**The attacks on workers' rights in Portugal**António Mariano, Sindicato dos Estivadores (Dockworkers' Trade Union)

A few weeks ago I wrote an open letter to the Prime Minister of Portugal, where I made the synthesis of the reasons why he should leave the government and call for new elections. In a few words, synthesizing what we are about to do here and now, I tried to make clear the boundaries that no representative should overcome, that are related to accomplish their own words, their own promises, a requirement which is not even very ambitious.

In Portugal as a bit throughout Europe, the first complaint that should be made to the leaders of austerity is that they embrace all sorts of lies and deceptions to justify all sorts of transgressions. Rather than what they have promised to get elected, many governments took refuge in the idea that the austerity policies were there to impose an exigent policy for a brighter future, but the truth has proved exactly the opposite. To the austerity they added more austerity. To the sacrifices they added more sacrifices. To unemployment, more unemployment and more lies to all the lies they already had made so far.

Speaking in behalf of my sector, the ports, to which I am proud to belong for 35 years, I must begin by saying that he is the true picture of the programmatic nonsense that has been applied by the neoliberal economy in power. The pressure to precarious ports is increasing all around Europe, all around world, a process which is not unrelated to the greedy of capital to deregulate, liberalize, buy ports and thus maximize profits in the sector. Examples of this are the reality of the port of Piraeus, in Greece, which was sold to COSCO for peanuts, compromising all kind of Greek dockers labour rights including the right to unionize, or the fight that we caught at the Port of Lisbon against precariousness and slavery.

Our struggle in Lisbon during the last 3 years is the consequence of an absurd small paragraph inserted into the Memorandum of Understanding that Portugal signed in 2011 with the Troika, that maintains since then our country under siege from the European and Worldwide financial institutions, paragraph that declared the shrinking of the scope of activity for Portuguese dockworkers workplace as one of the conditions to take Portugal out from the financial constraints we were, and still are, increasingly facing. But the attack to dockworkers rights by European institutions has a very long story and I will try to resume it briefly here.

The European Commission has tried twice, unsuccessfully, to adopt Directives to liberalize port services, conforming to global interests that gravitate around this sector, which hold more economic and financial power than many States and are notably present and influent in the corridors of the European institutions.

The first attempt was defeated in the European Parliament on November 20th 2003, after strong opposition from European dockworkers and their class-based organizations. A second proposal was rejected by the same Parliament on January 18th 2006 by an overwhelming majority (532 votes against, 120 in favor and 25 abstentions). On the eve of this rejection, several thousand dockworkers from across Europe marched through the streets of Strasbourg and around the European Parliament building to loudly voice their outrage against yet another legislative initiative that would cause an increase in unemployment and precariousness at European ports, as well as the decrease in dockworkers’ qualification requirements and lower port security levels. The Parliament Members gathered in Strasbourg understood the stevedores’ reasons and decided to maintain the existing work organization in European ports which, in their diversity, are recognized as the most efficient and productive in the world. Unity among European dockworkers made it quite clear that any attempt by large port interests – ship-owners, stevedoring companies, port authorities, governments – in passing European directives aiming for standardization of such diverse and efficient realities as ports would have trouble to be successful.

Around this time (2005/2006), a major international Global Terminal Operator (GTO), PSA - Port Authority Singapore, a port terminal management multinational company, fully owned by the State of Singapore, settled in Sines, a Portuguese port. The Portuguese government granted this concession, by direct adjustment, for 30 years with a renewability clause of 30 extra years, showing complete disregard for national companies that voiced their interest in the operation of this deep water ocean terminal.

Portuguese dockworkers raised two sets of issues regarding this contract. On the one hand, the revealed intention to demand the government’s approval of new labour legislation that would entail operations under a more flexible labour model, based on loose links, low wages, long adaptable working hours and, secondly, the ability to engage in anti-union practices, such as the formation of trade unions in favor of abusive company agreements and other practices which would cut into social and labour Portuguese and European standards.

Failed these two Directives attempts to deregulate and liberalize the work in the European ports, this was the new strategy envisaged by the European Commission to follow the orders of the very powerful economic groups – Global shipowners and Terminal operators - that stood behind and control it, that means, to weaken dock labour organizations, country by country, port by port, in order to achieve the same economic and anti-social goals.

Coming back to recent times, last February 14 we got a small victory, anchored in a fight involving many European dockworkers organized around an international campaign, and our employers did agreed to reinstate 47 dockworkers unlawfully dismissed. This process revealed that the governments and employers' associations strategy does not guarantee increased productivity of the port work and has the high price of putting hundreds of workers at risk either from lack of training, low wages or unemployment.

The irrationality of the different port laws showed, beyond any doubt, that the best strategy is security, not for the capital, but for workers and cargoes. A port work that does not treat anyone like it did in the last century and whose efficiency is only possible with the safeguarding of this profession as a highly specialized work. Ports cannot be treated as strategic only to restrain the right to strike. They also have to be strategic in protecting the quality of those who ensure their daily functioning. Europeans ports are the more effective and more profitable in the world. Those who ensure its effectiveness can´t be punished for it.

