

## EAPN Briefing

### Renewed Social Agenda, Social Package: Is there anything new for the fight against poverty and social exclusion?

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*Rising living prices, lack of major steps forward in the eradication of poverty, increasing individualization and conditionality in access to rights... The picture that emerged from the broad Social Reality Stocktaking launched by the Commission in 2007 was particularly dark. On this basis, the Commission published in 2<sup>nd</sup> July a "Renewed Social Policy Agenda" and a "Social Package (broad range of proposals)", which are meant to give a new impetus to the EU's commitment in the social field.*

*But do the proposals really bring something new? Do they mark a major step forward for the EU to put poverty on top of its own agenda? And beyond the rhetoric, has the fight against poverty and social exclusion really been set as a priority?*

#### 1. Background: a Social Agenda for What?

##### 1.1. The current Social Agenda

The EU Social Agenda is a key document setting out the main EU policies and actions that can be expected for a given period. The current [EU Social Agenda](#) was agreed by DG Employment and Social Affairs for the period 2005 to 2010 and focuses on two priorities: moving towards full employment and combating poverty and extending equal opportunities to everyone in society. With regard more specifically to EAPN concerns, the 2005-2010 Agenda called for a revamping of the Employment Strategy and the OMC on Social Inclusion, for a Community Initiative on Minimum Income schemes and the integration of people excluded from the labour market, as well as on the establishment of 2010 as the EU Year for combating exclusion and poverty.

##### 1.2. "Renewal" of the current agenda rather than complete reshuffling

The process leading to the Social Agenda was characterized from the beginning by a lack of transparency and clarity on the purpose (is it a mid-term review or a new agenda?) and the process itself. Contrary to usual practice, no real mid-term review of the current agenda has taken place so far. Rather, the European Commission chose to launch a broad ["Social Reality Stocktaking"](#) of the EU until early 2008, in the form of an electronic consultation. Based on this, and following the adoption of a [preliminary analysis](#) in November 2007 (i.e. drawing conclusions *before* the end of the public consultation, in violation of the Commission's own consultation standards), the Commission published a broad "Social Package" (broad range of proposals) on 2<sup>nd</sup> July 2008, built around a central strategic document, the "Renewed Social Policy Agenda".

While it initially planned to launch a forward looking agenda covering beyond 2010, it appeared difficult for the current European Commission to publish a programme that would be binding on its successor (the next Commission will be appointed during the summer 2009). This explains why the *Renewed Agenda* published limits itself to strengthening the current agenda, without making significant proposals for the post-2010 period (although it is called an agenda "for the 21<sup>st</sup> century"). Yet in case the current Barroso Commission is re-conducted, the vision spelt out in the document might become the basis for mid-term action.

## 2. Much ado about nothing?

- The *Renewed Social Policy Agenda*, as well as all initiatives in the Social Package, can be found on the new [DG Employment Website](#).

### 2.1. The package: a shopping list rather than a strong vision?

On 2<sup>nd</sup> July, the European Commission published not only a “Renewed Social Policy Agenda”, but also a whole range of proposals, meant to illustrate its commitment to putting social concerns back at the top of its priorities. Brought together under the umbrella of the framework communication “*Renewed Social Agenda: opportunities, access and solidarity in the 21<sup>st</sup> century*”, spelling out the Commission’s overall approach, the 21 document package represents a mixture of “soft” and “hard law” tools, covering a wide range of fields: employment and social affairs, education and youth, health, information society, economic affairs.

These include several proposals for legislation (namely on anti-discrimination outside the workplace, works council, health and social dialogue in the maritime sector), as well as communications and working documents on a variety of issues, including: the Revised Open Method of Coordination on Social Protection and Social Inclusion, the EU instruments and policies in favour of the Roma, the follow-up of the EU Year of Equal Opportunities for All, on the European Globalisation Adjustment Funds, tele-working, Services of General Interest, Citizens’ Wellbeing in the information society, the efficiency of social expenditure.

