



**COUNCIL OF  
THE EUROPEAN UNION**



15487/06 (Presse 330)

## **PRESS RELEASE**

2767th Council Meeting

### **Employment, Social Policy, Health and Consumer Affairs**

Brussels, 30 November-1 December 2006

President      **Ms Liisa HYSSÄLÄ,**  
Minister for Health and Social Services  
**Ms Tuula HAATAINEN,**  
Minister for Social Affairs and Health  
**Ms Tarja FILATOV,**  
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# **P R E S S**

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15487/06 (Presse 330)

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## Main Results of the Council

*The Council adopted:*

- *a Joint Action extending until 31 December 2006 the temporary reinforcement of the **European Union Police Mission in Kinshasa** (EUPOL "Kinshasa") until 31 December 2006;*
- *a Joint Action extending the mandate of the European Union Monitoring Mission (EUMM) in the **Western Balkans** until 31 December 2007.*
- *a Decision providing **Kosovo** with exceptional financial assistance of up to EUR 50 million with a view to alleviating the financial situation in Kosovo.*

*The Council reached political agreements on:*

- *a draft decision establishing a second programme of Community action in the field of **health** (2007-2013).*
- *the decision establishing for the period 2007-2013 the specific programme "Fight against violence (**Daphne**)".*

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- The documents whose references are given in the text are available on the Council's Internet site <http://www.consilium.europa.eu>.
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Mr Markos KYPRIANOU

Member  
Member

The Governments of the Acceding States were represented as follows:

**Bulgaria:**

Mr Radoslav Nenkov GAJDARSKI  
Ms Emilia MASLAROVA

Minister for Health  
Minister for Labour and Social Policy

**Romania:**

Mr Anton Vlad ILIESCU  
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State Secretary, Ministry of Health  
Minister for Labour, Social Solidarity and the Family

**ITEMS DEBATED****PUBLIC HEALTH****– HEALTH PROGRAMME**

The Council reached unanimous political agreement on a draft decision establishing a second programme of Community action in the field of health (2007-2013) (15250/06).

The main objectives of the health programme are

- improving citizens' health security;
- promoting health;
- generating and disseminating health information and knowledge.

The proposed budget is EUR 324,15 million<sup>1</sup>.

The draft decision should replace Decision No 1786/2002/EC of the European Parliament and of the Council of 23 September 2002 adopting a programme of Community action in the field of public health (2003-2008)<sup>2</sup>.

Legal basis proposed: Article 152 of the Treaty - qualified majority required for a Council decision and co-decision procedure with the European Parliament applicable. The European Parliament delivered its first-reading opinion on 16 March 2006 (7537/06). On 29 May 2006, the Commission submitted its amended proposal (9905/06). The Council will seek to reach agreement with the Parliament at second reading.

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<sup>1</sup> 2004 prices.

<sup>2</sup> OJ L 271, 9.10.2002, p.1. Decision as amended by Decision No 786/2004/EC (OJ L 138, 30.4.2004, p. 7).

– ***HEALTH IN ALL POLICIES (HIAP) - Council conclusions***

The Council adopted the following conclusions:

"The Council of the European Union

1. RECALLS

- Article 152 of the Treaty establishing the European Community states that a high level of human health protection shall be ensured by all Community Institutions in the definition and implementation of all Community policies and activities;
- the long-dated commitment of the Council to intersectoral health policies expressed in several Council Resolutions and conclusions<sup>1</sup>;
- the Council Resolution on action on health determinants<sup>2</sup> adopted on 29 June 2000 stating that some health determinants can be influenced by action by the individual and some by the organised efforts of society;

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<sup>1</sup> Resolution of the Council and the Ministers for Health, meeting within the Council of 11 November 1991 concerning fundamental health-policy choices (OJ C 304, 23.11.1991, p. 5); Council Resolution of 2 June 1994 on the framework for Community action in the field of public health (OJ C 165, 17.06.1994, p. 1); Council Resolution of 20 December 1995 on the integration of health protection requirements in Community policies (OJ C 350, 30.12.1995, p. 2); Council Resolution of 12 November 1996 on the integration of health protection requirements into Community policies (OJ C 374, 11.12.1996, p. 3); Council Conclusions of 30 April 1998 and 8 June 1999 on the integration of health protection requirements in Community policies (OJ C 169, 04.06.1998 p. 1; OJ C 195, 13.7.1999, p. 4); Council resolution of 18 November 1999 on ensuring health protection in all Community policies and activities (OJ C 086, 24.03.2000 p.3).

<sup>2</sup> OJ C 218, 31.07.2000, p. 8.

- the Council Resolution of 14 December 2000 on health and nutrition<sup>1</sup>;
  - the Council conclusions on alcohol-related harm<sup>2</sup> (5 June 2001); stress and depression<sup>3</sup> (15 November 2001); obesity<sup>4</sup> (2 December 2002); healthy lifestyles: education, information and communication<sup>5</sup> (2 December 2003); alcohol and young people (2 June 2004); obesity, nutrition and physical activity (3 June 2005); promotion of healthy lifestyles and prevention of type 2 diabetes<sup>6</sup> (2 June 2006); and women's health<sup>7</sup>, all drawing attention to the variety of factors in society that have an effect on health;
  - Council Resolution of 18 November 1999 on the promotion of mental health<sup>8</sup> stressing that mental health is an indivisible part of health;
2. EMPHASISES that health and well-being of European citizens are important values *per se*;
  3. STRESSES that health is largely determined by health determinants outside health care services;
  4. REITERATES that many health determinants are linked to individual choices and lifestyles, while others lie beyond the control of individuals and health policy;
  5. RECOGNISES that policies can have positive or negative impacts on health determinants and that such impacts are reflected in health outcomes and the health status of the population; while there is a significant delay between political decisions and their impact on health outcomes, the effects on health determinants can be seen much sooner;

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<sup>1</sup> OJ C 20, 23.01.2001, p. 1.

<sup>2</sup> OJ C 175, 20.06.2001, p. 1.

<sup>3</sup> OJ C 6, 09.01.2002, p. 1.

<sup>4</sup> OJ C 11, 17.01.2003, p. 3.

<sup>5</sup> OJ C 22, 27.01.2004, p. 1.

<sup>6</sup> OJ C 147, 23.06.2006, p. 4.

<sup>7</sup> OJ C 146, 22.06.2006, p. 1.

<sup>8</sup> OJ C 086, 24.03.2000, p.1.

6. UNDERLINES that the impacts of health determinants are unequally distributed among population groups resulting in health inequalities;
7. CONSIDERS that everyday environments such as day-care centres, schools, workplaces, neighbourhoods and the commute between them have significant effects on health; and that health, in turn, has an effect on the economy by enabling active and productive participation in working life;
8. CONSIDERS that lifestyles are not only the result of individual decisions but also of the availability of and support given for healthy choices in everyday environments;
9. CALLS for broad societal action to tackle health determinants, in particular unhealthy diet, lack of physical activity, harmful use of alcohol, tobacco and psychosocial stress, since the individual capacity to control these determinants that account for major public health problems, is strongly associated with broader societal determinants of health, for example the level of education and available economic resources;
10. WELCOMES the efforts of the Commission on health in all policies including the reporting undertaken in the 1990s; the development of methodologies for health impact assessment and health systems impact assessment, the development of an integrated Impact Assessment method in 2005 including specific reference within the Guidelines to health and health systems, and the attention given to intersectoral issues as part of its strategic approach to fulfilling the Treaty requirement;
11. WELCOMES the increased emphasis given to health within the Sustainable Development Strategy, and the inclusion of a health indicator to the core set of European Structural Indicators, highlighting the importance of health for the Community economy;
12. WELCOMES the Conference on Health in All Policies held in Kuopio, Finland on 20-21 September 2006, which underlined the need to give greater consideration to health impacts in decision-making across policy sectors at different levels in order to protect, maintain and improve the health status of the population; and takes note of the results of the conference, in particular that
  - many Community policies have a potential positive or negative impact on health, which is mediated by a number of health determinants;
  - an improved knowledge-base on health determinants and analysis of effect relationships would significantly increase the possibility of informed policy making and policy coherence and the development of policies that enhance social cohesion and social capital and improve health and safety and so contribute to higher productivity and economic growth in the EU;

