



European Communities

**EUROPEAN PARLIAMENT**

# **WORKING DOCUMENTS**

English Edition

1985-86

26 March 1985

A SERIES

DOCUMENT A 2-2/85

**REPORT**

**tabled by the Committee on Social Affairs and Employment**

**on the proposal from the Commission of the European  
Communities to the Council (COM(84)710 final - Doc.2-1377/84)**

**for a draft recommendation on social security for  
volunteer development workers**

**Rapporteur : Mrs Mary BANOTTI**

**PE 96.275/fin.**

**Or. En.**



At its sitting of 11 September 1984, the European Parliament referred the motion for a resolution tabled by Mrs RABBETHGE and others on the legal and social status of development cooperation volunteers in the EEC (Doc. 2-421/84) to the Committee on Social Affairs and Employment as the committee responsible and to the Committee on Development and Cooperation for an opinion.

By letter of 9 January 1985, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to the EEC Treaty, on the proposal from the Commission of the European Communities to the Council for a

On 16 January 1985, the European Parliament referred this proposal to the Committee on Social Affairs and Employment as the committee responsible and to the Committee on Development and Cooperation for an opinion.

At its meeting of 22 February 1985, the Committee on Social Affairs and Employment decided to include both the above documents in one report, and appointed Mrs BANOTTI rapporteur.

The Committee considered the Commission's proposal at its meeting of 22 February 1985, and the proposal together with the draft report at its meeting of 20 March 1985.

At the last meeting, the Committee decided unanimously to recommend to Parliament that it approve the Commission's proposal with the following amendments.

The Committee then adopted the motion for a resolution as a whole unanimously.

The following took part in the vote: Mr WELSH, Chairman; Mr McCARTIN, Vice-Chairman; Mrs BANOTTI, substitute member and rapporteur; Mr BROK; Mr H CHRISTIANSEN; Mr CIANCAGLINI; Mrs LEMASS (deputizing for Mrs Chouraqui); Mrs MAIJ-WEGGEN; Mrs MARINARO (deputizing for Mr RAGGIO); Mr MEGAHY; Mr SAKELLARIOU; Mrs SQUARCIALUPI (deputizing for Mrs HOFFMANN); Sir Jack STEWART-CLARK; Mr TUCKMAN.

The opinion of the Committee on Development and Cooperation will be published separately.

The explanatory statement will be presented orally.

The report was tabled on 21 March 1985.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

C O N T E N T S

	<u>Page</u>
Amendments to the Commission's proposal .....	5
MOTION FOR A RESOLUTION .....	12
ANNEX     Motion for a Resolution (Doc. 2-421/84) .....	15

The Committee on Social Affairs and Employment hereby submits to the European Parliament the following amendments to the Commission's proposal and motion for a resolution:

Draft Council Recommendation on  
Social Security for Volunteer Development Workers

Text proposed by the Commission  
of the European Communities

---

Amendments tabled by the Committee  
on Social Affairs and Employment

---

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the  
European Economic Community,

Unchanged

Having regard to the draft recommendation  
presented by the Commission,

Unchanged

Having regard to the opinion of the European  
Parliament,

Unchanged

Having regard to the opinion of the Economic and  
Social Committee,

Unchanged

Whereas the European Council which met on 25 and  
26 June 1984 expressed the wish that Member States  
take steps to encourage young persons to participate  
in projects conducted by the Community outside its  
frontiers, and in particular that they support the  
creation of national Committees of European  
volunteer development workers engaged in  
development to unite young Europeans wishing to  
work on projects in developing countries;

Unchanged

Amendment No. 1 (new recital)

Whereas, however, in the many Member States  
where such national committees or their  
equivalents are already established, this  
desired Community dimension can best be  
achieved not by setting up new bodies but  
by reinforcing existing structures and  
strengthening cooperation between them  
both at grass-roots and the overall  
European level;

Text proposed by the Commission  
of the European Communities

---

Whereas measures to encourage volunteer development workers to work on such projects will contribute to the implementation of Community policies, and those of the Member States, towards developing countries;

Whereas such work provides valuable occupational experience, in particular for young persons seeking employment but also for other unemployed persons;

Whereas the promotion of opportunities for vocational training is one of the Community's objectives in the social field;

Whereas steps should therefore be taken to remove obstacles to taking up employment as a volunteer development worker;

