect from the point of view of linguistic policy, of promoting multilingualism, is that, from now on, **15% of the population, so about 150,000 adults, are unable to communicate correctly in French and Dutch**.

If we add English, that reduces the problem, but we still have **10% of the population unable to speak, to communicate beyond a basic level, in French, Dutch, or English.**

Here's a historical image of the situation. Now, I turn to the question it must pose. There's a problem because linguistic legislation says that in Brussels, there are two languages. All public services must be provided in these two languages because in Brussels, there are Flemings and Walloons and nothing else, and everything must be provided in these two languages. This use from the 1960s, we realised it was no longer adapted and that there was a challenge to be met in terms of language learning because on the Brussels labour market, there is an increasing demand not only for French-Dutch bilingualism, but for French, Dutch, English trilingualism. In 2013, a movement emerged from civil society, academics, but also trade unionists to say that multilingualism absolutely must be promoted in Brussels; this was called the "**Marnix plan for a multilingual Brussels.**" In its wake, during the formation of the Brussels government in 2019, a ministry for the promotion of multilingualism was created. It still exists today, but not necessarily for very long, as the new government is in the process of being formed.

The minister in office then created a Brussels Council for Multilingualism, which he asked me to help compose and then to chair. And this Brussels Council for Multilingualism recently published a memorandum with two central messages.

I'm going to quickly present the two parts of what this memorandum proposes. On the one hand, it's about **better welcoming**, that's the first chapter. And for that, it's about transgressing and significantly reviewing the 1960s legislation. Let me remind you, this legislation stated: all Brussels public services, from public transport to public hospitals, must be obligatorily provided in French and Dutch, but only in French and Dutch.

It may be possible to provide information in other languages, particularly English, if it concerns tourist sites and purely tourist information, this is largely transgressed in Brussels. As you probably know, STIB, the public transport company, provides information both orally and in writing in English, not just in French and Dutch. I'll give you an example in a hospital where important advice is given to pregnant women, not only in English and in large print, of course, in French and Dutch, but also in Arabic and Spanish.

What needs to be done in Brussels is to **use as much as possible and in a pragmatic way the linguistic skills that are already present among communal and regional civil servants**, and therefore to serve as much as possible in their own language or in languages they know all the people who use Brussels public services. In the last linguistic barometer, respondents were asked in what language they communicated with agents at the municipal services desk. If a French speaker was addressed in Dutch and vice versa for a Dutch speaker, the answer was in 3.5% of cases, I believe, for Dutch speakers who switched to English, and in 13% of cases, French speakers also switched to English, which was generally easier for them than communicating in Dutch.

So what we recommend is a bit like what Brussels Airport, located in Flanders, already does – it's also a private operator – but where each agent has small badges, small flags, indicating which language they can communicate in. We also propose to follow the example of the Brussels police, where it's possible to pass a language test to obtain a bilingualism bonus.

If one has passed that test, one can also pass it for other languages deemed useful in the police zone concerned. There are practically as many Brussels police officers who have passed the test for English as for Dutch. A certain number of Brussels police officers receive a bonus due to their knowledge of Arabic or Spanish or German, or even Polish. That's the first part: really going all out at the level of providing multilingual public services. It's not about giving every Bruxellois the right to be served in their own mother tongue. That's strictly impossible. By linguistic meter, 104 languages were identified, but that's a sample of 1600 Bruxellois. In that sample, there are six languages from India, whereas there are 700 languages in India. In Brussels, there are hundreds of mother tongues present; it's impossible to provide public services in all these languages, even with the help of artificial intelligence and new technologies. But we can still go much further in this direction, and that would allow for providing much more efficient public services than if we stuck to the rigid current legislation. The second important thing is to

better equip Bruxellois men and women, and that means making them more and better multilingual.

Knowing several languages is not only important for accessing public services. It is also very important for **accessing the job market and obtaining good jobs**. It's important from the point of view of **social cohesion**. It's important for **political participation** in a majority French-speaking city in a majority Dutch-speaking country and in a European Union whose institutions and civil society operate predominantly in English. So, knowing these three languages is important in Brussels, but it must be perfectly compatible and it is essential with the transmission of all the mother tongues that are present in Brussels.

So, we must not believe that it is a zero-sum game. The better one knows their mother tongue, the better one will be able to learn the school language. And so it is about making room for these mother tongues in nurseries, not to learn these other languages there, but to value them. It is also important to use all the resources of Brussels libraries to facilitate the learning of mother tongues by providing books to families who often have no books in their own language. It is also about doing much more in schools. The learning of French in Dutch-speaking schools is good because there are many French-speaking pupils in these schools and also because the Brussels environment is largely French-speaking. On the other hand, the **learning of Dutch in French-speaking schools is lamentable**. In 2000, **20% of those leaving French-speaking education** said they spoke Dutch correctly. We are now down to **6.5%**, and it is extremely difficult to get out of this situation.

The knowledge of French for those leaving Dutch-speaking education, on the other hand, is currently at **83%**. The knowledge of English in French-speaking education improves from time to time but remains well below what is achieved in Dutch-speaking education.