The wide range of areas covered reflect an attempt to integrate horizontally (“mainstream”) social concerns across the broad range of EU policies, which also explains why the Commission’s Secretariat General (ensuring coordination between the different DGs) has had for the first time a major role in the process. By putting in the package proposals in which the social dimension does not appear as the first characteristic, this also resulted in watering down the ambition to put social cohesion and the fight against inequalities back at the top of EU’s priorities, as well as in a lack of coherence and prioritisation, with major proposals being overshadowed by the mass of texts.

### 2.2. The *Renewed Social Agenda* Communication

The Communication “*Renewed Social Policy Agenda: opportunities, access and solidarity in the 21<sup>st</sup> century for Europe*” outlines the rationale and the structure of the Social Package. It is also where the main initiatives in the package are brought together. The communication claims to build the future of social policy around three main axes:

- creating opportunities (i.e. “generating more and better jobs” and facilitate mobility),
- providing access (i.e. to education, social protection, health care and services),
- demonstrating solidarity (i.e. on an inter-generational, regional, wealth inequality basis).

The Communication focuses over 7 thematic areas: children and youth; investing in people; mobility; longer and healthier lives; combating poverty and social exclusion; fighting discrimination; the global scene; to be tackled through five types of instruments: legislation, the OMC, funding, social and civil dialogue.

Rather than providing a long term programme, the Communication defines a vision that should be the basis for future EU action, but limits its concrete proposals for the years 2008-2009. The initiatives most relevant to the fight against poverty include: the development of a more comprehensive approach to child poverty, based on quantitative targets; the organisation of a Forum to discuss social rights and labour mobility; the publication of a Communication on Health Inequalities in 2009; the proposal of a recommendation on Active Inclusion in 2008-2009; reshaping the EU’s food aid programme (in relation with debates around the future of the CAP and rising food prices); action on financial inclusion and digital literacy; reporting on EU instruments and policies in favour of the Roma Community, focusing the OMC on the at risk poverty rate of women; a proposal to strengthen the OMC (including by setting quantitative targets, see below).

The *Renewed Social Policy Agenda* entails some positive developments, in particular the intention to establish European level targets for the fight against poverty and to establish a measure of well being which goes beyond the traditional GDP measure, the strengthening of the Social Open Method of Coordination, the proposed

recommendations on active inclusion, the proposal for strengthened anti discrimination legislation. Yet, despite the clear statement that poverty in the EU is unacceptable, the Renewed Social Agenda most of the time limits itself to re-stating previous commitments and does not bring forward any significantly new proposal.

Besides, it falls short to set a new ambition for the EU. The focus on equal opportunities and skills, rather than on achieving strong social standards and delivering solidarity and equality of results underlines the widespread acceptance that public authorities can do nothing about growing inequalities, and represents a major step back in terms of the EU's ambition to be a driver for social progress. This also translates in an over-focus on the supply side of labour market policies (building skills rather tackling precarious employment), increasing focus on specific target groups (at the expense of a more universalist approach), lack of prioritisation of standards and hard law (the Commission almost systematically opting for "soft law" tools, except in the fields of working conditions and discrimination).

### 2.3. Other initiatives within the package

The Social Package entails a broad range of initiatives (please see ANNEX for detail of all of them). In addition, to the "Renewed Social Policy Agenda", EAPN will be paying particular attention to the following.

**The revised OMC<sup>1</sup>** – One of the key proposals in the fight against poverty and social exclusion is the Communication "*A renewed commitment to social Europe: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion*". After assessing the current reality of the OMC, its strengths and weaknesses, the Communication sets out proposals for strengthening the OMC, in particular in terms of making progress on implementation with specific targets on poverty, child poverty and working poverty at EU and national level, and increasing the overall priority given to improving political commitment and visibility, better interaction with Lisbon, stronger tools and greater ownership including governance.