Amendments tabled by the Committee  
on Social Affairs and Employment

---

Amendment No. 2

Whereas measures to encourage volunteer development workers to work in this wider context will contribute to the implementation of Community policies, and those of the Member States, towards developing countries and, at the same time, help foster a greater sense of partnership and human understanding;

Amendment No. 3 (new recital)

Whereas this contribution must always be directed primarily to the real needs of the Third World;

Amendment No. 4

Whereas, however, volunteer development service can both assist the developing countries and provide valuable occupational and personal experience for young people, including the unemployed, provided they have the necessary motivation, skills and experience;

Unchanged

Amendment No. 5

Whereas steps should be taken to remove obstacles to taking up employment as a volunteer development worker;

(One word deleted)

Text proposed by the Commission  
of the European Communities

---

Amendments tabled by the Committee  
on Social Affairs and Employment

---

Whereas a major disincentive to this form of employment is constituted by the absence of any, or any adequate, cover for such persons and for members of their families under the social security systems of certain Member States, either during or in respect of either the period spent as a volunteer development worker or the period spent in preparation for such work or both;

Unchanged

Whereas there are disparities in the treatment of such persons for the purposes of social security between the Member States,

Unchanged

RECOMMENDS THE MEMBER STATES:

A.

Unchanged

— to recognize as one of the objectives of their social policy the achievement of social security cover for volunteer development workers;

— to regard as 'volunteer development workers engaged in development' those persons who are sent to developing countries through the intermediary of approved non-governmental organizations, whether State aided or not, under conditions of remuneration similar to local conditions, in those countries, for the purpose of making a positive contribution to the physical, economic and social development of such countries;

Amendment No. 6

— to regard as "volunteer development workers engaged in development" suitably qualified persons who are sent out to developing countries through the intermediary of approved non-governmental organisations, whether State aided or not, or who are recruited directly by Third World governments, all normally under conditions of remuneration similar to local conditions, in those countries, for the purpose of making a positive contribution to the physical, economic and social development of such countries;



— to take to this end the appropriate steps for the progressive development of social security cover for volunteer development workers, and for members of their families, when the latter have no independent claim to social security cover, under statutory or occupational social security schemes, on the basis of the following principles.

Unchanged

1. Volunteer development workers engaged in development and the members of their families referred to above should be covered by the social security legislation of the sending country during and by virtue of the periods of preparation for and service in a developing country, under similar conditions to those laid down for workers or residents in the sending country.

Unchanged

2. That insurance cover should relate to the following:

- (a) health care;
- (b) sickness benefits;
- (c) maternity benefits;
- (d) invalidity benefits;
- (e) old age benefits;
- (f) survivors' benefits;
- (g) benefits for accidents at work and occupational diseases;
- (h) benefits for unemployment after their return;
- (i) family benefits.

Unchanged

3. Member States should take the necessary steps to organize full insurance cover, for volunteer development workers and for the members of their families referred to above, within the framework of their national system. Full cover implies that the wage taken into account for the calculation of benefits should not be lower than the minimum amount used for determining eligibility for social security insurance coverage.

Unchanged

4. Member States should endeavour to bear a large part of the cost of such cover either by providing non-governmental organizations with the necessary means or by contributing to the financing themselves.

Unchanged

5. Member States should guarantee equal treatment between volunteer development workers and the members of their families referred to above who are nationals of other Member States and national volunteer development workers and the members of their families referred to above, including refugees or stateless persons residing within the territory of the Member States.

Unchanged

Text proposed by the Commission  
of the European Communities

---

Amendments tabled by the Committee  
on Social Affairs and Employment

---

B.

Member States should where appropriate base their measures on the following procedures:

1. Insurance cover should be organized on the basis of one or a combination of the following methods, where appropriate:

(a) treatment of periods of service in a developing country as periods of insurance, occupational activity or residence under the legislation of the sending State, for the purpose of determining entitlement to benefits (and, if necessary, for calculating the amount of such benefits) relating to events which might occur after repatriation;

(b) retention of entitlement for a period prescribed by the legislation of the sending State for persons who would otherwise no longer be subject to that legislation in respect of short-term occurrences which might take place during the period of preparatory training or the period of service;

(c) use of secondment, as laid down by social security agreements concluded between the sending State and the developing countries concerned or, failing such agreements, by the legislation of the sending State;

(d) use of voluntary insurance for expatriates provided for under the legislation of the sending State or, in the absence of such a scheme, the setting up of a special voluntary insurance scheme for volunteer development workers engaged in development, and the members of their families referred to above;

(e) continuation of payment of remuneration in periods of temporary incapacity due to sickness; maternity or accident for the duration of the stay of volunteer development workers, and the members of their families referred to above, in a developing country.

