

(English version)

**Question for written answer E-000081/20
to the Council
Agnes Jongerius (S&D), Kathleen Van Brempt (S&D)
(8 January 2020)**

Subject: Exploitation of construction workers working on the new Council building

The Belgian newspaper *De Standaard* published an article about the construction of the new Council building, which revealed that undocumented workers from various countries have been exploited. They were put to work without contracts and being covered by social security, presumably to avoid liability claims that may arise from potential accidents. What is more, many of these workers have not even been paid what was promised to them.

1. Is the main contractor responsible and liable for the whole chain of subcontractors with which it cooperates during a construction project under EU public procurement policy? If not, is the Council willing to include this responsibility and liability in EU policy for all future tenders?
2. Is the Council willing to conduct research to identify those who have been working undocumented and without contracts during the construction of the new Council building, and will it work with the Belgian authorities to identify those eligible for compensation of unpaid salaries and social security premiums?
3. Would the Council support a legislative proposal for an obligatory identification system — a European Construction Site Identity Card — for all people working on construction sites in order to improve the safety of all workers and to better enforce workers' rights?

Supporters ⁽¹⁾

**Reply
(9 March 2020)**

The Council attaches great importance to social protection. On 9 November 2019, it adopted a Council Recommendation on access to social protection for workers and the self-employed. ⁽²⁾

The Council was not the *maître d'ouvrage* of the construction project of the Europa building, which was carried out on the basis of a contract concluded between the European Community and the European Atomic Energy Community, of the one part, and the Belgian Government, of the other part.

Pursuant to that contract, the Belgian Government is responsible, in its capacity as the *maître d'ouvrage*, for all operations relating to public procurement procedures and contract awards, in compliance with the applicable legislation (*l'État [belge] assurera la mise en œuvre de l'ensemble des opérations nécessaires à l'attribution et à la passation des marchés conformément aux réglementations applicables*), and remains the sole contracting authority.

As regards the Honourable Members' question relating to a legislative proposal for an obligatory identification system — a European Construction Site Identity Card — for all people working on construction sites in order to improve the safety of all workers and to better enforce workers' rights, such a proposal has not been submitted to the Council and the Council has therefore not been able to take a position on the matter.

⁽¹⁾ This question is supported by Members other than the authors: Tanja Fajon (S&D), Johan Danielsson (S&D), Pierfrancesco Majorino (S&D), Gabriele Bischoff (S&D), Rory Palmer (S&D), Estrella Durá Ferrandis (S&D), Jude Kirton-Darling (S&D), Klára Dobrev (S&D), Raphaël Glucksmann (S&D), Evelyn Regner (S&D), Milan Brglez (S&D), Miapetra Kumpula-Natri (S&D), Manuel Pizarro (S&D), Alfred Sant (S&D), Bettina Vollath (S&D), Vilija Blinkevičiūtė (S&D), Petar Vitanov (S&D), Sylvie Guillaume (S&D), Kati Piri (S&D), Vera Tax (S&D), Mohammed Chahim (S&D), Lara Wolters (S&D), Maria Arena (S&D), Jens Geier (S&D), Aurore Lalucq (S&D), Elisabetta Gualmini (S&D), Josianne Cutajar (S&D), Giuliano Pisapia (S&D), Brando Benifei (S&D), Alicia Homs Ginel (S&D), Lina Gálvez Muñoz (S&D), Marianne Vind (S&D), Marc Angel (S&D), Isabel Santos (S&D), Dietmar Köster (S&D), István Ujhelyi (S&D), Jackie Jones (S&D), Theresa Griffin (S&D), Andreas Schieder (S&D), Katarina Barley (S&D), Marc Tarabella (S&D), Cristian Terheş (ECR)

⁽²⁾ OJ C 387, 15.11.2019, p. 1.