- the main health determinants influenced by Community policies should be identified, and monitored and their trends regularly reported; the health impacts of the most critical policies with regard to health should also be systematically evaluated and the results broadly disseminated using available measures, including the Research Framework Programme;
  - health determinant related objectives should be included in Community policies across sectors, bearing the impact on the overall economy in mind; this concerns particularly economic, employment, cohesion and competitiveness policies and the health and safety at work;
  - many policies with overlapping health objectives would benefit from intersectoral collaboration with common objectives; this particularly concerns employment, social and health policies in the improvement of health and safety of work; and environmental and transport policies in the development of healthy and sustainable solutions for supporting environment and urban planning;
  - population's health status can be improved by reducing health inequalities, most effectively achieved by broad intersectoral action;
  - improved health status of the population has positive repercussions for overall social development and the economy, and for health expenditure;
  - broad action across policy sectors complements the more specific tasks carried out by the health sector; public health and health care institutions and health professionals should act as advocates and experts for intersectoral work;
13. URGES the Commission, the Member States and the European Parliament
- to ensure the visibility and value of health in the development of EU legislation and policies by, inter alia, health impact assessments;
14. INVITES the Commission
- to set out a plan for work in Health in All Policies with a specific emphasis on equity in health and consider including such activities in its new Health Strategy;
  - to underline equity and the influences of other policies on public health in its future initiatives on health issues;

- to investigate and where necessary develop further coordination mechanisms to ensure that health considerations are taken into account in decision-making across sectors, including international treaties, in a systematic and structured manner;
- to further develop the knowledge base and methodology necessary for better understanding of health determinants and the ways in which they are affected by public policies at all levels, including evaluation of the relevance of current impact assessment practices for public health by for example ex-post evaluation, working closely with the WHO Commission for the Social Determinants of Health;
- to provide information on trends in health determinants and links between public health and social and economic development in the European Union, at national and regional level;
- to exploit synergies between policy sectors with interrelated objectives for example through programme cooperation, in particular concerning health at work;
- to encourage and support exchange of good practices and information on intersectoral policies between Community sectors, Member States and other stakeholders, with special emphasis on health inequalities; and to support capacity building in intersectoral health policy;
- to cooperate with international organisations on issues related to intersectoral policies;
- to ensure reporting on current Commission practices in health impact assessment and, initially by 2009 and thereafter at appropriate intervals, on the most essential actions to ensure a high level of health protection in all Community policies and actions;

15. INVITES the Member States

- to develop the knowledge base on health and its determinants, trends in them, and in health inequalities;
- to take into account in the formulation and implementation of their national policies the added value offered by cooperation between government sectors, social partners, the private sector and the non-governmental organisations for public health;
- to undertake, where appropriate, health impact assessment of major policy initiatives with a potential bearing on health;

- to pay special attention to the impact which major government policies have on equity in health, including mental health, and guarantee necessary efforts to tackle health inequalities;
- to focus on capacity building in policy analysis and development for improved intersectoral policies;

16. INVITES the European Parliament

- to apply Parliamentary mechanisms to ensure effective cross-sectoral cooperation for high level of health protection in all policy sectors;
- to take into account and carry out health impact assessments of legislative and non-legislative proposals;
- to consider health impacts, with particular emphasis on equity in health, of decision-making across all policy sectors."

– ***EU STRATEGY TO REDUCE ALCOHOL-RELATED HARM - Council conclusions***

The Council held a policy debate and, subsequently, adopted the following conclusions:

"The Council of the European Union

1. RECALLS

- Article 152 of the EC Treaty, which states that a high level of human health protection is to be ensured by all Community institutions in the definition and implementation of all Community policies and activities;
- the Council Resolution on action on health determinants<sup>1</sup>, which underlines the importance of taking forward, in a fully coherent and systematic way, work on health determinants;
- the Council Recommendation on the drinking of alcohol by young people<sup>2</sup>, which invited the Commission, in cooperation with the Member States, to make full use of all Community policies to address the matters covered in the recommendation, inter alia, the development at national and European level of comprehensive health promotion policies addressing alcohol;

2. RECALLS SPECIFICALLY

- the Council conclusions of June 2001 on a Community strategy to reduce alcohol-related harm<sup>3</sup>, which emphasized that alcohol is one of the key health determinants in the Community and invited the Commission to put forward proposals for a comprehensive Community strategy to reduce alcohol-related harm, comprising inter alia a co-ordinated range of Community activities in all relevant policy areas to ensure a high level of health protection in fields such as research, consumer protection, transport, advertising, marketing, sponsoring, excise duties and other internal market issues, while fully respecting Member States' competencies;
- the Council conclusions on alcohol and young people of June 2004<sup>4</sup>, which reiterated the invitation to the Commission to put forward a comprehensive strategy aimed at reducing alcohol-related harm, reiterating the need to give attention to public health aspects in other policy areas;

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<sup>1</sup> OJ C 218, 31.07.2000.

<sup>2</sup> OJ L 161, 16.6.2001.

<sup>3</sup> OJ C 175, 20.06.2001.

<sup>4</sup> 9507/04.

3. RECOGNISES that in 2005 all the European Union Member States supported the adoption of a Resolution endorsing a framework for alcohol policy in the WHO Europe Region and likewise supported the adoption of a resolution in the 58<sup>th</sup> World Health Assembly on public-health problems caused by harmful use of alcohol;
4. POINTS OUT that many Community policies have a potential, either positive or negative, impact on health, and stresses the importance of considering the health impact of decision-making across all policy sectors;
5. UNDERLINES that the European Court of Justice has repeatedly stated that public health ranks foremost among the interests protected by Article 30 of the Treaty, and that it is for Member States, within the limits imposed by the Treaty, to decide upon the level of health protection they seek to assure through national policies and legislation;<sup>1</sup>
6. EMPHASISES that harmful and hazardous consumption of alcohol in the population is a major risk factor for public health and safety, a contributory factor in a range of health conditions including injuries, and associated with social harm such as domestic abuse, street disorder, violence, and social exclusion;
7. STRESSES that in many cases alcohol-related harm affects people other than the drinkers themselves; this includes foetal damage, suffering by family members, third party deaths and injuries in traffic accidents, and lost productivity at work;
8. POINTS OUT that alcohol-related harm contributes to inequality in health between population groups, also in the level and nature of alcohol related harm experienced by women and men, and to health gaps between Member States;
9. CONSIDERS that the primary aim of alcohol-related policies should be to reduce alcohol-related harm and that reduction of alcohol-related harm would promote growth and employment and strengthen European productivity and competitiveness;
10. UNDERLINES the competence of Member States to develop and strengthen national alcohol policies, appropriate to national needs and contexts;

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<sup>1</sup> Case C-320/93 Ortscheit [1994] ECR I-5243, paragraph 16; Case C-394/97 Heinonen [1999] ECR I-3599, paragraph 45; Case C-434/04 Ahokainen and Leppik [2006] ECR I - paragraph 33; Cases C-1/90 and C-176/90 Aragonesa [1991] ECR I - 4151, paragraph 16; Case C-405/98 KO [2001] ECR I-1795, paragraph 29; Case C-262/02 Commission [2004] ECR I-6569, paragraph 24.