It's pathetic, but this knowledge of languages is extremely difficult to improve due to the **Brussels real estate market**. This is already a big problem for Brussels' Dutch-speaking schools, which cover about **20% of Brussels pupils**; it's very difficult for these schools to attract and retain enough teachers. Why? Because it's very expensive to live in Brussels. There are enthusiastic young teachers who love Brussels' cosmopolitan character, so they live there for a while and then they have a family, they find affordable housing for them at a certain distance from Brussels, as soon as they find a job closer to home, which is not difficult at all in Flanders, because there is also a shortage of teachers there, well, they abandon their teaching positions in Brussels. This is already very difficult for these 20% of Dutch-speaking schools in Brussels. So finding teachers for Dutch immersion schools, meaning a part of the courses taught in Dutch in French-speaking schools, is extremely difficult. Especially since recently, school calendars have been desynchronised; it has been decided that in Wallonia, from 2027, Dutch will also be compulsory from the third primary year. So, it will be even more difficult to keep enough Dutch teachers in Brussels, since it is also much cheaper to live in Wallonia than to live in Brussels.

So, it's a huge challenge for which a lot of imagination and political will will be needed in Brussels. And then there's, of course, teaching and learning Dutch beyond the family and beyond school. For example, in Brussels, there's a free language learning platform for all Brussels residents called "**Brulingua**"; there's also "blended learning" for the three languages – French, Dutch, and English – which is well used by job seekers but is massively underutilised by the Brussels population. So, it's important to raise awareness of this possibility.

There are other underutilised possibilities; I already mentioned libraries earlier. There are French-speaking libraries and Dutch-speaking libraries in Brussels. It seems that Brussels has the highest density of libraries in the world, because there's a dual network and there's a library in each municipality, one Dutch-speaking, one French-speaking. But people believe that there are only books in French or Dutch there, whereas there are hundreds of thousands of books in other languages that could be used. And so, in order to enable all this, the Brussels Council for Multilingualism proposes to organise annually, preferably in February, to coincide with International Mother Language Day, a **Brussels Multilingualism Week** that would make known everything that exists, and also help mobilise some good models of multilingualism, including **Vincent Kompany**, whom you see there and who is a truly exemplary trilingual Bruxellois. His parents spoke French; his father, incidentally, has just been re-elected to the federal parliament for a French-

speaking party. His mother was a very committed French-speaking trade unionist, and they found it very important for him to learn Dutch. He went to school in Dutch in Brussels, then he married a British woman and spent most of his football career in the United Kingdom. And so this Multilingualism Week will certainly be able to recruit him again. He was there a few years ago to serve as a model for the Brussels population, and all the more so because he has just said that he is refreshing his German because he has just been appointed coach of Bayern Munich.

Above all, this Multilingualism Week must be something **"bottom-up,"** like the annual Mobility Week, which mobilises schools, businesses, administrations, and experts to make all Bruxellois understand that every day can be an opportunity for them not only to better learn a language, but also to help others learn languages. Because the great drama of language learning, and you must often experience it in your multilingual environments, is that there is a very understandable tendency to choose the easy way and to use the language that allows for the least laborious communication. Very often in Brussels, when a Dutch-speaker and a French-speaker meet, it's French. And so that doesn't allow French-speakers to better learn Dutch. And very often, in international institutions, including the European Commission, it's English that allows for the least laborious communication, to the detriment of our knowledge, our learning, our maintenance of other languages.

Being kind enough, I would say, to communicate with someone in a language that is not their best language, is also giving them the opportunity to improve and maintain a competence in other languages, what I call the **"maximin" language**, which very often in Brussels is still French, but which, at the European level, tends to be English.

I conclude with this invitation by saying that the promotion of multilingualism is something that, to some extent, political powers can do. I have just drafted a proposal for insertion into the declaration of the new Brussels majority, which is in the process of being formed, a passage to state everything that the new Brussels government will commit to doing. There are things that governments can do at different levels, including at the European level down to the municipal level, but the spread of multilingualism, the promotion of multilingualism, in the interest of everyone and in the interest of all, in the interest of the city of Brussels, of Belgium as a whole, but also of Europe as a whole, this promotion is everyone's business.

Georges Vlandas: To kick off the discussion, I had two remarks. In the article that appeared in the press, you gave indications on the number of existing languages in Brussels, which was a considerable number. And then there is another question which relates to what is happening, because Brussels is unique in that it is a microcosm of linguistic problems. And then thirdly, I think I remember one of your statements where you mentioned both the need to respect everyone's language and cultivate that language, but also to know a common language, without which there can be no public opinion. It is this anchoring in the community with a vehicular language that would allow the expression of a European public opinion. This approach, if I understood correctly, could contradict multilingualism because everyone had, in this approach, their own language and a vehicular language. The same multilingualism that we advocate but do not practice within institutions for economic reasons could be combined between the language of the community of origin that should be preserved and a vehicular language.

Philippe Van Parijs: How many spoken languages are known in Brussels? Nobody knows, we don't know and we never will. In Belgium, we had a census with a linguistic component until 1947. There was going to be another in 1960, but there was an outcry, large demonstrations to stop this linguistic component because the legislation of the 1930s linked the number of people who declared themselves able to speak French in a peripheral municipality of Brussels to the linguistic status of these municipalities. And so, as soon as 30% of people declared themselves French-speaking, that municipality became bilingual, and then, as we saw earlier in the small graph on Brussels, as soon as these municipalities officially became bilingual, pressure built up at that time when French was truly dominant in Belgium, economically and in terms of prestige. In the long run, this transformed these municipalities into French-speaking municipalities.