 The strategy to mischaracterize the profession and institutionalize the precariousness passed through several stages. All started with the approval of the new law during 2012 that brought more precariousness to ports and the conditions for two illegal collective redundancies. With that came the liberalization of some workplaces of our profession and since this new law was approved it ceased the requirement for a professional document to entitle the access to our profession. We reacted immediately and strongly trying to defeat them by organizing strikes which ranged from 16 to 24 hours of stoppage continuously and every day from mid September to the end of December 2012. In addition to the strikes we made ​​alliances with other unions in the port sector and, for the first time in Portugal, our Union started a proximity dialog with other social movements. In the path we never neglect the international involvement of the other European dockworkers. Therefore, in November 29, 2012, we organized a major international demonstration protest in Lisbon, where we showed our very clear position and that we were not alone in this fight.

Nevertheless, at the end of 2012 the law reached to be approved. As this new port law violates ILO Convention 137 about port work, ratified by Portugal, some Portuguese dockers unions, including ourselves, made a formal complaint to ILO that was admitted last October but we are still waiting for a final decision.

Not really very surprisingly, instead of a full year planned to deal with negotiations for a new collective bargaining agreement, as stated in the new law, we dealt with two collective dismissal cases. In total, 47 professional dockworkers working for more than seven years in Lisbon docks would lose their jobs, so we had no alternative but to fight back again, this time stopping the work for 1 to 2 hours daily to avoid employers to hire workers without training to replace the dismissed dockworkers.

During 2013 we focused heavily on transmitting all the information about what was happening in Portugal to international dockworkers organizations and demystify dockworkers myths in the public opinion, fallacies that both government and bosses had circulated thru an heavy intoxication campaign to turn most people against our struggle. Fortunately they did not succeeded and today the truth is clear for those who actually want to know it.

At the end of 2013 we faced yet another step taken by companies through the creation of a fraudulent parallel and alternative pool company – with mismanagement practices - aiming at turn easier the collective dismissal of all the professional workers. At the turn of the year we tried to negotiate the collective agreement but they insist in the replacement by precarious workers of those who had been unlawfully dismissed.

Already in January 2014, and to fight back these practices of Portuguese employer companies, we organized with our fellow European trade union organizations an international campaign, that this time ended with an ultimatum for shipowners demanding that port work in Lisbon should be performed by professional dockworkers. The international movement was fantastic. In addition to the visits and letters endorsed to the Ambassadors of Portugal a bit throughout Europe, they also organized a simultaneous two hours strike at various European ports. Given all that international solidarity pressure, employers' associations took a step back and accepted the reinstatement of the dismissed workers, the withdrawal of court cases that claimed for more than one and a half million Euros from our Union, due to alleged losses, and thus acknowledged the errors of their strategy so far.

Let me say here that all this long lasting fight was also possible because of the strong solidarity and unity that has grown, both national and internationally, that even included a campaign to help financially - for almost one year - the survival of the dismissed dockworkers.

Today - for now only on the paper – we resumed the renegotiation process of the collective bargaining agreement, but we are still far, far away, to see the February 14 agreement completely fulfilled. Exactly today, May 16, I am waiting for an answer from the employers in order to finish the process for the reinstatement of the last 29 dockworkers still dismissed. While the agreement has already been signed almost three months ago, collective bargaining has not really started yet and all this delay is anchored in the strategic reasons of both government and employers who are committed to completely destroy the negotiations of collective agreements and give an end to the majority of labor rights, including wages.

Their line is clear: precarious jobs, lower wages and destruction of collective bargaining. If this makes no sense in any country in the world, it makes even less sense in Portugal, where the minimum wage is still under 500 Euros (a lousy 485 Euros), but Capital greed has no limits.

Workers' rights cannot continue to be the trade currency for the dark business of high finance. It is not acceptable that incomes from work - that are frozen for years - are being looted to the capital side. Because the fraudulent dismissals and disguised precariousness is still a crime, collusion between employers' associations and the government must necessarily be judged. The penalty, of course, cannot lose the sight of the hundreds of families who were victims of all the nonsense to which we have been exposed.

The crisis is only crisis for workers alone, once, as is public, big business continues to grow. In opposite terms, the growth of private profit increased the disaster of public welfare state. Only during the last legislative period, the Portuguese debt went from 90 % to almost 130 % of our GDP, the unemployment, even the official rate, is dangerously approaching 20% and a deadly 40% for younger people, and purchasing power is tearing the quality of life for the majority of the population and sending almost 3 million people to poverty levels. Also, only during last year, 80% of workers loose the protection of any collective agreement.

In a country where people rights are no more respected, the pensions of the defenseless old people are also ultimately being slashed, to help to pay the toxic remains of speculative financial institutions at the same time that access to health, like to education, is slowly but firmly being conditioned or denied.

As a result of these social terrorist policies, almost 300.000 of the best prepared generation of Portuguese left the country trying to find at foreign oasis a brighter future, at the same time that an average of more than 3 Portuguese, daily, decide to quit fighting for their existence.

Who, according to their private interests has destroyed the welfare state, cannot be judged only by electoral suffrages which have only given us switching between different types of spoilers. The trial has to have another scope and it needs to mean the ability of workers to resist in a day-to-day basis and so safeguard the dignity of our jobs and lives.