11. NOTES that the alcoholic beverages production, retailing and hospitality sectors can contribute by adhering to national Regulations and by ensuring that high ethical standards are met especially in the development and marketing of alcoholic products appealing to children and young people, and by ensuring responsible sales and serving of alcohol beverages in order to prevent binge drinking and harm from intoxication;
12. WELCOMES the Commission communication on an EU strategy to support Member States in reducing alcohol related harm<sup>1</sup> as a major step towards a comprehensive and coherent Community approach to tackle the adverse impact of excessive alcohol consumption on health and well-being in Europe;
13. CONCURS with the Commission on the priority themes of protecting young people, children and the unborn child; reducing injuries and death from alcohol-related road accidents; preventing alcohol-related harm among adults and reducing the negative impact on the workplace; and ensuring that EU citizens obtain relevant information on alcohol-related risks;
14. ENDORSES the actions set out by the Commission to develop a common, comprehensive and reliable evidence base on alcohol consumption and alcohol-related social and health harm, on the impact of alcohol policy measures and of alcohol consumption on productivity and economic development;
15. UNDERLINES the need to ensure that opportunities to prevent alcohol-related harm to public health and safety are addressed in a coherent manner in relevant policy areas and especially the areas already mentioned in the Council conclusions of June 2001 on a Community strategy to reduce alcohol-related harm;
16. INVITES the Commission
  - to continue its systematic and sustainable approach to tackling alcohol-related harm at European level, including the use of health impact assessment of Community actions where health dimension is evident;
  - to provide continuing strong support for Member States' efforts to sustain, strengthen or develop national alcohol policies to reduce alcohol-related harm;
  - to consider and apply coherently the Treaty provisions concerning the protection of public health and the Internal Market;

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<sup>1</sup> 14851/06.

- to ensure balanced representation for the various stakeholders including the public health community, non-governmental organisations and the alcoholic beverages production, retailing and hospitality sectors, when setting up the Alcohol and Health Forum envisaged in the Communication;
- to develop measurable core indicators so that progress in the reduction of alcohol-related harm at Community level especially for the priority areas for action can be monitored;
- to report regularly, starting from the year 2008, on the progress of Commission activities to implement the EU alcohol strategy and on activities reported by Member States, as well as their impact at EU level and within Member States, including an assessment of the response from different stakeholders;

17. CALLS UPON the Member States

- to foster a multi-sectoral approach in the prevention of alcohol-related harm to ensure the contribution of all areas of public government at all national levels;
- to strengthen or develop, if they are not already in place, coordinated national strategies or action plans, including effective enforcement, to reduce alcohol-related harm, providing support for action at all national levels and for measures tailored to domestic circumstances;
- to give specific emphasis to the enforcement of national legislation that can contribute to reducing alcohol-related harm, such as legislation on drink-driving and on selling and serving alcoholic beverages;
- to collect relevant and comparable information on alcohol consumption and alcohol-related harm;
- to provide their full support for the strategy set out by the Commission and facilitate its implementation at national and Community level".

– ***INTERNATIONAL HEALTH REGULATIONS***

The Council held an exchange of views on the international health Regulations (IHR), aimed essentially at confirming that:

- a) there is strong commitment to the full and timely implementation of the IHR, and the voluntary early implementation of the IHR provisions relevant to the risk posed by avian and pandemic influenza;
- b) there is no need for reservations with regard to the Community acquis. The prevailing view expressed during the discussions is that a coordinated EU position on possible third-country reservations<sup>1</sup> would be needed;
- c) there is an obligation for the Member States to notify the Community about outbreaks and consult each other, in liaison with the Commission, in order to coordinate their measures under Decision No 2119/98/EC setting up a network for the epidemiological surveillance and control of communicable diseases in the Community<sup>2</sup>. The Member States considered that the WHO should be notified of potential public-health emergencies of international concern at the same time as the Community network, in order to prevent any delay;
- d) the role of the EU in implementing of the IHR, including the collaboration between the WHO and EU, should be further explored and developed within the Council.

The revised IHR were adopted by the World Health Assembly on 23 May 2005 and will enter into force on 16 June 2007. The purpose and scope of the IHR are to prevent, protect against, control and provide a public health response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international traffic and trade. The IHR also establish a single code of procedures and practices for routine public-health measures at international airports and ports and some ground crossings.

The European Community is a contracting party to the IHR alongside the Member States.

This item followed up the Commission's communication which sought to clarify the Community's role on the implementation of the IHR (13501/06).

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<sup>1</sup> IHR, Article 62.

<sup>2</sup> OJ L, 268 of 03.10.1998, p. 1.

– ***PATIENT MOBILITY AND HEALTHCARE DEVELOPMENTS IN THE EU***

The Council held an exchange of views on the follow-up to the high-level reflection process on patient mobility and healthcare developments in the EU, aimed essentially at confirming that:

- a) the proceedings of the High Level-Group on Health Services and Medical Care (HLG) established by the Commission and its various sub-groups have been fruitful and have produced practical results, such as the establishment of a Europe-wide network for Health Technology Assessment and guidelines on purchase of treatment abroad;
- b) there is support for continued cooperation within the HLG on healthcare-related issues that can add significant value. In its work, the HLG will take account of the Council conclusions on the values and principles of the EU healthcare systems;
- c) the Commission should inform the Council about its plans as regards the HLG's future.

This debate followed up the 2004 Council conclusions on patient mobility and healthcare developments in the EU (9507/04).

## **EMPLOYMENT AND SOCIAL POLICY**

### ***– MODERNISING LABOUR LAW***

The Council held a preliminary exchange of views on the Commission Green Paper - "Modernising labour law to meet the challenges of the 21st century"- as part of the public consultation involving all interested parties and leading up to a follow-up communication which the Commission planned to present in 2007.

Most delegations emphasised the need for more flexibility in European labour markets with a view to promoting economic activity, increased employment levels and productivity. However, they also stressed that such flexibility should go hand-in-hand with an agreed level of minimum standards with respect to working conditions in accordance with a flexicurity approach. The following issues received particular attention in this connection:

- the need for meaningful social dialogue;
- the need to take account of the specific features of national labour markets while preserving minimum standards at European level;
- the need to avoid any measures which would result in market fragmentation, a reduction of workers' rights and lack of job security;
- the need to deal with the situation of workers who, although formally "self-employed", remain economically dependent on a single principal client or employer for their source of income;
- the need for an effective enforcement of labour law, including combating undeclared work;
- the need to better reconcile work and family life and to remove disincentives to women's participation in the labour market;
- the need to combat all forms of discrimination on the labour market in order to promote social cohesion.

During the discussions, a number of delegations called for renewed efforts to reach agreement on the working time Directive.

– ***DECENT WORK FOR ALL - Council conclusions***

The Council adopted the following conclusions:

"Having regard to the Communication of the Commission "Promoting decent work for all - the EU contribution to the implementation of the decent work agenda in the world" published in May 2006<sup>1</sup>;

WHEREAS

1. The values of social justice and equal opportunities and the respect of human rights are integral parts of Community law and important components of the European Union's internal and external policies;
2. The international community is committed to promoting Decent Work for All, as laid down in the 2005 United Nations World Summit Outcome and in the Ministerial Declaration of the United Nations Economic and Social Council High Level Segment 2006;
3. On 16-17 December 2004 and on 16-17 June 2005, the European Council underlined the importance of strengthening the social dimension of globalisation and of taking it into account in various internal and external policies and in international cooperation;
4. On 22-23 March 2005, the European Council, in the revised Lisbon Strategy for Growth and Jobs and the European Strategy on Sustainable Development, stressed the importance of developing working life in a socially sustainable way;
5. The Council, on 21 July 2003, expressed its support for promoting core labour standards and improving social governance in the context of globalisation<sup>2</sup> and highlighted, on 3 March 2005, that promoting decent work for all is a necessary part of strengthening the social dimension of globalisation<sup>3</sup>;

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<sup>1</sup> COM(2006) 249 final, accompanied by SEC(2006) 643

<sup>2</sup> 11555/03

<sup>3</sup> 6286/05

## THE COUNCIL

1. Recalls that the promotion of employment, social cohesion and decent work for all is part of the European Social Policy Agenda and of the European Consensus on European Union Development Policy<sup>1</sup> and that the European Social Policy Agenda includes also the external dimension of employment, social policy and equal opportunities;
2. NOTES with satisfaction that the International Labour Organisation's Decent Work Agenda is based on an integrated approach covering productive and freely chosen employment and full respect for rights at work, and encompassing core labour standards, social dialogue, social protection (including health and safety at work), and gender equality;
3. Emphasises that the Decent Work Agenda is in line with the Union's values and principles as well as with its goal of achieving both economic competitiveness and social justice;
4. Recalls the commitment to conduct the EU's internal and external policies in a consistent way, thus contributing to maximising the benefits and minimising the costs of globalisation for all groups and countries, both inside and outside of the EU, as emphasised by the Council conclusions of 3 March 2005 (paragraph 4);
5. EMPHASISES that promoting decent work aims at the overall improvement of living and working conditions for all, and includes to this end support for the integration of the informal sector into the mainstream economy;
6. AGREES that promoting decent work also includes better management of economic migration;

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<sup>1</sup> Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy, 20 December 2005 (OJ, C46, 24.2.2006, p.1).