So, the linguistic census was stopped, and since then, we have no reliable information on language knowledge or mother tongues across Belgium. It is only thanks to this Brussels linguistic barometer that we have been able to get an idea of the linguistic situation since 2000.

But of course, this is only a sample which, moreover, has decreased from 2500 to 1600 people. In the very first linguistic barometer, there were 70 languages, and then each time there were about a hundred languages in the net, there were all the major languages, including, as I said earlier, six of the official languages of India, but there are many other languages. There are people of Congolese origin in Brussels, but there are more than 200 languages in Congo. So Brussels, compared to other major cities, much fuss was made about this 2015 "World Migration Report" graph where it said "Brussels, the second most cosmopolitan city in the world." I went to look at the "final print" of the report. In fact, it was based on a sentence in an article that mentioned a figure of 60% without precision. But it was not the proportion of people born abroad, which was apparently used for other cities, it was the number of people with at least one parent born abroad. And there are obviously many more, which means that if we took the criterion of "born abroad," we would drop from 60% to 40%, we would still be in the top three with Toronto. But that's in terms of origin; in terms of language, obviously, the more diverse the origins, the more different languages there will be. And we saw that the 10 most represented languages in Brussels in 2000 have all seen their share decrease since then, including Arabic and Turkish. This is also due to the arrival of Eastern Europeans after the 2004 enlargement. Of course, in London and Paris, there are at least as many languages as in Brussels. But there is a particularity in Brussels: not only do we have this immigration, as in all capitals of large cities in North America or Western Europe, immigration of refugees, labour immigration. In addition, in Brussels, we also have a massive presence of international institutions. But in addition, in Brussels, we have this particularity of official bilingualism which makes everything much more difficult because in Paris or London or Berlin, there is one official language. And so everyone is supposed, not to assimilate, but to integrate into the linguistic and cultural universe that this language represents. In Brussels, no one is forced, since even Belgians are not forced to learn one of these languages. Even though the French-speakers would have liked to do so with what was then called the "Front des francophones" which is now called "Défi", and which had an absolute majority in Brussels and said "Brussels, a French-speaking city". In the last elections, they got 6%, so the idea of making Brussels a French-speaking city is forgotten.

This brings me to the third question, which makes it a challenge in Brussels to say: "we must try to make everyone who grows up in Brussels trilingual, or even more." There are three languages that are important in the job market: French, Dutch, English. This means that for at least one of these languages, a true mastery as a school language is necessary so that one can communicate well, and in the "more," there is also this idea that all the mother tongues present in Brussels must be transmitted with enthusiasm, and above all, not to believe that it is a zero-sum game.

You shouldn't say that the better you know your mother tongue, the worse you'll know the school language. On the contrary, the better you master your mother tongue, the more solid a foundation you have for learning the school language and everything else. And then all of this is linked to what you were referring to, it's a book I published about a dozen years ago entitled "Linguistic Justice for Europe and the World." What I say in it is that to function well, to create a common *demos* at the European level and at the global level, we need direct communication. Of course, artificial intelligence would help us. The spectacular improvement in machine translation and automatic interpretation is a game-changer that reduces the incentive and the possibility of learning other languages. Nevertheless, it will never be a full substitute for direct communication, going for a coffee together and communicating directly rather than with a small device in your ear that gives you a more or less reliable and more or less rapid translation of what is being said.

So, for me, we must continue to tell ourselves that we need a **lingua franca**. I was in China recently, and I was still astonished to learn that today, and for about twenty years now, to access higher education in China, you have to pass an exam in three subjects: mathematics, the Chinese language, and the English language. Despite the resurgence of nationalism in China recently, that continues to be the case. So today, there are more people learning English in China than there are inhabitants in the United States. And so it's a huge investment that China is making. So, will the long-term development of artificial intelligence lead them to say: "do we really need to spend billions of hours annually learning this language when there can be automatic translation?" So I think there will be a reduction in this reform, but in Europe, we have languages that are still much closer. With the exception of Bulgarian and Greek, we have a common script.

Georges Vlandas: And Hungarian?

No, the script is the same, so of course, there is a greater linguistic distance with Finnish, Estonian, and Hungarian than with Bulgarian or Greek, but we have a common Latin script. So I believe that in Europe, we will continue to need it. But that must go hand in hand, and that was the other central conclusion of my book on linguistic justice, with what I call the **principle of linguistic territoriality**, meaning making it realistic to expect from every person who settles in a particular territory, a part of Europe, a part of the world, that this person has both the humility and the courage to learn the local language. And so, if someone wants to settle permanently in Greece, it will not be enough to speak English or French.

Georges Vlandas: But how can this be compatible with the fluidity of the population, because when you go to Greece, there are more and more foreigners coming, let's say, and there are places, often islands, where the population has doubled with foreigners, but they learn Greek because Greek is a point of reference. In a population that is fluid like Brussels, what about that?