**New anti-discrimination legislation** - The proposal for a Directive on Anti-Discrimination beyond the labour market aims to fill the current legislative gap, where some grounds of discrimination recognised in the Treaty are protected (gender, ethnicity) but others not (religion, age, disability, sexual orientation). The proposal is based on the scope of the so-called "race directive" and covers social protection (including social security and health care), social advantages, education, access to and supply of good and services available to the public, including housing. The proposal is a major step forward (and it is particularly positive that all grounds are covered, while the Commission initially planned to cover only disability), but major concerns remain with its material scope: numerous exception clauses which make equal treatment become the exception rather than the rule, exception clauses in education which might take disability and religion outside the scope of the legislation, lack of mention of multiple discrimination, exception clause in access to financial services, limited application to contracts between individual with regard to housing. The proposal now has to be adopted by the Council at unanimity, following consultation by the European Parliament.

**Health** – The Package entails a Proposal for a *Directive on the application of patients' rights in cross-border healthcare*, which aims to facilitate patients' mobility by clarifying the right to access healthcare in another EU country and ensuring high quality cross border healthcare. The proposal is clearly part of the internal market agenda and, rather than ensuring equality of access to healthcare, focuses primarily on the notions of patients' choices and widening opportunities: concerns on accessibility and affordability to the most vulnerable are rather absent from the proposal.

**Decent work** – Rather than setting out a new work area, the Commission Staff Working Document "Report on the EU contribution to promoting decent work for all in the world" is a follow-up to the Commission's 2006 Communication on decent work. The report defines Decent Work as a concept essentially linked to the international development and the EU's external relations (employment, rights at work, social protection, social dialogue, gender, CSR, ILO Convention, UN's Millennium Development Goals). Yet it fails short to establishing a real link between internal and external policy challenges.

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<sup>1</sup> Please note that further detail on the Communication on the OMC will be given in a specific EAPN response to the Communication.

**Community Instruments and Policies in favour of the Roma** – As € 295 million from EU funds have been granted to the Roma, the Staff Working Paper highlights initiatives in the fields of lifelong learning, access to rights, fight against discrimination, healthcare, urbanism and infrastructures which have benefited from financial support of the EU (mostly structural funds). The document will feed into the September 2008 summit on Roma.

### 3. Follow-up

#### 3.1. Lack of a common approach between the institutions

The *Renewed Social Agenda* (umbrella communication) is part of a broader process: strictly speaking, it is a document by the European Commission, which has its own legal personality and does not need to be approved by other institutions. In the past, each institution has reacted separately to the proposals, but the Social Agenda will not succeed if it does not enjoy a strong support from the other two key European institutions. Therefore, some actors (including in particular the Social Platform, supported by EAPN) are now asking for a more coordinated approach through a Social Pact to be adopted jointly by the main actors, which would clearly demonstrate the EU's commitment to moving forward on social issues and put them on top of the agenda.

The other initiatives which are part of the “Social Package” will each follow a specific process: while the legislative proposals have to be discussed by the other institutions, only some of the communications and working documents will be subject to a reaction.

#### 3.2. The Council and French Presidency

The Council of Ministers is expected to publish conclusions on the Social Agenda by the end of the Year. Yet it is not yet clear which form this will take with regard to the *Renewed Social Agenda*: Council members are not eager to replicating the 2000 exercise of a long and difficult negotiation around the Commission's own proposal and might just opt for some conclusions.

At first sight, this reflects a lack of political will and will not help to give more visibility and political backing to the Social Agenda. Yet, the French presidency has announced that it will make the agreement on common poverty reduction targets one of its priorities.

Other proposals will follow a different process, in particular the proposals for legislation (e.g. discrimination, works council), where the first meetings will be held before the summer break.