7. HIGHLIGHTS the importance of strong involvement of the social partners, the business community and of wider civil society in initiatives related to decent work, and CALLS on business and all other relevant stakeholders to promote decent work by actions in the field of corporate social responsibility which complement legislation and collective bargaining and take into account internationally agreed standards;
8. RECALLS its support for stronger dialogue and cooperation between the relevant international organisations, including the UN and notably the ILO, the Bretton Woods Institutions and the World Trade Organisation in promoting Decent Work for All and recalls the need for increased efforts by the EU together with other partners to ensure effective policy coherence between these international institutions<sup>1</sup>;
9. Welcomes the increased interest for decent work in partner countries and regions and the taking up of the Decent Work Agenda in various international and regional fora (Africa, Asia and the Americas);

#### Decent work in EU

1. EMPHASISES that, in order to strengthen the competitiveness of the EU in a socially sustainable way, it is important to improve productivity by promoting decent work and the quality of working life, including health and safety at work, combining flexibility and security, life-long learning, good working relations as well as better reconciliation of work and private life; HIGHLIGHTS that combating gender discrimination and all other forms of discrimination in the light of Article 13 (TEC), as well as promoting the social integration of vulnerable groups, are integral parts of the efforts towards decent work;
2. UNDERLINES the EU's commitment to Decent Work and RECALLS that its Member States have ratified a large number of ILO Conventions, including the Conventions on core labour standards; HIGHLIGHTS the relevance of the Decent Work Agenda for EU candidate countries and the complementarity of certain ILO Conventions and strategies with the Community *acquis*;
3. WELCOMES the Commission's commitment in its Communication on decent work to encouraging and facilitating the ratification and application of the ILO Conventions on core labour standards, and other ILO Conventions that have been classified by the ILO as up to date;

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<sup>1</sup> Council conclusions, 3 March 2005, paragraphs 15 and 16; Council conclusions, 21 July 2003, paragraph 3.

## Decent work and bilateral and regional relations

1. HIGHLIGHTS the importance of promoting employment, social cohesion and decent work for all in EU external policies, bilateral and regional relations and dialogues, including EU neighbourhood policy and cooperation programmes with third countries and regions, the ASEM Labour and Employment Ministers cooperation initiated in Potsdam 2006 and the follow-up to the EU- Latin America and Caribbean Summit in Vienna 2006 in relation to social cohesion;

## Decent work and development cooperation

1. Emphasises the promotion of decent work for all across the world in line with the 2005 World Summit Outcome including the emphasis on implementing the MDGs, the ECOSOC Ministerial Declaration 2006 and the ILO Decent Work Country Programmes as one of the key means of fostering development, poverty eradication and social cohesion;
2. Recalls that the European Consensus on Development calls on the Community and the Member States to contribute to the strengthening of the social dimension of globalisation, the promotion of employment and decent work for all, and EMPHASISES the importance of supporting the integration of employment and decent work into national and regional poverty reduction strategies and other development strategies as well as into other plans and actions of developing countries; in this context, HIGHLIGHTS the importance of consultations with all relevant stakeholders, including the organised employers, workers as well as the broader civil society and the private sector;
3. ENCOURAGES governments in partner countries to increase their efforts in cooperation with stakeholders to create an enabling environment for private sector development and investment, the benefits of which include increased investments and employment for the population;

4. EMPHASISES that decent work is both an employment and social protection issue as well as a governance issue; RECOGNISES in particular the need to promote country-led Decent Work Country Programmes through development cooperation – including policy dialogue on employment impacts of economic policies and governance, budget support measures and capacity building, in particular institutional capacity building - which is well-coordinated and harmonised<sup>1</sup> between the European Commission, the Member States and other international development partners and relevant actors, including the ILO<sup>2</sup> and other UN agencies as well as the international financial institutions; EMPHASISES the importance of integrating the different components of decent work into country-led development and poverty reduction strategies, including microcredits, fair trade, social protection and better management of migration and its development potential;
5. SUPPORTS the principle that all those submitting tenders for EC external assistance-funded contracts should respect core labour standards. The Regulation (EC) No 2110/2005<sup>3</sup> currently imposes such an obligation on contracts financed by Community assistance; SUPPORTS efforts to extend this obligation to contracts financed in the framework of the Cotonou Partnership Agreement; and ENCOURAGES the Member States and other donors to adopt a similar approach;
6. CALLS for increased promotion of decent work through Community and Member States' development cooperation policies and programming; NOTES the current work in progress to develop a strategy on promoting employment and social protection through Community development policy and, in this context, WELCOMES the initiative by the Commission to consult with Member States and ENCOURAGES Member States, based on their experience, to make available to the Commission and to other Member States information about how best to promote decent work issues through development policies and programmes;

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<sup>1</sup> Paris Declaration on Aid Effectiveness.

<sup>2</sup> For example, the themes proposed by the ILO Committee on Employment and Social Policy for the Decent Work Country Programmes in 2006-2007 are: 1) employment as central to economic and social policies; 2) youth employment; 3) informal economy and 4) meeting the special needs of Africa.

<sup>3</sup> Regulation on access to Community external assistance (OJ L 344, 27.12.2005, p.1 + corrigendum OJ L 33, 4.2.2006, p.86). This Regulation shall be repealed by the Regulation establishing a financing instrument for development cooperation (DCI).

7. Supports the development of training and information on decent work for those involved in the programming and implementation of external assistance, including in third countries;

#### Decent work and trade related issues

1. Emphasises that trade liberalisation plays an important role in helping to achieve sustainable growth, full employment, poverty reduction and the promotion of decent work;
2. Underlines the need for an integrated and coherent approach to trade policy and social development, and welcomes the initiative of the Commission to further promote social standards and decent work;
3. Highlights the key role of the EU Generalised System of Preferences (GSP) in the promotion of international conventions on core labour standards and human rights and welcomes the new GSP with its special incentive for sustainable development and good governance, and SUPPORTS the improvement of the link between GSP and EC external assistance;
4. UNDERLINES the need for the further development of methodologies assessing the effects of trade and trade agreements on decent work, including in global supply chains and export processing zones; as well as of the timing and strengthening of the Trade Sustainability Impact Assessments;
5. Supports the use of EU trade-related assistance to promote decent work;
6. RECALLS that the endorsement of social objectives should not be used for protectionist purposes; the objective is to achieve social progress across the board and to ensure that it is spread fairly for the benefit of all;

#### Cooperation with UN and ILO and other relevant actors

1. Welcomes the Union's increased cooperation with the UN, with the ILO, and with other relevant actors, with a view to promoting decent work for all;
2. SUPPORTS the ILO initiative on Decent Work Country Programmes or equivalent employment and social policy action plans/agendas, as these contribute to strengthened ownership by partner countries by reflecting national needs and priorities and by ensuring the involvement of employers' and workers' organisations and of relevant parts of civil society;

3. UNDERLINES that the EU should encourage and support the worldwide ratification and implementation of the ILO Conventions, on core labour standards and other Conventions that have been classified by the ILO as up to date, through technical cooperation and through support for the strengthening of the ILO supervisory mechanism, including better publicity, more effective follow-up and more widespread use of the findings of the supervisory mechanism; UNDERLINES also that the EU should take the findings of the ILO supervisory mechanism into account more systematically in its own international relations;
4. ENCOURAGES the EU Member States to continue their efforts to ratify and implement such ILO Conventions as a concrete contribution to the ongoing efforts by the ILO and its constituents to improve their worldwide ratification and application;
5. ENCOURAGES the Commission and the Member States to cooperate with the ILO and relevant organisations with a view to elaborating and applying appropriate indicators in order to measure and assess the implementation of the Decent Work Agenda;
6. ENCOURAGES ILO's efforts to promote its Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy as well as OECD's initiatives to promote wider adherence to OECD Guidelines for Multinational Enterprises, including their recommendations on Employment and Industrial Relations;
7. WELCOMES the contribution to decent work made by UN organisations such as the initiative of the UN High Commissioner for Human Rights for a complementary report about human rights in transnational corporations (TNCs);

#### Follow-up

1. HIGHLIGHTS the importance of strengthening the effective implementation and follow-up of the objective of Decent Work for All in line with the 2005 World Summit Outcome and the Ministerial Declaration of the UN ECOSOC 2006 High Level Segment;
2. HIGHLIGHTS the importance of an effective and regular follow-up and coordination of the initiatives and actions to promote decent work for all;
3. Welcomes the Commission's intention to produce a follow-up report to its Communication on decent work by the summer of 2008".