I live in Saint-Josse, which is a Dutch-speaking municipality, but it is inhabited by Turkish Catholics, Iraqi Catholics. And so, what is the reference in a world of such great mobility?

Philippe Van Parijs: In service of this principle of **linguistic territoriality**, there are two things: the linguistic regime of **public communication** and that of **public education**. These two things, understood in a very broad sense, mean that all compulsory education, whether organised directly by public authorities or subsidised or simply recognised by public authorities, must use the local language as the language of instruction. This is what was done in Flanders and allowed Flanders to free itself, in a way, from the French influence because the proportion of French speakers was increasing in Antwerp, Kortrijk, Ghent, Bruges, Leuven, just as it was increasing in Brussels. And public communication means that if you go to a counter in Flanders and you don't speak Dutch, they tell you: "you should learn it." But compared to Brussels, it becomes difficult to use these means. Nevertheless, using the language of the territory as the language of instruction is obviously the strongest means for younger generations. At the level of public communication, it must be effective, and so we want the population to know what public authorities want to tell them.

Yves Caelen: To continue on the question of linguistic justice, which says justice also says emotion because alongside justice, there is the feeling of injustice. Have these elements been taken into account by the work you have done at the Council? I am thinking in particular of three elements. The first element is the famous "**francophone oil stain**". So there is an attachment to one's language and the emotion, if I can translate it that way, that the language is threatened and that it should be defended. Besides that, if we look at the other side, there is perhaps a French-speaking feeling of superiority: "We speak an international language, we don't need to learn another one, why would we learn Dutch?" And then there is something undoubtedly much more serious concerning Arabic: there can be a reaction of rejection. Have all these elements been discussed in the work on multilingualism in Brussels in particular?

Philippe Van Parijs: Well, the answer is yes, these three elements are very important and it's impossible not to take them into account if you want to make viable proposals. The "oil stain"... There was a time when some French speakers dreamed of the linguistic purification of Brussels, where only French would remain. There was a time when Dutch speakers dreamed of reconquering Brussels. Brussels was born a city and began to franchise itself somewhat from the elite, from the Duke of Burgundy. Brussels has existed for about 1000 years and began to become a little French-speaking, but truly at the very top, 500 years ago. There was a time when people dreamed of that. And so this could be formulated in terms of "oil stains." French speakers wanted to crush what remained of Dutch while the Flemings wanted to counter this "oil stain" by trying to free Brussels from the French influence. Well, on both sides, we are now "relaxed" about the matter, saying that the future of Brussels is multilingual and linguistically diverse. This is essential; linguistic diversity should not be a calamity.

So this emotional part about Brussels has become quite relaxed. But this is thanks to the fact that this "oil stain" has been stopped in the Brussels periphery. There is a form of "oil stain" that continues, but it is a problem for Flanders, which is indeed still tense on this issue. This emotional aspect remains, but even in Flanders it is reduced because the Flemings are now economically richer, so there is no longer this inferiority complex of being both the poorest and the most despised, and on the other hand, French speakers

have begun to understand, little by little, the validity of this principle of linguistic territoriality. I like to tell an anecdote when I find myself facing French speakers, an anecdote told to me by a British journalist based in Brussels. He went to visit an American who was renting a villa in Waterloo, in the French-speaking part of the country. The American told him, you'll never believe me, but I've lived in this villa for three years already and the owner is still unable to speak English. Of course, French speakers laugh, but without realising that this was the attitude of French speakers who were also going to settle in Flanders. So, that was for the first point.

Yves Caelen: Perhaps before moving on to the last point about extra-European languages, let's call them that, we still see that on linguistic territoriality, this issue of facilities, in particular, always comes back like a Loch Ness monster. So there's a paradox: on the one hand, we have multilingualism, but on the other hand, we still have political tension.

Philippe Van Parijs: I believe it's a tension linked to the ambiguity of the **1962 compromise**. So, in 1962, following the marches I mentioned earlier, for the end of the linguistic census, it was said: "we must definitively determine the limits of the bilingual region, and these are the 19 communes and no more." But a compromise had to be made. French speakers obtained guarantees to have French-speaking schools and access to administration in French. But these rights are not guaranteed "ad vitam aeternam," it must be understood. These are facilities that will gradually fade away. We don't want to deprive people who have rights now of the rights they have; they will retain them. But if new people arrive or new ones are born, they won't have the right to the same thing.

Yves Caelen: Which explains why Belgium has not signed certain conventions on the protection and recognition of linguistic minorities.

Philippe Van Parijs: Absolutely. In this regard, Belgium has been slapped on the wrist, including twice by the Council of Europe. But those who come from outside do not sufficiently perceive this emotional dimension of those who say: "but these French speakers, they consider themselves colonists. They come to settle in Flanders and then behave like us European colonisers when we went to Congo, saying we won't even go and learn their miserable language."

Yves Caelen: To conclude on the subject, we were talking earlier about the official bilingualism of services in Brussels. In reality, we are far from it. A Fleming arriving at a counter in Brussels quite often finds himself unable to be served in his language.

