



Malta-EU Steering & Action Committee

# EMPLOYMENT, SOCIAL POLICY & HEALTH



30.04.2009

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## *...from the Commission*

### **No agreement reached on the Working Time Directive**

Parliament and Council could not find a compromise on three crucial points: the optout, on-call time and multiple contracts. This is the first time that no agreement could be reached at the Conciliation stage since the entry into force of the Amsterdam Treaty which significantly extended the scope of the codecision procedure.

The Conciliation Committee, composed of delegations from Parliament and Council decided that it was not possible to reach an agreement. This decision was adopted by an overwhelming majority within the EP delegation (15 votes in favour, 5 abstentions and 0 against). The main stumbling block was the opt-out.

#### Next steps

During next week's EP plenary session, on Monday 4<sup>th</sup> May, Vice-President Mechtild Rothe will make a statement which will be followed by a debate.

Since there is no agreement, the current directive remains into force, though the Commission can draft a new proposal from scratch. Such new legislation would need to take account the rulings of the European Court of Justice on-call time.



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## DEMOCRACY & HUMAN RIGHTS

**COM (2009) 194 - Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation and Regulation (EC) No 1889/2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide.**

The various Community financial instruments for external cooperation contain inconsistencies regarding the eligibility for Community financing of costs related to taxes, duties and other charges.

The Development Cooperation Instrument (DCI) and the European Instrument for Democracy and Human Rights (EIDHR) are the only ones not to provide for an exception to the principle of the non-eligibility of such costs for funding. The other instruments lay down that Community support may not be used to finance these costs in principle. They therefore allow for flexibility on a case-by-case basis and the authorising officer responsible may, where appropriate, decide to accept their being financed in the interests of proper implementation of programmes and projects. Such flexibility is essential for certain recurring situations where deadlock occurs because exemption mechanisms are absent or impractical (owing, for example, to the extreme complexity of procedures in the beneficiary country). In these situations, the rigid formulation of the DCI and EIDHR instruments may make the action financed by external aid extremely difficult, particularly in the context of EIDHR projects.

Therefore, the Commission is proposing an amendment to the DCI and EIDHR in order to align the relevant provisions of both these instruments on the other instruments.



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## 2009 Ageing Communication: a renewed strategy for tackling Europe's demographic challenge

**COM (2009) 180/4 COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Dealing with the impact of an ageing population in the EU (2009 Ageing Report)**

*Europe's population is living increasingly longer and in better health. However, ageing populations also pose major economic, budgetary and social challenges. While the first priority is to make the current recession as short as possible, we must not lose sight of the policies and reforms needed to ensure that the elderly have decent pensions and access to health and long-term care without putting an unsustainable burden on future generations.*

*The 2009 Ageing Communication states that governments have a window of opportunity before the baby-boom generation retires, to implement policies that address the challenge whilst being compatible with the need to support the economy, as recommended in the December European Economic Recovery Plan.*

*Projections agreed with the Member States put the increase in age-related expenditure at an average of 4¾ percentage points (pp) of GDP in the EU by 2060. In the same period there will be a shift from four people of working age for every person aged over 65 to a ratio of 2 to 1. Ageing will already start affecting most EU economies in the coming decade.*

The Commission adopted a Communication ("Dealing with the impact of an ageing population in times of economic crisis") to the Council and Parliament that presents the age-related expenditure projections on the basis of new population projections provided by Eurostat for up to 2060. The accompanying Ageing Report was requested by EU finance ministers and was prepared jointly with the EU's Economic Policy Committee.

Under the projected birth rates, life expectancy and migration flows, the population of the present EU will be roughly the same in 2060 at about 500 million, but will be significantly older. From 2015 deaths will outnumber births and the over 65 are set to increase to 30% of the population in 2060 from 17% in 2008. The biggest rise is expected during the period 2015-35 as the baby-boom cohorts retire. The 80+ would nearly treble to 12% of the total.

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This means the EU would move from having four people of working age for every person aged over 65 to a ratio of only two to one. The shrinking workforce would also mean a lower potential growth while, on the basis of current policies, age-related public expenditure would increase on average by about 4¾ pp of GDP by 2060 in the EU (more than 5 pp in the euro area) through pension, healthcare and long-term care spending.

There has been progress to meet the challenge during the past decade and since the previous Ageing Report in 2006, notably through reforms of pension systems, but also by increasing employment levels amongst women, through the promotion of a better balance between professional and family life. While the employment rate of the 55+ age group has also increased, only around 50% are still at work by the age of 60 despite having another 24 years to live for women and 20 years for men, on average, in better health than ever before.

The current financial and economic crisis has led to a global recession that has set back significantly the progress with fiscal consolidation, which is part and parcel of a strategy to have long-term sustainable finances and to cope with ageing.

The priority must be the implementation of a targeted and well-coordinated policy response, as stressed in the European Economic Recovery Plan to ensure that the crisis will not put the EU permanently on a lower growth path in terms of employment and labour productivity. For this to happen, the response needs to be built on structural reforms. As soon as the economic recovery has been firmly established, it is crucial to reduce government deficits and to put public budgets on a sustainable path.