– **GLOBALISATION AND DEMOGRAPHIC CHANGE**

**a) Enhancing higher productivity and more and better jobs including for people at the margins of the labour market**

The Council endorsed an Employment Committee opinion on the above subject (*14844/06*). The opinion highlights that productivity and quality at work are mutually reinforcing; they are both crucial for reaching the Lisbon objectives for more growth and jobs.

The document focuses in particular on people at the margins of the labour market.

**b) Commission communication: "The demographic future of Europe – from challenge to opportunity"**

Following the Commission's presentation of its communication (*14114/06*), the Council endorsed a Social Protection Committee opinion on the subject (*15140/06*).

– ***BEIJING PLATFORM FOR ACTION - Council conclusions***

The Council adopted the following conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing platform for action, accompanied by indicators on "Institutional mechanisms", which is one of the 12 critical areas for action.

"THE COUNCIL OF THE EUROPEAN UNION

1. RECOGNISING that gender equality is a fundamental principle of the European Union enshrined in the EC Treaty and one of the objectives and tasks of the Community and that mainstreaming equality between women and men in all its activities represents a specific mission for the Community;
2. CONSIDERING that:
  - (a) following the UN's Fourth World Conference on Women in Beijing in 1995, the Madrid European Council (15 to 16 December 1995) requested an annual review of the implementation in the Member States of the Beijing Platform for Action;
  - (b) the follow-up process in 1996 and 1997 revealed a need for more consistent and systematic EU monitoring and assessment of the implementation of the Beijing Platform for Action;

- (c) on 2 December 1998, the Council agreed that the annual assessment of the implementation of the Platform for Action would include a proposal on a set of quantitative and qualitative indicators and benchmarks;
- (d) since 1999, sets of quantitative and qualitative indicators have been developed by subsequent Presidencies in some of the 12 critical areas of concern in the Beijing Platform for Action, namely: 1999 - Women in political decision-making; 2000 - Women in the economy (reconciliation of work and family life); 2001 - Women in the economy (on equal pay); 2002 - Violence against women; 2003 - Women and men in economic decision-making; 2004 - Sexual harassment at the workplace; 2006 – Women and health; each year the Council has adopted conclusions on these indicators;
- (e) in line with the European Council of 20-21 March 2003 the Commission prepares, in collaboration with the EU Member States, an annual report to the Spring European Council on developments towards gender equality and orientations for the gender mainstreaming of policy areas;
- (f) in the context of the 10-year review of the Beijing Platform for Action, the EU ministers responsible for gender equality, meeting in Luxembourg on 4 February 2005, adopted a common declaration which, inter alia, reaffirms their strong support for and commitment to the full and effective implementation of the Beijing Declaration and Platform for Action;
- (g) in June 2005, the Council invited Member States and the Commission to strengthen institutional mechanisms for promoting gender equality and to create a framework to assess the implementation of the PFA in order to create a more consistent and systematic monitoring of progress and invited the Commission to include the assessment of relevant indicators, developed for the follow-up of the implementation of the Beijing Platform for Action, in its annual report to the Spring European Council;
- (h) in the framework of the Beijing Platform for Action, a national structure for the advancement of women is the central policy-coordinating unit inside government; its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas. The necessary conditions for an effective functioning of such national structures include:
  - Location at the highest possible level in the government;

- Institutional mechanisms or processes that facilitate the involvement of non-governmental organisations from the grass roots upwards;
- Sufficient resources in terms of budget and professional capacity;
- The possibility of influencing the development of all government policies.

Finland's EU Presidency has undertaken a study and prepared a report presenting the following three indicators concerning governmental bodies for the promotion of gender equality:

*(1) Status of governmental responsibility in promoting gender equality*

This concerns the existence and the responsibilities and capacity of the governmental gender equality body. Responsibility and accountability of the government and the body mandated with governmental power and capacities are prerequisites for the effective promotion of gender equality;

*(2a) Personnel resources of the governmental gender equality body*

Adequate personnel resources are a critical prerequisite for the creation of effective government gender equality policies;

*(2b) Personnel resources of the designated body or bodies for the promotion of equal treatment of women and men*

Adequate personnel resources are a critical prerequisite for the effective promotion and protection of equal treatment of women and men in accordance with Directive 2002/73/EC;

*(3) Gender mainstreaming*

Governmental commitment, structures and methods for implementing gender mainstreaming are crucial for successful progress towards gender equality.

3. RECALLING:

- (a) the commitment of the Member States to creating and strengthening national structures and other governmental bodies, with a view to integrating a gender perspective into legislation and public policies and to generating data disaggregated by sex, and information for planning and evaluation as laid down in the Beijing Platform for Action;

- (b) that in the Beijing Platform for Action, Member States have committed themselves to creating and strengthening independent national institutions for the protection and promotion of women's human rights, and to developing mechanisms for reviewing and monitoring laws against discrimination on the grounds of sex in the labour market;
  - (c) that Directive 2002/73/EC<sup>1</sup> requires Member States to designate and make the necessary arrangements for the body or bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on grounds of sex;
  - (d) the commitment made by the Member States to ensure that gender equality bodies and structures have the human and financial resources and capacities necessary to function effectively;
  - (e) that the European Council, when adopting the European Pact for Gender Equality on 23/24 March 2006, encouraged actions at Member State and EU level to reinforce governance through gender mainstreaming and better monitoring;
4. REAFFIRMS the dual approach of the EU in the area of gender equality, which is based on gender mainstreaming, i.e. the promotion of gender equality in all policy areas and activities, and on specific measures;
  5. TAKES NOTE of the report on institutional mechanisms for promoting gender equality presented by Finland's EU Presidency and of the three indicators for the future follow-up of the Beijing Platform for Action regarding the critical area of institutional mechanisms for the advancement of women;
  6. WELCOMES the fact that the Member States have made progress in the realisation of the strategic objective of the Platform concerning the creation and strengthening of national structures or governmental bodies for the promotion of gender equality;
  7. ENCOURAGES the Member States, in cases where the objectives are not fully met, to take measures to strengthen the governmental gender equality bodies and take the appropriate action, particularly by upgrading them to the highest possible level of government, and by providing them with adequate human and financial resources;

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<sup>1</sup> Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ L269, 5.10.2002).