Philippe Van Parijs: This is also central to our thinking. The Dutch-speaking minority in the 1960s, when the language legislation was enacted, their fight was to say: "we, as a minority, still have the same rights as the majority." So if you can be served in French, we can be served in Dutch. It's important that this is institutionalised, but then it proved to be unworkable due to a lack of staff, similar to the problem of attracting enough teachers to Brussels. But above all, this linguistic evolution means that today it's still very delicate for a Dutch-speaker to say: "listen, as a Bruxellois, I have the right to be served in the language. There are almost as many people with Arabic as their mother tongue as with Dutch. But I am the local aristocrat who, despite my language being a minority one, still has the right to be served. All the others can be served in my language or in French."

Georges Vlandas: I'll read one of the questions from the chat, a question from Olivier Brunet, a former colleague: "To what extent could multilingualism allow us to effectively fight against the worrying progression of the far-right in Europe and not just in Europe?"

Philippe Van Parijs: For me, there's no point in fighting the far-right by trying to ban them from television studios; you have to tackle the root by making people communicate with each other, meaning they get to know each other. I come back to the figure from earlier: **15% of Bruxellois who cannot communicate in French, Dutch, or English** are people who are confined to their own linguistic community. So, Ukrainians who only speak among Ukrainians, Syrians who only speak with other Arabic speakers. We must not break up these communities, which play a very important role in allowing the integration of people who come from elsewhere. We must open them up through multilingualism, meaning by giving them opportunities, sometimes even obligations, to learn the languages that will allow them to communicate with others, and it is by communicating with others that trust and collaboration can be established. And that

fundamentally tackles the breeding ground of the far-right. It must be said that in Brussels, we are doing quite well because I believe there are about **600 municipal councillor mandates in Brussels**. Not a single one is held by far-right representatives, not a single one. It is very important to involve people of foreign origin in political institutions. There is an **over-representation of the Moroccan community** in relation to the entire Brussels population in the Brussels Parliament because pure foreigners cannot vote in regional elections. This accounts for **40% of the population** being excluded. Most people of Moroccan origin have Belgian nationality, and among the 10 candidates who obtained the most votes in the last regional elections, **five were of Moroccan origin**. This is one of the very important channels. I mentioned Fouad Ahidar earlier, who was a huge success; from nothing, he obtained three out of the 17 available seats, and he is a guy who has excellent ties with the Belgian community and communities of foreign origin, not just Moroccan; we need people like that. For me, that's the connection with multilingualism. It's not that the more you learn Chinese and Japanese, the more access you have to their culture, the more it will improve relations. We need to improve communication possibilities in a very down-to-earth way, opportunities to meet, transform public spaces, eliminate cars as much as possible so that people communicate with each other. So there's a linguistic dimension, an urbanistic dimension, an educational dimension, of course, very important in the fight against discrimination.

Yves Caelen: There's a lot in the chat spanning different areas. Some people are asking about Esperanto as a solution. Others say: "it's a shame we don't have bilingual schools in Brussels, that we have to choose between French schools and Dutch schools." But what interests me most right now is Natasa's remark, who tells us that multilingualism and the equal value of languages should be self-evident in Europe. And that leads me to ask the question of territoriality. We understand very well why this principle of territoriality has its place in Europe with its history of nation-states, and particularly in Belgium, with this history of linguistic communities. But other systems exist; half of the states in the United States do not have an official language. And people who will have to choose between Trump and Biden in New York in a few months will be able to have ballots in Chinese, Spanish, and a whole host of other languages. So, can this model of language **deteritorialisation**, where all languages would have equal importance, work? We know that some will be dominant and will naturally become lingua francas. Should we have official lingua francas, or should we just let the free market of languages take its course?

Philippe Van Parijs: Just a word on Esperanto. I think it's a very beautiful idea that allows for the creation of transnational communities, but it stands no chance against English simply because you learn a language by practising it. When you're assured of having billions of potential interlocutors, including in the next office, whereas for Esperanto, you constantly have to seek them out, as well as all the existing materials and writings. So, as soon as you understand that you don't learn languages by tapping out vocabulary lists and grammar rules, Esperanto remains a beautiful idea for which I have a lot of sympathy, but it has no future as a lingua franca. On bilingual schools in Brussels, I already answered that in a way earlier; they would imply that we would not only have **20% of Brussels teachers who are Dutch-speaking, but 50%**. Where would we find them? The linguistic barometer indicates that **90% of French-speaking, Dutch-speaking, and allophone Bruxellois** say: "that's a good idea." For me, it remains an ideal.

Georges Vlandas: And why bilingual and not trilingual or quadrilingual? Because with such diversity we could have a school where Arabic, Dutch, and French would be practised. Many of your exchanges are very marked, which is normal, by the fact that you are Belgians. However, we have the models of European schools which are multilingual with several vehicular languages which are massive languages, either German or English or French. And so why would we not have a school that would teach from the beginning, Dutch, French and English or Greek, because there are very important communities here, including European ones.