The three-pronged strategy to cope with the economic and budgetary challenge posed by ageing decided by the Stockholm European Council in 2001 remains a valid long-term policy strategy and consists of reducing debts rapidly as soon as the economy picks up; raising employment rates and productivity; and reforming pension, healthcare and long-term care systems. The same applies for the five policy goals identified in the Commission's October 2006 communication on the demographic future of Europe, namely pro-family policies, promotion of new services and jobs to serve ageing populations and mobility of workers within the EU to avoid skills mismatches.

Coordination at European level helps by providing for the exchange of best practices, developing synergies and reducing negative spillovers. The

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Commission will continue to guide Member States in this regard notably by proposing in the course of this year a post-2010 reformulation of the Lisbon Strategy, an update of its report on the long-term sustainability of public finances.

The Communication as well as the full Ageing Report can be found at:

[http://ec.europa.eu/economy\\_finance/thematic\\_articles/article14761\\_en.htm](http://ec.europa.eu/economy_finance/thematic_articles/article14761_en.htm)

### **Intergenerational solidarity: key to responding to demographic ageing**

The first European Day of Solidarity between Generations (29<sup>th</sup> April) is an initiative of civil society organisations. For this occasion, the European Commission has carried out a Flash Eurobarometer survey on the views of EU citizens on intergenerational solidarity.

#### **Background**

The European Day on Intergenerational Solidarity is a follow-up to a conference on “Intergenerational Solidarity for Cohesive and Sustainable Societies” which was organised in the Czech Republic, on 28-29 April 2008.

The conference was organised in cooperation with the European Commission and a number of stakeholder organisations including the European Platform of Older People (AGE), the European Youth Forum, the Association Internationale de la Mutualité (AIM) and the European Association of Paritarian Institutions of social protection (AEIP). It focused on reinforcing social links between generations as well as initiating a shift in policy-making to promote greater solidarity between generations.

#### **Eurobarometer survey on solidarity between generations**

On the occasion of the first European Day of Solidarity between Generations, the European Commission has carried out an extensive survey on the relations between old and young. There seems to be a solid basis of confidence and

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understanding between the generations and the contributions of older people to society are widely appreciated. However, the survey also reveals strong support for policies and initiatives that would foster better relations between the generations and help older people remain active and autonomous.

### **Why is intergenerational solidarity important?**

High birth rates after World War II led to what is often referred to as the baby-boom which lasted into the 1960s. The Commission's latest Demography Report emphasises that these baby-boomers are now reaching their sixties and are beginning to retire from the labour market. This marks a turning point in the demographic development of the European Union. An ageing population is no longer something that will happen at some point in the distant future; it is starting now.

From now on, the population aged 60 years and above will be growing by 2 million people every year for the next 25 years. The growth of the working age population (15-64 years) is slowing down fast and will stop altogether in about six years; from then on, this segment of the population will be shrinking by 1 to 1.5 million people each year.

Societies and economies will have to adapt to this rapidly changing age structure, not just in the EU, but all over the world. The process of demographic ageing will certainly impact on the relationship between generations, and some fear increasing tensions between the generations. The Flash Eurobarometer on Intergenerational Solidarity examines EU citizens' opinions on the challenges of demographic ageing and its implications for the solidarity between generations.

### **What are the key results of the survey?**

- The vast majority of Europeans have a generally positive image of older people, with only 14% considering them to be a burden to society. This minority is largest among the elderly.
- 49% of Europeans believe governments should make more money available for pensions and care for the elderly.
- However, they are more pessimistic about the reality: 58% believe governments will no longer be able to pay for pensions and care for older people in coming decades.
- 66% support the view that governments should make it easier for older people to continue working beyond the normal retirement age, if they so wish.
- A large majority of Europeans (84%) consider that many frail elderly people cannot live autonomously because homes are not adapted to their needs. Two-

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thirds of Europeans feel that people who care for elderly relatives are let down by social services.

- Europeans strongly acknowledge the contribution of older people to society, providing financial help for children and grandchildren and acting as volunteers. Their role as carers for family members is not sufficiently appreciated, say more than three-quarters of Europeans.

#### **Are older people seen as a burden for society?**

Across the EU as a whole, at least two-thirds of people reject the statement that older people are a burden on society: the total level of disagreement ranged from 95% in the Netherlands to 66% in Lithuania. Surprisingly, the oldest respondents (over 64) were most likely to consider themselves as a burden: they were twice as likely as the youngest to agree that older people are a burden on society (25% vs. 12%).



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## NOVEL FLU VIRUS

European Centre for Disease Prevention and Control (ECDC)

Following human cases of the novel flu virus notified to WHO by the United States and Mexico, DG SANCO is leading the EU coordination under the framework of the Communicable disease decision 2119/98 through the Community Early Warning and Response System (EWRS), under which EU Member States are required to notify measures they propose to take, measures and guidance issued, and any confirmed cases.