8. ENCOURAGES the Member States which have not done so, to adopt, monitor and evaluate national action plans or a set of high level strategic targets for gender equality, and to report, on a regular basis, to legislative bodies on the progress made in the promotion of gender equality in order to increase the accountability and visibility of the policies, and to promote the active involvement of civil society, including the social partners, in the promotion of gender equality;
9. RECOGNISES that the Member States have involved civil society actors, such as women's NGOs, other non-governmental organisations and the social partners, in the work for the promotion of gender equality at federal and/or national level, and RECOMMENDS that the Member States continue active cooperation with, and promote the involvement of, the civil society actors in the pursuit for equality between women and men;
10. WELCOMES the fact that a great majority of the Member States have designated bodies in accordance with Directive 2002/73/EC and CALLS on those Member States that have not yet done so to comply with the requirements of this Directive; CALLS on all Member States to provide these bodies with adequate financial and personnel resources specifically dedicated to gender equality and INVITES the Commission to pay attention to these aspects in its periodical reports on the implementation of the Directive;
11. WELCOMES the fact that most Member States have enacted legal obligations for gender mainstreaming or have made de facto binding decisions on that matter, and ENCOURAGES those Member States, which have not yet done so, to commit themselves strongly to gender mainstreaming; CALLS on all Member States to monitor and evaluate the concrete implementation of this commitment;
12. NOTES that, as asked by the PFA, several Member States have established or strengthened an inter-ministerial coordination structure to carry out gender mainstreaming functions, and CALLS on the Member States to further develop coordinating structures that have a clear mandate to implement the strategy of gender mainstreaming throughout the governmental administration, including regional and local government and public institutions, and to monitor their activities;
13. NOTES that, despite some progress, structures and methods for gender mainstreaming need either still to be put in place or reinforced, NOTES also that formal commitment and formal structures for gender mainstreaming are not enough and that practical action in all relevant areas is needed, and URGES in particular all Member States and the Commission to improve and strengthen the development and regular use of mainstreaming methods, particularly gender budgeting and gender impact assessment when drafting legislation, policies, programmes and projects;

14. ENCOURAGES the Member States and the Commission to provide national and EU statistical offices with institutional and financial support so that all relevant official statistics related to individuals are collected, compiled, analysed and presented by sex and age and reflect problems and issues related to women and men and the promotion of gender equality;
15. IS CONSIDERING reviewing the Member States' implementation of the Beijing Platform for Action on "Education and training of women", "Women and poverty", as well as the other remaining areas of concern;
16. URGES the Member States and European Commission to take into account the issues discussed in the context of the follow-up of the Beijing Platform for Action, for which indicators have already been adopted, in other Community processes, where appropriate".

– ***MEN AND GENDER EQUALITY - Council conclusions***

Following the Presidency conference on this topic held in Helsinki on 5 and 6 October 2006, the Council adopted the following conclusions on men and gender equality.

"WHEREAS:

1. Gender equality is a fundamental principle of the European Union enshrined in the EC Treaty as well as one of the Community's objectives; a special task for the Community is to take equality between women and men into account in all its activities.
2. The Spring European Council of 23/24 March 2006 stated that gender equality policy was vital to economic growth, wellbeing and competitiveness and, with that in view, adopted a European Pact for Gender Equality.
3. In the UN Beijing Declaration and Platform for Action of 1995 for the empowerment of women, men are encouraged to take part in promoting gender equality and this was reaffirmed in the discussion on the theme of the role of men and boys in achieving gender equality in the Commission on the Status of Women (CSW) in 2004.
4. The Commission's 'Roadmap for equality between women and men' (2006-2010) states that men still participate less than women in attending to domestic and family responsibilities; that gender-based violence is a breach of the fundamental right to life, safety, freedom, dignity and physical and emotional integrity; and that the present structures in education, training and culture maintain gender stereotypes.
5. In 2005, the role of men in the promotion of gender equality, with a focus on the reconciliation of work and private life, was a priority area in the project financing for the Community framework strategy on Gender Equality. The theme of 'men and gender equality' was dealt with in a separate section in the European Commission's Annual Report on Gender Equality 2005, which focused on the reconciliation of professional and family life. In July 2006, the Advisory Committee on Gender Equality produced an opinion on men's role in promoting gender equality.
6. The Barcelona European Council of 15/16 March 2002 stated that Member States should remove disincentives to female labour force participation and strive, taking into account the demand for childcare facilities and in line with national patterns of provision, to provide by 2010 childcare to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age.

7. Gender equality policy and an effective reconciliation of professional and private life can contribute to addressing the challenges of demographic changes: an ageing population and the low fertility rate in the EU.
8. There is still a significant gender pay gap in the EU resulting from direct discrimination against women and structural inequalities, such as gender segregation in the labour market.
9. There are gender-based differences in health risks in Member States, which are costly in both economic and human terms. Lifestyles, which have a significant impact on health, are influenced by gender-related norms and conceptions that may differ in respect of women and men.
10. In October 2006, Finland's EU Presidency organised a European-wide expert conference on "Men and Gender Equality – Towards Progressive Policies". Several other previous Presidencies have held conferences dealing with 'fatherhood' and 'men and caring'.

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1. NOTES that, in order to improve the status of women and promote gender equality, more attention should be paid to how men are involved in the achievement of gender equality, as well as to the positive impact of gender equality for men and for the well-being of society as a whole.
2. NOTES that gender inequalities and imbalances between men and women still exist; STRESSES that the participation of men and boys in achieving gender equality must be consistent with the empowerment of women and girls, and that resources for gender equality initiatives for men and boys should not compromise equal opportunity initiatives and resources for women and girls.
3. CONFIRMS the importance of the effective and overall implementation of the gender mainstreaming strategy, which implies that the interests and needs of both men and women are taken into account in order to enhance the appropriateness, quality and effectiveness of policies and measures to achieve gender equality.
4. RECOGNISES that issues related to men and gender equality have not yet been looked at as an entirety, and that the question of men and gender equality should go beyond the reconciliation of professional and private life.

5. ACKNOWLEDGES the need to tailor measures to the specific situations experienced by men and women in different groups or in different life situations, depending on their family situation, age, health, ethnicity, social background, sexual orientation, disability etc.
6. ENCOURAGES the future European Institute for Gender Equality and the different national gender equality bodies to investigate how various circumstances, opportunities, structures and policies affect both men and women, boys and girls.
7. ENCOURAGES the development, from early childcare and education, of pedagogic practices aimed at eliminating gender stereotypes, also paying attention to educational methods and tools that improve the capacity and potential of boys and men to care for themselves and others as a means of contributing to a gender-balanced participation in society.
8. ENCOURAGES the Member States to pay attention to the promotion of gender equality, as well as how men relate to it, through debate and information on gender stereotypes and the relations between men and women, especially with regard to young people.
9. URGES the Member States to reinforce institutional structures for the promotion of gender equality, both in the public and private sectors, and to also support men's involvement in promoting and achieving gender equality.
10. URGES the Commission and Member States to ensure equal career opportunities for both sexes, taking into account the dominance of men in decision-making positions, and to take measures aimed at encouraging boys and men to choose education and employment in female-dominated fields and vice-versa with a view to dismantling gender segregation in the labour market; in this context, INVITES Member States and the Commission to take concrete actions towards eliminating the gender pay gap.
11. STRESSES that the recognition of the gender dimension in health is an essential part of EU health policies and that health promotion projects and services should be tailored, as appropriate, to women's or men's needs.
12. ACKNOWLEDGES that the vast majority of gender-based acts of violence are perpetrated by men; URGES the Member States and the Commission to combine punitive measures against the perpetrators with preventive measures targeted especially at young men and boys and to set up specific programmes for victims as well as for offenders, in particular in the case of domestic violence.

13. RECOGNISES the importance of providing a wide range of policies to reconcile professional and private life for both men and women at all levels of employment, taking into account the great variety of family types in today's society and the child's best interests, in order to support an equal sharing of domestic and caring responsibilities and tasks between women and men.
14. URGES the Member States to accelerate progress towards the achievement of the Barcelona targets on childcare facilities by 2010 and to take concrete measures to encourage men to share with women parenting and other care responsibilities, by encouraging them to take up their family leave entitlements, including through the development of parental leave entitlements for fathers, financial incentives as well as information and awareness-raising initiatives.
15. REGOGNISES the crucial role that the social partners and companies play in reconciliation policies, in promoting awareness-raising schemes in companies and the take-up of flexible work options, especially by men, including in male-dominated professions.
16. INVITES the Member States to pay attention, when undertaking measures and projects to promote gender equality, to taking both genders into account.
17. INVITES the Member States and the Commission to identify which issues and challenges relate to men and gender equality by further developing gender-related research and the exchange of good practices, in particular with a view to enhancing the active participation of men in, and commitment to, policies aimed at achieving gender equality at national and EU level, and also with a view to developing greater understanding of the processes that lead to an uneven distribution of power in decision-making."