Philippe Van Parijs: I don't have time to answer in detail, but in our memorandum, we discuss this idea of bilingual or multilingual schools by taking three models: the European schools model, the Luxembourgish model, and then the model proposed for Brussels, indicating each time the specific difficulty of its implementation in Brussels. I think that from the point of view of multilingualism, European schools are effective, and as you know, our children attended a European school, but the effectiveness of promoting multilingualism in European schools does not come from the immersion

aspect, which is quite late, in fact. Education in the second language only comes in secondary school, whereas in the immersion models that are implemented in Wallonia, one starts much earlier. And so the earlier one starts, the better. What is the secret of multilingualism in European schools? It's the **mix**, we have Germans, Estonians, Walloons who follow the same course, who communicate with each other, they form friendships. And this is inapplicable in Brussels because most of the children in Dutch-speaking schools are already French-speaking, and if you put them together, they will all communicate in French. The Luxembourgish model is interesting but dramatic in some respects. The Grand Duchy of Luxembourg's performance in the PISA surveys was so catastrophic that it's the only OECD country to have asked to be exempted from the last PISA survey.

To answer Natasa's question, there was a French political scientist who had a central thesis that he defended very convincingly here, in reference to Quebec: "the nicer people are to each other, the meaner languages are to each other." So, if you let people interact with different linguistic repertoires and try to communicate, what happens is the recurring, systemic victory of the language that is already the most widespread, the strongest language, or the language of power. And so he argued that the only way to avoid the agony of a language is to allow it to cling to a territory and tell those who come to settle in Quebec: "you will have to send your children to school in French," and the same applies to those who come to settle in Flanders.

And so the only way to guarantee a form of real linguistic equality is not just to display "European Parliament in 23 languages" on the facades of the European Parliament. Symbols are important, but that's not enough. We need to take things more seriously. Following Jean Laponce's path – that's his name – a linguistic community must be allowed to protect its language against this agony that comes from people's kindness, from people's concern to speak with each other.

So, what about the United States? You can afford a very great laxity when your language is powerful, when it's a language of power, that people will learn it anyway, with all that you can afford to say: "you choose another language."

Yves Caelen: I believe the sixth language in the United States is Tagalog, one of the essential languages in the Philippines. So, how do people arriving from the Philippines continue to speak Tagalog while living in the United States?

Philippe Van Parijs: In Brussels, we had this assimilation model saying: "forget your language as quickly as possible." That was somewhat the initial perspective in the United States. Now there are all these communities that persist, also because of the internet; you stay in contact with your regions of origin much more than you could before. It's also cheaper to return to your country. And so it persists much more than before. But, in California, there are bilingual French-English or English-Spanish schools, and a colleague from Stanford told me, bilingual English-Chinese schools.

Georges Vlandas: Having reached this point in the conference, I realise there are multiple questions in the chat that we won't be able to answer. But you said we could conclude with the latest Eurobarometer?

Philippe Van Parijs: As always, there's a publication made by the Commission, about **150 pages**, which presents a certain amount of data, not only on the linguistic situation but also on attitudes towards language, etc. For each country, there's a small four-page brochure. For Flanders and Wallonia, what we see is that **English is progressing very clearly in terms of knowledge. French remains the best-known language in Belgium, Dutch is declining** due to a **5% decrease in the proportion of Flemings who have Dutch as their mother tongue**. So, this is due to very significant immigration in Flanders of people who have kept their mother tongue and have not been assimilated. It's also interesting to see people's reactions to the question: "Which language do you think is important for your children to learn?" **85% say English in Belgium**, and that corresponds to the European average. But what's very clear and probably a little worrying is that there's a very strong decline in those who consider it important to learn French beyond their mother tongue and those who consider it important to learn Dutch beyond their mother tongue.

The reason for the return of what seems very important to me for understanding the dynamics at play is to disaggregate this data by generation because we have data for the entire population.

Georges Vlandas: I would like to thank our colleagues for staying until 2:20 PM anyway, and we will meet again on 27 June on the theme of immigration.

Reflections on the EEAS

GRASPE Conference of 07/02/2025

The competences of the institutions in external relations differ depending on the areas of action. Personnel management guidelines vary according to different categories and administrative attachments. The debate that presided over the creation of the EEAS (European External Action Service) is therefore still relevant²⁵: where should decision-making power be located to act effectively and coherently in a "geopolitical" manner? The best illustration of the topicality of the question is reflected in the discussions on the format of the delegation network, with diverging views among services on how best to represent the European Union in various third countries.

Context:

- **Amsterdam:** Institutionalisation of a High Representative / VP, endowed with a new mandate merging the roles of Commissioner for External Relations (RELEX) and High Representative for the CFSP (Common Foreign and Security Policy, ex-Solana): Common Foreign and Security Policy, Common Security and Defence Policy (collective defence clause, conflict prevention, civilian and military missions, crisis centre). The rotating presidency in foreign affairs is abolished. The HRVP presides over the Foreign Affairs Council.
- The **EEAS is created to support the action of the HRVP** (Art. 27 TEU) who presides over the Council working groups in the field of foreign affairs, including the Political and Security Committee (PSC).
- The **EEAS was originally composed of officials from DG RELEX / DEV**, the Council Secretariat, and one-third of posts filled by national diplomats recruited as Temporary Agents.
- The **Delegations of the European Commission become Delegations of the European Union**, headed by Heads of Delegation accredited at ambassadorial level, who have the dual EEAS/Commission hat, the two bodies always having different competences. Currently, there are 145 Delegations and offices (to be distinguished from the offices present in the Member States managed by the Commission).