In this respect, DG SANCO will continue to maintain permanent contact with Member States, ECDC, WHO, and with the United States and Mexico through the Global Health Security Initiative channel.

DG SANCO follows particularly the discussions ongoing in the WHO Emergency Committee which will recommend a global approach, which will then be implemented at EU level.

There are no specific guidelines for travellers available at the moment. The level of risk is different in the European countries. Advice and recommendations should be made based on risk assessment, and such advice will be circulated in the very near future. In the meantime, travellers who cannot postpone travel to affected areas are advised to consult the national websites of health ministries.

▶ [Regular updates on the situation can be found on the ECDC website](#)

▶ [Questions and answers about swine influenza](#) 

Regular updates on the situation as well as a Question and Answer document on swine influenza in humans can be found on the:

[website of the European Centre for Disease Prevention and Control.](#)

The Council of the European Union - EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER AFFAIRS - will hold an extraordinary session on Thursday 30 April 2009 (14.30), under the Presidency of Mrs Daniela FILIPIOVÁ, Minister of Health of the Czech Republic.

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Swine flu will be discussed.

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## ***... from the Parliament***

### **MEPs adopt a written declaration on support for Special Olympics in the European Union**

The European Parliament passed a written declaration in support of the organisation, which enables half a million people with intellectual disabilities to take part in sports training and major events across Europe. The declaration acknowledges the wide benefits of Special Olympics for athletes, families and the wider community and calls on the European Commission to support the 2011 World Special Olympics in Athens and the 2010 European Special Olympics in Warsaw.

436 MEPs have signed the declaration. In order for a written declaration more than half of the 785 MEPs must sign it. The declaration was declared adopted on 23 April in Strasbourg.

#### **About Special Olympics Europe Eurasia**

Special Olympics Europe/Eurasia (SOEE) works with half a million athletes in 58 countries across Europe and Eastern Europe and Central Asia, providing year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in sharing of gifts, skills and friendship with their families, other Special Olympics athletes and the community.

SOEE undertakes a number of key additional roles, which include serving as an advocate for people with intellectual disabilities, taking responsibility for European level competitions and establishing European level partnerships.

SOEE is part of the Special Olympics family that works with 2.5 million people across the world supported by 1.5 million volunteers and 3 million family members.

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## ***...from the Sectoral Committes***

### **HUMAN TRAFFICKING & CHILD ABUSE (See 6<sup>th</sup> ESPH Sectoral Committee Update of 27.03.2009)**

At the Justice and Home Affairs Sectoral Committee, held on the 28<sup>th</sup> April, two proposals for two different but related Council Framework Decisions (FD) were presented and discussed.

The first proposal is concerned with the prevention and combating of trafficking in human beings and the protection of the relative victims. Dr Lara Lanfranco, an official from the AG's office did the presentations and said that this Proposal is a response to the phenomena of modern telecommunication systems and the freedom of movement in Europe. These factors in recent decades, both led to a high increase in criminality.

Human traffickers use deceptive methods on vulnerable people who make use of their intention to travel outside their country of origin in search of a better future. These people are then caught in different forms of slavery related to sexual exploitation, cheap labour and organ thefts.

Dr Lanfranco said that the proposal takes a preventive approach by increasing the preventive methods and gives a high importance to victim support. Therefore, it considers the methods of prosecution through investigation methods and witness protection programmes. In Malta, legal provisions about the latter and with regard to protection of vulnerable victims, already exist.

The Framework Decision also speaks of adults who are vulnerable victims like disabled persons, mentally ill persons, pregnant women and poor social conditions. It also proposes penalties to attack those who tend to go for such trafficking.

During the discussion various points were raised:

1. A member asked about wrongful prosecution. Dr Lanfranco answered that the FD is more focused on the victims rather than the aggressors.
2. It was questioned whether the issue of the protection of victims applies only to children. The answer was negative because the FD speaks of any victim of any age.

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3. Another member highlighted the fact that there seems to be more attention to victim protection than concrete prevention issues. He argued that it should be tackled the other way round by fighting trafficking first and its effect will be reduced automatically.
4. There has to be a balance between the protection of witnesses who are reluctant to give their witness and the rights of the accused.

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As regards the second Proposal for a FD on the sexual abuse and exploitation of children, Dr Lanfranco said that this FD is intended to cover all aspects of child exploitation, including child deception by adults especially through the internet. This is called grooming (where an adult convinces a minor by deception that a certain immoral behaviour is normal).

Among the points raised by members, the most important point was that in the FD there is no mention of the setting up of a sex-offenders register. There are organisations (be they religious, educational or sport related), who do not ask for a police conduct in recruiting persons who will be working with children.

Dr Lanfranco pointed out that during their meetings in Brussels, Malta opposed the fact that the FD does not penalise consensual sex between two minors (under the age of 18). There should be an age for which penalty is invoked. It may happen that an offence is carried out by a 17 year old and an 8 year old. The problem arises when it comes to determine whether there has been consent or not.

She also said that it will be a very positive action to include grooming in our legislation and to legislate in favour of the blockage of child pornography sites.

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