– **DAPHNE III**

The Council reached political agreement with a view to the adoption of a common position on the Decision establishing for the period 2007-2013 the specific programme "Fight against violence (Daphne)" as part of the general programme "Fundamental rights and justice" (15869/06).

The agreed text is the result of informal negotiations with the European Parliament.

The specific aim of the programme is to prevent and combat all forms of violence occurring in the public and private domain against children, young people and women, including sexual exploitation and trafficking in human beings, by taking preventive measures and by providing support and protection for victims and groups at risk.

This should be achieved by means, inter alia, of the following steps:

- assisting and encouraging NGOs and other organisations active in this field;
- developing and implementing awareness-raising measures targeting specific audiences;
- disseminating and making use of the results achieved under the two previous Daphne programmes;
- identifying and enhancing measures contributing to positive treatment of people at risk of violence, following an approach that encourages respect for them and promotes their well-being and self-fulfilment;
- designing and testing awareness-raising and educational materials regarding the prevention of violence against children, young people and women;
- studying phenomena related to violence and its impact, both on victims and on society as a whole, including the healthcare, social and economic costs, in order to address the root causes of violence at all levels of society;
- developing and implementing support programmes for victims and people at risk and intervention programmes for perpetrators, whilst ensuring the safety of victims;
- specific measures taken by the Commission;

- specific transnational projects of Community interest involving at least two Member States under the conditions set out in the annual work programmes.

Community financing may take two legal forms: grants and public procurement contracts.

Access to this programme will be open to public or private organisations and institutions (local authorities at the appropriate level, university departments and research centres) working to prevent and combat violence. It will also be open to participants from various third countries such as the candidate countries, the Western Balkans and the EFTA countries.

This specific programme is complemented by other specific programmes under the general programme “Fundamental Rights and Justice”, in particular the specific programme “Fundamental Rights and Citizenship”, as well as the general programmes “Security and Safeguarding Liberties” and “Solidarity and Management of Migration Flows”.

The Council agreed to a budget of EUR 116,85 million for the period 2007-2013, as proposed by the Commission for Daphne III.

Legal basis proposed: Article 152 of the Treaty; qualified majority required for a Council decision; and co-decision procedure with the European Parliament applicable. The European Parliament delivered its first-reading opinion on 5 September 2006.

– ***PORTABILITY OF SUPPLEMENTARY PENSION RIGHTS***

Pending the European Parliament opinion at first reading, the Council took note of a progress report (15125/06) and held a policy debate on a draft Directive on improving the portability of supplementary pension rights.

The debate covered, inter alia, the following issues:

*Transferability*

- As an important further step in facilitating the mobility of workers in the European Union, should the Directive focus on vesting criteria as well as on the preservation of pension rights through a fair treatment of dormant rights.
- Should these Directive include provisions for transferability.

*Supplementary pension schemes to be covered by the Directive*

- Taking into account the combination of a long transitional period and the suggested exclusion of certain schemes, how long should the transitional period be to let supplementary pension schemes adjust to the new rules.

In view of the increasing importance of supplementary pension schemes to cover the risk associated with old age in Member States, the Commission proposal aims to facilitate workers' freedom of movement both across Member States and within a Member State by eliminating restrictive provisions linked to supplementary pension schemes which may limit the opportunities for mobile workers to build up sufficient pension rights throughout their working lives.

Furthermore, the proposal seeks to ensure that workers receive appropriate information on their supplementary pension rights in the event of occupational mobility.

At the end of the debate, the Presidency concluded that:

- all delegations can support the draft Directive's overall aim of facilitating mobility of workers;
- the majority of the Council considered that the Directive should focus on vesting criteria as well as on the preservation of pension rights through a fair treatment of dormant rights;

- that a balance should be found between as broad as possible scope of the Directive and a sufficiently long transitional period to allow pension schemes to adjust their rules;
- some delegations, however, regretted the deletion of transferability of pension rights from the text;
- however, instead of including the transfers in the Directive, other means of improving transferability could be considered, including on a voluntary basis.

Legal basis proposed: Articles 42 and 94 of the Treaty – unanimity required for a Council decision and co-decision procedure with the European Parliament applicable.

- **COORDINATION OF SOCIAL SECURITY SYSTEMS**
  - **implementing Regulation (EC) No 883/2004**
  - **amending Regulation (EC) No 883/2004 and determining the content of its Annex XI**

Pending the European Parliament opinion at first reading, the Council agreed on partial<sup>1</sup> general approaches on the parts concerning invalidity benefits and old-age and survivors' pensions of two draft Regulations, which will implement Regulation (EC) No 883/2004<sup>2</sup> (15600/06) and amend Regulation (EC) No 883/2004 and determine the content of its Annex XI (15598/06), respectively.

Regulation (EC) No 883/2004 was the first step in a process to modernise and simplify EU rules on the coordination of national social security systems, which are intended to enable EU citizens to move freely within Europe while maintaining their rights to social security benefits (health benefits, pensions, unemployment benefits, etc.). This process must be completed with the adoption of an implementing Regulation<sup>3</sup> replacing Regulation (EEC) No 574/72 and of a Regulation laying down provisions regarding specific aspects of individual Member States' legislation which will form the content of Annex XI to Regulation (EC) No 883/2004<sup>4</sup>; the corresponding proposals are now being examined.

Legal basis proposed: Articles 42 and 308 of the Treaty - unanimity required for a Council decision and co-decision procedure with the European Parliament applicable.

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<sup>1</sup> Examination of the proposals will be pursued under the incoming Presidencies.

<sup>2</sup> Regulation of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004 + corrigendum OJ L 200, 7.6.2004.

<sup>3</sup> See Article 89 of Regulation (EC) No 883/2004.

<sup>4</sup> See Article 83 of Regulation (EC) No 883/2004.

**OTHER BUSINESS**

1. Proposal for a Regulation on advanced therapy medicinal products (15310/06)
  - Progress report
2. Pandemic Influenza (16006/06)
  - Intervention by the Commission and the Presidency
3. Pharmaceutical Forum (15842/06)
  - Intervention by the Commission
4. Commission communication on combating HIV/AIDS within the European Union and in the neighbouring countries, 2006-2009 (15850/06)
  - Intervention by the Commission on the implementation of the action plan
5. Commission Green Paper "Improving the Mental Health of the Population. Towards a Strategy on Mental Health for the European Union" (15846/06)
  - Intervention by the Commission on the consultation process
6. Communication from the Commission on transitional prolongation and extension of the mandate of the Health Security Committee in view of a future general revision of the structures dealing with health threats at EU level (15561/06)
  - Intervention by the Commission
  - Intervention by the UK delegation, which shared its experience on dissemination of information in a recent case of contamination by polonium-210 radiation.
7. Health in the World of Work (*brochure available at the Secretariat of the Press office for consultation*)
  - Intervention by the Presidency

8. Examination of National Reform Programmes
  - Report from the Employment Committee
9. Commission's communication on "Implementing the Community Lisbon programme: Social services of general interest in the European Union" (9038/06)
  - Report from the Social Protection Committee
10. European Institute for Gender Equality
  - Oral information from the Presidency, announcing that Vilnius (Lithuania) had been chosen as the seat of the European Gender Institute

**OTHER ITEMS APPROVED****HEALTH****Conference on avian and human pandemic influenza**

The Council took note of the progress on the text of the draft Bamako declaration and approved a draft EU statement to be adopted at the 4th international pledging conference on avian and human pandemic influenza, which will take place in Bamako (Mali) from 6 to 8 December 2006.

**CONSUMER POLICY****Misleading and comparative advertising**

The Council adopted a Directive on misleading and comparative advertising (codified version) (*PE-CONS 3641/06*).

The Directive codifies and repeals Directive 84/450/EEC, substituting the various acts incorporated in it by bringing them together with only such amendments as are required by the codification exercise itself.