The institutional arrangement deriving from the Treaties, and particularly from the Lisbon Treaty, is exceptionally complex. The European Union's competences in the field of external relations are distributed among the various institutions and Member States and are diverse²⁶. They can be exclusive, shared, relate to support and coordination functions, or be even more specific in the area of the Common Security and Defence Policy (CSDP)²⁷.

The latter is defined in the Treaty on European Union (TEU), whereas other policies appear in the Treaty on the Functioning of the European Union (TFEU), thus establishing different legal bases according to the area. This reinforces a "bipolarity"²⁸ that calls for a

²⁵ Débat précédent : GRASPE Cahier n°45, Juillet 2022 : pp. 58-66 :
<https://graspe.eu/document/grasp45.pdf>

²⁶ Voir Andreone et Soret in Revue de l'union européenne 02/2024, n°675 (Dalloz- Paris), pp. 10-16

²⁷ It should be noted in this regard that this also goes beyond the classical prerogatives of a diplomatic service and belongs to the domain of defence in most Member States.

²⁸ Viktor Szép & Ramses A. Wessel in ENGAGE, Working Paper Series, No. 6, January 2022:

https://static1.squarespace.com/static/604251cac817d1235cbfe98d/t/620f8318520d0359042cec83/1645183772062/ENGAGE+Working+Paper+6_The+Current+Basis+and+Governance+Structures+of+the+EU%E2%80%99s+External+Action_v2.pdf

urrent+Legal+Basis+and+Governance+Structures+of+the+EU%E2%80%99s+External+Action_v2.pdf

differentiation of the applicable governance system and is reflected in the distribution of competences between the European Commission, the EEAS, and Member States, a systemic factor of divergences for a joint approach to external relations.

The European Commission asserts itself as "geopolitical" but must rely for this on the development of a diplomatic apparatus that manages a network of Delegations, which is not attached to it – the European External Action Service (EEAS). The latter is placed under the authority of the High Representative, who happens to be Vice-President of the Commission, but who depends on the Member States for matters falling within the CSDP domain.

Thus, unlike the sphere concerning policies falling under the European Commission's prerogatives, in CSDP matters, Member States not only largely retain the initiative but also closely control the decision-making system by maintaining the unanimity rule.

However, they also continue to pursue their own agendas in parallel, to the point where the EU often appears as a *sui generis* entity, becoming a full-fledged actor on the international stage, not necessarily perceived as solely the expression of the policies of individual Member States.

The effectiveness of the system essentially relies on its capacity to ensure that all actors "pull in the same direction." Consequently, the EEAS's coordination work with the Member States, particularly through the Council working groups at the Institutions' headquarters, is fundamental; as a reminder, the EEAS presides over these groups – primarily the Political and Security Committee (PSC), and the Foreign Affairs Council (FAC). The EEAS plays a secretariat role in preparing meetings. But while coordination seems to work, at least for these more political aspects – this is less true for everything related to the external aspects of internal policies managed by the Commission, or external trade. Tensions are particularly evident within the delegations, where institutional rivalries are most pronounced.

This is systemically aggravated by the problem of the EEAS's low human resource endowment compared to the Commission within the delegations, where the majority of personnel are provided by the latter. The creation of the EEAS was intended to be "staff-neutral."²⁹ The transformation of Commission delegations therefore involved transferring a certain number of posts from the institutions (essentially from the Commission in practice) to the EEAS and incorporating national diplomats, up to 30% of the total (employed as Temporary Agents). The result was the creation of "minimum islands" of EEAS personnel within the delegations to fulfil the "obligations of the Lisbon Treaty."

Thus, generally, in each delegation, there is an ambassador, Head of Delegation, who assumes (Article 221 TEU) the role of the European Union's sole representative in third countries and to international organisations, regardless of the areas of competence – including those falling under the European Commission's prerogatives, such as trade, climate, cooperation, commerce, migration, etc. Ambassadors locally chair meetings of Heads of Mission. In more strategic delegations, Heads of Mission can rely on a formal Deputy Head of Delegation. But in most cases, only a political counsellor exercises this function in case of absence (as *Chargé d'affaires ad interim*), leading a "political, press and information section." For reasons of rationalisation, the EEAS has also taken on, on a cost-sharing basis, logistical (administrative sections) and security functions. The remaining personnel are provided by the Commission.

In practice, there are thus more agents who are organically dependent on the Commission (around 3,200) than on the EEAS (fewer than 2,750). Commission staff are predominantly funded from the operational budget in the form of contract agents (around 1,000). The employment of the latter therefore depends entirely on funding from programmes – the operational budget – hence the obligation to assign them effectively and solely to the implementation of these programmes.

This situation symptomatically leads to the continuation of siloed working, too often still. Only the ambassadors, Heads of Delegation, wear a "double hat": they depend on and are accountable to both the EEAS and the services of the European Commission. The use of resources according to their specific purposes is therefore particularly sensitive,

²⁹ Voir commentaires GRASPE Cahier n° 25, Juin 2015 : pp. 7-12, <https://graspe.eu/document/grasp25.pdf>

as it involves contributing staff paid from the operational budget and contract agents to tasks falling under the CSDP.