#### 3.3. The European Parliament

The European Parliament will react to the Renewed Social Policy Agenda through an own initiative resolution. With regard to the other documents within the Social Package, it remains to decide which ones will be subject to specific reports (except the proposals for legislation where the Parliament has to be automatically consulted).

The timing and rapporteurs for the different reports will be decided during a coordinator meeting of the EMPL committee to take place on 10<sup>th</sup> September.

## **ANNEX 1**

### **Renewed Social Agenda: The elements of the package (MEMO from the European Commission)**

#### **Employment and social affairs**

- Communication from the Commission "Renewed social agenda: Opportunities, access and solidarity in 21st century Europe. This "umbrella Communication" outlines the rationale and structure of the renewed social agenda. It also gives a wide-ranging overview of existing and new measures and instruments in the context of social Europe and the Renewed Social Agenda and provides an outlook towards future initiatives (see also [MEMO/08/466](#) on the EU's social achievements up to now).
- Proposal for a Directive of the European Parliament and of the Council on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (recast), Proposal for a revised Directive on European Works Councils (see [IP/08/1073](#) + [MEMO/08/468](#)). This proposal will improve the role of European Works Councils in informing and consulting employees.
- Commission Staff Working Document "The role of transnational company agreements in the context of increasing international integration" (see [IP/08/1073](#)). An analysis of the agreements concluded between management and workers' representatives in companies located in several countries.
- Commission Staff Working Document "Restructuring and Employment: the contribution of the European Union". A report on the contribution of the EU in dealing with the effects of restructuring on employment.
- Commission Staff Working Document "Report on the implementation of the European social partners' Framework Agreement on Telework" (see [IP/08/1073](#)). A comprehensive account of how this ground-breaking agreement by employers' and workers' representatives has been implemented throughout the EU.
- Proposal for a Council Directive implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (see [IP/08/1071](#) + [MEMO/08/461](#)). Legislative proposal to complete the existing European legal framework to combat discrimination.
- Communication from the Commission "Non-discrimination and equal opportunities: A renewed commitment"(see [IP/08/1071](#) + [MEMO/08/461](#)). The Commission's overall policy approach to tackling discrimination as a follow-up to the 2007 European Year of Equal Opportunities.
- Commission Staff Working Document on "Community Instruments and Policies for Roma Inclusion"(see [IP/08/1072](#) + [MEMO/08/462](#)). A specific report on the situation of Europe's Roma minority and the tools that exist at European and national levels to improve it.
- Commission Staff Working Document "First biennial report on the situation of social services of general interest in the EU" (see [MEMO/08/465](#)). An analysis of the role and situation of social services of general interest in Europe as well as the challenges faced.
- Communication from the Commission "A renewed commitment to social Europe: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion". A revision of the EU's system for coordinating national policies to tackle poverty and guarantee social protection.
- Communication from the Commission "Solidarity in the face of change: The European Globalisation Adjustment Fund (EGF) in 2007 - Review and Prospects" (see [MEMO/08/464](#)). The first annual report on the functioning of the EU's fund to support those negatively affected by globalisation.

- Commission Staff Working Document "Report on the EU contribution to promoting decent work for all in the world" (see [MEMO/08/463](#)). A follow-up to the Commission's 2006 Communication on decent work and the progress made since.
- Proposal for a Council Directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC. A proposal to incorporate international maritime working standards in European law following an agreement by European social partners in the sector.

## Education and youth

- Communication from the Commission "Improving competences for the 21<sup>st</sup> Century: An Agenda for European Cooperation on Schools". In this Communication, the Commission is proposing an agenda for cooperation among the Member States in three main areas, to make school systems more relevant to pupils' and employers' needs:
 

First, there needs to be a focus on giving all pupils the competences they need for life in our rapidly changing knowledge society. This includes: increasing levels of reading literacy and numeracy; reinforcing learning-to-learn skills; and modernising curricula, learning materials, teacher training, and assessment accordingly.