**EUROPEAN SECURITY AND DEFENCE POLICY****Democratic Republic of the Congo - European Union Police Mission (EUPOL-"Kinshasa")**

The Council adopted a Joint Action amending Joint Action 2004/847/CFSP on the European Union Police Mission in Kinshasa (Democratic Republic of the Congo) regarding the Integrated Police Unit (EUPOL-"Kinshasa")(*15194/06*).

The Joint Action extends the temporary reinforcement of the European Union Police Mission in Kinshasa (EUPOL-"Kinshasa") until 31 December 2006.

Joint Action 2006/300/CFSP of 21 April 2006 provided that EUPOL-"Kinshasa" would be temporarily reinforced for a duration of up to five months covering the electoral period. It also provided that the reinforcement should begin no later than one month before the start of the electoral period.

EUPOL-"Kinshasa" was launched in January 2005 with the purpose of monitoring, mentoring and advising on the setting-up and development of an Integrated Police Unit in Kinshasa.

### **COMMON FOREIGN AND SECURITY POLICY**

#### **Western Balkans – Extension of the European Union Monitoring Mission**

The Council adopted a Joint Action amending the mandate of the European Union Monitoring Mission (EUMM) in the Western Balkans and extending until 31 December 2007 (14885/06).

The Joint Action amends Joint Action 2002/921/CFSP with a view to continuing activities in support of the EU's policy towards the Western Balkans, with a particular focus on political and security developments in Kosovo and Serbia and neighbouring regions that might be affected by adverse developments in Kosovo.

EUR 2,3 million will be allocated to cover the expenditure of the mission in 2007. This amount will also cover the agreed closing-down of the EUMM by the end of 2007.

Accordingly, the Council adopted a decision extending the mandate of Ms Maryse Daviet as head of the EUMM until 31 December 2007 (14658/06).

### **EXTERNAL RELATIONS**

#### **Kosovo - EU financial assistance**

The Council adopted a Decision providing Kosovo with exceptional financial assistance of up to EUR 50 million with a view to alleviating the financial situation in Kosovo, supporting the development of a sound economic and fiscal framework, facilitating the continuation and strengthening of essential administrative functions and addressing public investment needs (14677/06).

## **Cooperation with Canada**

The Council adopted a Decision on the signature of the Agreement between the European Community and the government of Canada establishing a framework for cooperation in the fields of higher education, training and youth (10924/06).

## **JUSTICE AND HOME AFFAIRS**

### **European monitoring centre for drugs and drug addiction - Recast of legislation \***

The Council adopted a Regulation recasting Regulation 302/93 on the European monitoring centre for drugs and drug addiction with a view to clarifying and simplifying legislation in this field (3648/06 and 15558/06 ADD1).

The centre, based in Lisbon, was established in 1993 to provide the Community and its Member States with factual, objective, reliable and comparable information at European level on drugs and drug addiction and their consequences.

(<http://www.emcdda.europa.eu>)

### **Draft EU budget for 2007**

The Council proceeded to its second reading of the EU's draft general budget for 2007, following confirmation by the permanent representatives committee, by a qualified majority, of the conclusions of a conciliation meeting with representatives of the European Parliament on 21 November, as finalised during a Parliament-Council-Commission trilogue on 28 November (15638/06).

The Council also approved draft amending budget No 6 to the 2006 EU budget and revised letter of amendment No 2 and letter of amendment No 3 to the 2007 draft budget, and entered statements into its minutes on:

- recruitment in relation with the 2004 and 2007 enlargement exercises, three new agencies provided for in the 2007 budget (the European Chemicals Agency, the European Gender Institute and the European Agency on Fundamental Rights), and the Life+ programme (joint statements);
- payment appropriations, advance payments for the period 2007-2013, and 2007 pilot projects and preparatory actions (Council statements).

The Council asked the presidency to forward the relevant budget documents to the Parliament.

The 2007 budget will be the first to cater for a European Union comprising 27 Member States provide for a European Union comprising 27 Member States, further to the accession of Bulgaria and Romania on 1 January. It will also be the first under the EU's 2007-2013 financial framework.

## **ENLARGEMENT**

### **Emergency travel document**

The Representatives of the Governments of the Member States meeting within the Council adopted a Decision adapting their Decision 96/409/CFSP of 25 June 1996 on the establishment of an emergency travel document, in order to take account of the accession of Bulgaria and Romania to the European Union.

## **DEVELOPMENT**

### **Extension of the Food Aid Convention**

The Council adopted a decision authorising the Commission to vote on behalf of the European Community for the extension of the Food Aid Convention 1999 for a further one year period, i.e. until 30 June 2008, on the condition that the Grains Trade Convention 1995 remain in force for the same period (15380/06).

A proposal for extending the Convention will be submitted for adoption at the next meeting of the Food Aid Committee on 5 December.

The Food Aid Convention was concluded by the Community by means of Decision 2000/421/EC (OJ L 163, 4.7.2000, p. 37) and extended by decisions of the Food Aid Committee in June 2002, June 2003 and June 2005, so as to remain in force until 30 June 2007.

## **FISHERIES**

### **EC-Mauritania fishing agreement**

The Council adopted a Regulation approving a fisheries partnership agreement (FPA) with Mauritania (13256/06).

The FPA with Mauritania provides for improved economic, financial, technical and scientific cooperation in the fisheries sector with a view to guaranteeing the conservation and sustainable exploitation of resources, as well as partnerships between undertakings aimed at developing economic activities in the fisheries sector and related activities in the common interest.

The FPA is concluded for a period of six years from 1 August 2006. It contains a protocol signed for a period of two years which may be tacitly renewed twice.

The financial contribution under the protocol is set at EUR 86 million per year for fishing opportunities, of which EUR 11 million per year will be allocated to financial support for the implementation of the national fisheries policy.

The fishing opportunities provided for in the FPA are laid down for eleven categories. The conditions for each licence period are as follows:

- crustaceans (excluding crawfish and crab): maximum authorised capacity 9 440 GT;
- black hake trawlers and longliners: maximum authorised capacity 3 600 GT;
- demersal fisheries – other than trawlers and targeting species other than black hake: maximum authorised capacity 2 324 GT;
- demersal trawlers – targeting demersal species other than black hake: maximum authorised capacity 750 GT;
- cephalopods: maximum authorised capacity 18 600 GT for 43 licences;
- crawfish: maximum authorised capacity 300 GT for each category;
- tuna fisheries: maximum of 36 licences for seiners and 31 licences for pole-and-line vessels and surface longliners as a whole;
- pelagic freezer trawlers: maximum 22 licences;
- non-freezer vessels: maximum authorised capacity 15 000 GT per month, averaged over the year.

## **ENERGY**

### **Relations with Kazakhstan**

The Council endorsed the revised text of the Memorandum of Understanding on co-operation in the field of energy between the European Union and the Republic of Kazakhstan.

## **ENVIRONMENT**

### **Quality required of shellfish waters**

The Council adopted a Directive on the quality required of shellfish waters (codified version) (*PE-CONS 3640/06*).

The Directive codifies and repeals Directive 79/923/EEC, substituting the various acts incorporated in it by bringing them together with only such amendments as are required by the codification exercise itself.

## **INTELLECTUAL PROPERTY**

### **Rental right and lending right**

The Council adopted a Directive on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version) (*PE-CONS 3642/06*).

The Directive codifies and repeals Directive 92/100/EEC, substituting the various acts incorporated in it by bringing them together with only such amendments as are required by the codification exercise itself.

**Term of protection of copyright**

The Council adopted a Directive on the term of protection of copyright and certain related rights (codified version) (*PE-CONS 3643/06*).

The decision codifies and repeals Directive 93/98/EEC, substituting the various acts incorporated in it by bringing them together with only such amendments as are required by the codification exercise itself.

**APPOINTMENTS****Committee of the Regions**

The Council adopted a Decision appointing Mr Jordi Hereu i Boher, Mayor of the city of Barcelona, as a member of the Committee of the Regions in place of Mr Joan Clos i Matheu for the remainder of his term of office, which runs until 25 January 2010.

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