This is only partially offset by the flexibility agreement, which allows Heads of Delegation to use Commission staff for tasks other than those falling under their original Directorate-General, but also, as regards the competences of the EEAS, namely those falling under the CFSP (or CSDP), with a guideline limit set at a maximum of 20% of time (provided it is temporary, etc.).³⁰

The question is partly theoretical as long as the distinction between what falls under "politics" and "policies" overlaps and pragmatism prevails. What, for example, belongs to the domain of promoting and defending human rights is by definition programmatic, involving the financing and implementation of projects funded from the Commission's budget, while being eminently political, and therefore falling within the EEAS's sphere of competence.

Conversely, the pooling of financial resources – as for communication, which certain Directorate-Generals of the Commission formally prohibit – but also missions, etc. – can easily become conflictual.

Commission staff work under the authority of the **EU Ambassador (i.e., the Head of the EU Delegation)** but remain attached to their original Directorate-General – sometimes in "mixed" positions – at both hierarchical and administrative levels. The **chain of command** therefore primarily depends on headquarters and not solely on the Head of Delegation (and even less so on the EEAS).

This is particularly sensitive for **contract agents** recruited on operational budgets. Thus, responsibilities regarding career management and appointments (Appointing Authority – AIPN) mean that resource management, beyond expenditure authorisation, depends on institutional attachment.

This also incidentally leads to the **fragmentation of staff representation** (two Committees: External Union and EEAS), which does not contribute to the fluidity of social dialogue, nor to the emergence of a sense of belonging to the same entity within the delegations, even if the same status and rules apply to staff regardless of their administrative origin.

Beyond legal constraints, this situation has become an almost **dogmatic point of tension**, with pressure exerted from headquarters: direct instructions sent by Commission services to staff in delegations who have a hierarchical link.

Yet, efforts have been made in recent years to achieve the concept of **"One Delegation,"** notably at the impetus of the Heads of Delegation themselves through their Bureau, in order to respond to the challenges of implementing a geopolitical agenda, namely contributing to a more crisis-resilient, flexible, and efficient network.

It appears from ongoing reflections that the objective would be to organise delegation activities around objectives and priorities regardless of the original affiliations of staff: to **promote cross-cutting work and "co-creation"** in order to mitigate the risks of an overly rigid configuration of sections and silos and to achieve respective but common objectives, compatible with the principles of the "global approach."

This would involve developing **inclusive mechanisms and guidelines for better inter-service coordination** to ensure that the EEAS, the Commission, the delegations and, where appropriate, other EU actors (e.g., CSDP missions, EIB) but also the Member States – under the label **"Team Europe"**³¹ – identify common priorities and ensure coherence in conducting bilateral relations.

There would also need to be a better consideration of the **regional dimension and multi-country strategic activities**, creating more flexibility through regional

³⁰ JOIN (2012) 8 final du 28/03/2012, Décision de la Commission relative à la gestion des ressources de la Commission dans les Délégations de l'Union : C(2012) 7200 final du 10/10/2012, révisée en 2019 par la décision de la Commission : C(2019) 8634

³¹ https://international-partnerships.ec.europa.eu/policies/team-europe-initiatives_fr

approaches. The absence of genuine dialogue, as well as divergent approaches to the creation (Greenland) or closure of delegations in countries in crisis (Sudan), illustrate these difficulties.

This implies a **decentralisation of personnel management** and a re-focusing of all activities for the benefit of the Heads of Delegation. This also means that all staff would be involved in more political work and around strategic objectives, such as those identified in the programming process in the field of cooperation, which set common goals. Profiles should be updated and staff retrained if necessary in delegations where cooperation is important.

This acutely raises the relevance of the current network, especially in a particularly tight budgetary context. Apart from the need to establish priorities, **concentrating resources has become even more paramount**; it is not certain that maintaining **145 diplomatic posts, delegations, and offices** is defensible, or even simply tenable. Reflection is underway, with radical proposals from Commission services to further **regionalise the management of cooperation-related activities**, in order to group them and achieve economies of scale, thereby dispossessing Heads of Delegation of some of their prerogatives vis-à-vis local authorities.

This is what will have to be decided between institutions. Is a transactional geopolitical approach compatible with remote management of activities? What are the essential political functions that a delegation must be able to assume to remain viable and justify maintaining a minimal presence in a country? The various Directorates-General (primarily ENEST, INTPA, MENA, and TRADE) under the guidance of the Secretariat-General on the one hand, and the EEAS on the other, are reflecting on the necessity for the EU to be present in a country. Beyond that, it remains to be seen how the new HRVP intends to set the course and can effectively exert influence within the College and what final arbitration will be made by the presidency.

All of this is taking place under increased budgetary pressure and in a geopolitical context that necessitates a revision of the EU's external objectives, a reorientation towards security and defence, new concepts in cooperation ("Global Gateway"), etc. This will inevitably lead to many changes in doctrine regarding resource management, human resources in particular, a factor of uncertainty and frustration for current services and staff.

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Les articles publiés dans ce numéro ne reflètent pas nécessairement le point de vue de chacune des personnes ayant participé aux travaux du Grasp.

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