

EU-OSHA AND ITS INTERACTION WITH NON-MEMBER STATES AND INTERNATIONAL ORGANISATIONS

1 Basis

According to its founding regulations, the European Agency for Safety and Health at Work (EU-OSHA) was created as a network organisation for the protection of the safety and health of workers through the provision to Community bodies, the Member States, the social partners and those involved in the field of technical, scientific and economic information of use in the field of safety and health at work.

This is to be achieved in cooperation with existing national Community and international bodies, and the Agency having the ability to invite as observers representatives of third countries, of Community institutions and bodies and of international organizations which share the interests of the Community and the Member States in the aim of the Agency.

Specifically, articles 3 and 4 of the founding regulations require EU-OSHA to set up a network, in cooperation with the Member States, and coordinate the network taking into account the national, Community and international bodies and organizations which provide this type of information and services, establishing contact with and collecting and making available information on safety and health matters to and from third countries and international organisations.

The global economy means that EU cannot act in isolation and is affected by “health and safety” issues arising outside the EU. This may relate to issues such as:

- Movement of labour:
 - Protection of all workers working in the EU regardless of origin
 - Protection of EU workers moving outside of the EU
- Movement of goods (e.g. the supply of work equipment, personal protective equipment, and other materials that may adversely affect the health and safety of workers in the EU).
- Movement of capital and business (e.g. ensuring effective cross-border enforcement and information sharing).

As an individual actor, EU-OSHA can only have a very limited impact, but by acting as a small part of the whole EU approach to worker protection, then it will contribute to the improvement of working conditions for those outside the EU. EU-OSHA has information on actions that go beyond traditional safety and health, including areas such as workplace health promotion, mainstreaming occupational safety and health into education and other policy areas, a diverse workforce, and corporate social responsibility. This material can support positive employment policies wherever applied.

2 Reasons for engagement

EU-OSHA should engage with international actors for a range of reasons that are not mutually exclusive and which include:

- To obtain information (e.g. case studies, survey data) from actors carrying out parallel work to the Agency (e.g. NIOSH, US OSHA).

- To disseminate information to facilitate capacity building in States (e.g. EU OSHA activity under IPA funding programmes and ENPI programme for the ENP States).
- To ensure that international actors are producing a coherent message relating to the improvement of working conditions and establishing common priorities.
- To produce common materials (e.g. the OSHWiki collaboration).
- To raise the profile of the EU and EU OSHA as global leaders in occupational safety and health and the collection, examination, and dissemination of occupational safety and health information.
- To support EU existing and planned initiatives with international actors (e.g. EU engagement with China, Commission financial support to International Chemical Safety Cards Project, EU-US conference).
- To avoid duplication of effort with other EU actors and international actors, collaborating so that any intervention has maximum impact and delivers a common message.
- To support capacity building in states to permit the promotion and adoption of the EU tripartite model of worker protection based on goal-setting legislation such as the “framework directive”.
- To support the broad goals of EU external policies.
- To support the pre-accession process providing assistance to the pre-accession countries to prepare to work with the EU-OSHA in a similar way as the Member States do.

3 Limitations on engagement

It should be noted that the number of actors with whom EU-OSHA could usefully interact is considerable, and it is not feasible for the Agency to engage with all given resource limitations. Therefore there is a need for EU-OSHA to prioritise its engagement. In particular, the issues of cost and time spent travelling become significant when engaging with non-European actors.

EU-OSHA does not engage in legislative actions (e.g. formation of legislation, enforcement). In some States where there is limited compatibility with the European model, then the amount of information that can be shared is more limited (e.g. where there is prescriptive rather than goal setting legislation).

4 Risks in engagement with international actors and mitigating actions

- In engagement with some international actors, EU OSHA (and by extension the EU) could be implicated as implicitly supporting an unacceptable regime.
- In travelling to some countries, there is a risk that there is sudden significant instability (political, environmental, or otherwise) leading to unacceptable risk to Agency workers.
- In engaging in financial actions (e.g. low value contracts for translation into local languages) there is a risk that some of those with whom EU-OSHA would engage would not follow the financial norms anticipated and associated with European-funded projects.
- In engaging in Grant contracts with the DG Enlargement and DG DEVCO to support enlargement and ENP country activity, there is a risk that some countries would not participate in activities as foreseen, leading to a budget imbalance.

Such risks can be mitigated by:

- On-going dialogue with informed EU bodies (e.g. DG ENLG, DG DEVCO, EAS, DG EMPL), seeking “early warning” where possible and following guidelines for engagement from these institutions.
- Having in place appropriate risk assessment, prevention, and recovery procedures for staff on mission.
- Minimising financial engagement and maintaining financial control (e.g. by purchase of flight tickets on behalf of participants to a seminar).
- Involving also the relevant department of the Ministries of Foreign affairs and the Representations to Brussels of the countries when establishing co-operation.
- Using the experience of and cooperating with existing global networks like ILO and WHO which have already established offices or are involved in EU funded projects in these countries.

5 Priorities for EU-OSHA

5.1 Actions with Non-Member States

- EEA and EFTA States already closely engaged in Agency network:
 - Norway, Iceland, Switzerland
- Countries in pre-accession process, most of them are closely engaged in the Agency work through grant agreements signed with the Commission:
 - Serbia, Montenegro, the FYROM, BiH, Albania, Turkey, Kosovo under UNSCR 1244/99
- Countries in ENP programme with whom EU-OSHA will focus on supporting those States active in developing their occupational safety and health system capacity: Sixteen countries are covered by the ENP, falling into two regional groups:
 - The ENP-East countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine
 - The ENP-South countries: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the occupied Palestinian territory, Syria and Tunisia
- Actions with developed economy States with whom EU OSHA can collaborate at a project level (e.g. US, Australia, Canada).
- Actions with emerging economy States who EU OSHA would provide practical support.

5.2 Actions with international organisations

- Interaction with key intergovernmental global partners, specifically ILO, WHO, and IALI.
- Interaction with key non-intergovernmental organisations, particularly professional organisations, and specifically ICOH.
- Interaction with identified regional organisations and networks that obviate the need for more direct action with non-Member States (e.g. BSN, ASEAN).

6 Examples of activities by which EU-OSHA can engage international partners

- Coordination activities – for example: exchange of work programmes, attendance at meetings, sharing of priorities and approaches.
- Information collection activities – for example: surveys in States beyond the EU, use of questionnaires to international experts, collation of good practice examples from outside the EU, use of national data from non-Member States, identification of authors from outside the EU.
- Information dissemination activities - for example: translation of Agency publications, provision of Agency materials for translation, presentation of information at meetings organised outside the EU, organisation of meetings at EU-OSHA, support for identified personnel to attend international events.

7 Annex: Typology of actors

International actors interact within diverse networks and while there is substantial overlap, international actors in occupational safety and health can be given the following typology:

- Non-Member States:
 - EEA States (LI, IS, NO) who we treat as Member States
 - EFTA States not in EEA (CH)
 - European Countries in pre-accession process
 - European Neighbourhood Countries
 - Other States
- International organisations:
 - Intergovernmental organisation:
 - Global organisations (e.g. ILO)
 - Regional organisations (e.g. ASEAN)
 - Non-intergovernmental organisations, e.g.:
 - International corporations
 - International worker organisations
 - International professional organisations
 - Inter-institutional organisations

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