Second, there needs to be a commitment to provide high quality learning for every student. This involves generalising pre-school education; improving equity in school systems; reducing early school leaving; and improving support within mainstream schooling for students with special needs.

Third, Member States need to strive to improve the quality of teachers and school staff. This will require more and higher quality teacher education; more effective teacher recruitment; and help for school leaders to focus on improving learning.
- Green Paper on Education of Migrant Children
 

In its Green Paper "Migration & Mobility: challenges and opportunities for EU education systems", the Commission takes the view that policies significantly influence school performance, and points out that those systems that strongly prioritise equity in education are also the most effective in integrating migrant pupils. The Paper consequently explores the issues of how to prevent the creation of segregated school settings, so as to improve equity in education; how to accommodate the increased diversity of mother tongues and cultural perspectives and build intercultural skills in the EU; and how to adapt teaching skills and build bridges with migrant families and communities.
- Proposal for a Council Recommendation on mobility of young volunteers across Europe
 

Recommendation on the mobility of volunteers. This Recommendation is the first ever in the area of youth policy. It is an initiative to create more opportunities for young people to volunteer across Europe. Young people who wish to volunteer in another Member State currently do not have enough opportunities to do so. With this proposal, the Commission is encouraging Member States to improve the interoperability of national youth volunteering schemes in order to make it easier for a volunteer from one country to participate in the volunteering schemes of another. The proposal does not call for radical change, but rather an evolution of mechanisms that already exist within the Member States.

## Health

- Proposal for a Directive on the application of patients' rights in cross-border healthcare.
 

This proposal for a directive aims at clarifying and promoting the right of patients to gain access to healthcare in another EU country by ensuring, at the same time, high quality and safe cross border healthcare throughout Europe. On this basis, patients will be able to make an informed choice, in full confidence about the reimbursement that they are entitled to and about safety and quality of the care that they will receive. It will also provide a basis for increased cooperation between healthcare systems. The EC aims as well to better

sharing of expertise, innovation and information. The challenge is to give more opportunities and guarantees to citizens without affecting the financial sustainability of national health systems.

- Communication from the Commission 'A Community framework on the application of patients' rights in cross-border healthcare'

### **Information society**

- Commission Staff Working Document "A renewed social agenda for Europe: Citizens Wellbeing in the Information Society", three concrete elements from the Staff Working paper upon which 2 IPs will be issued as part of the Social package:

#### - eHealth:

Recommendation on cross-border interoperability of electronic health record (EHR) systems: The Recommendation aims to provide Member States with basic principles and guidelines for ensuring that vital information on patients is accessible anywhere at any time throughout Europe – no matter where the patient or doctor are based. It will address the steps that Member States should take to establish an EHR system compatible with those in other Member States.

Large scale pilot project on Smart Open Services (SOS): The new project will strive to ensure compatibility of electronic medical information (including a summary of essential information such as blood group, known allergies, medical conditions) regardless of language or sophistication of technology and without having to establish one common system throughout Europe.

- e-accessibility: A public consultation will be launched to explore possibilities for making websites and information and communication technologies and services in general, more user friendly, especially for people with disabilities and functional limitations.

### **Economic affairs**

- Commission Staff working Document "Efficiency and effectiveness of social spending". The staff working document contains suggests ways how to spend public money more efficiently in the field of social protection, e.g. by ensuring that social policies and tax systems do not act as a disincentive to work and encourage life-long learning; through policies fostering education and human capital formation throughout the life cycle and through developing a culture of systematic evaluation of the money we spend must be developed.

## **ANNEX 2 Key EAPN documents linked to the Social Package**

EAPN response to the Commissions Social Reality Stocktaking: [“Give the EU an ambitious social agenda!”](#))

April 2008 [EAPN letter](#) to the President of the Commission and the College of Commissioners, outlining concerns about the vision presented by the Commission for a renewed social agenda and presenting our key proposals for a Social Progress Agenda