Unchanged

Unchanged

Unchanged

Amendment No. 7

(b) retention of entitlement for a period prescribed by the legislation of the sending State for persons who would otherwise no longer be subject to that legislation in respect of short-term occurrences (sickness, accident, etc.) which might take place during the period of preparatory training or the period of service;

Unchanged

Unchanged

Unchanged

PE 96.275/fin.

2. Short-term benefits paid after return to the sending country, long-term benefits, and contributions assessed according to income should not be calculated on the basis of an amount lower than the minimum used for determining eligibility for insurance cover under the legislation of the sending State or affiliation to voluntary insurance under that legislation. Unchanged
3. The sending State should contribute to the financing either of social security cover for volunteer development workers on secondment or insured under a voluntary scheme, and the members of their families referred to above, or of the cost incurred by its social security schemes in treating periods of service completed by volunteer development workers in developing countries as periods completed under the legislation of the sending State, in respect of the workers themselves and the members of their families referred to above. Unchanged
4. (a) The medical costs incurred by volunteer development workers or the members of their families referred to above in a developing country should be refunded within the time limits prescribed by the legislation of the sending State for the refund of medical costs incurred within the territory of that State; Unchanged
- (b) Entitlement to health care enjoyed by volunteer development workers on secondment or covered by voluntary insurance and by the members of their families referred to above should be maintained so as to cover a prescribed period following return to the sending State, unless those concerned are in any event covered during that period as residents or unemployed persons. Unchanged
5. Volunteer development workers attending a preparatory course in the sending country should be treated as employees for the purposes of the legislation of the sending country, in particular for the purposes of determining entitlement to health care, unless they are in any event covered as residents. Members of their families referred to above should at least be covered during and in respect of such periods. Unchanged

Text proposed by the Commission  
of the European Communities

---

Amendments tabled by the Committee  
on Social Affairs and Employment

---

6. In order to be allowed to receive unemployment benefits during a prescribed period following their return to the sending State, volunteer development workers, and the members of their families referred to above, should be exempted from conditions governing insurance or employment (to the extent that the periods of service in a developing country are not treated as periods of employment or insurance or that such workers are not subject during these periods or service to the legislation of the sending country, in their capacity as workers on secondment or voluntarily insured) so that they may be protected against unemployment after they return home.

Unchanged

7. The tropical diseases to which volunteer development workers are exposed should be recognized under the prescribed conditions as occupational diseases, or should be compensated for under the same conditions as those applicable to occupational diseases.

Unchanged

Member States will, within a period of two years following the adoption of this recommendation, provide the Commission with the necessary information to enable it to draw up a report for the Council on progress achieved and obstacles encountered in the provision of social security cover for volunteer development workers engaged in development and, if appropriate, to propose any other measures required to achieve common objectives.

Amendment No. 8

Member States will, within a period of two years following the adoption of this Recommendation, provide the Commission with the necessary information to enable it to draw up a report for the Council on the progress achieved and obstacles encountered in the provision of social security cover for volunteer development workers engaged in development and, if appropriate, to propose any other measures, including a draft Directive which may be required to achieve common objectives.

## MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a draft recommendation on Social Security for Volunteer Development Workers

### The European Parliament

- having regard to the proposal from the Commission to the Council<sup>(1)</sup>
  - having been consulted by the Council (Doc. 2-1377/84),
  - having regard to the report by the Committee on Social Affairs and Employment and the opinion of the Committee on Development and Cooperation (Doc. A 2-2/85),
  - having regard to the result of the vote on the proposal from the Commission,
- A. Whereas the voluntary service in developing countries already provided by the relevant non-governmental organisations in different Member States of the European Community has a unique and crucial role to play in the context of development aid;
- B. Whereas the idea of giving a Community dimension to volunteer development work, by harnessing and coordinating the knowledge, experience and good will of the organisations concerned, is to be warmly welcomed;
- C. Whereas the real needs of the developing countries themselves must always be paramount;
- D. Whereas volunteer development work can also provide invaluable professional and human experience for young people who have the requisite qualifications and expertise;

---

(1)

OJ No. C16, 17.1.1985 p.11

- E. Whereas every effort should be made by the European Community and its Member States to remove all major obstacles to volunteer development work overseas;
1. Welcomes the Commission's proposal for a Council Recommendation which urges Member States to take the necessary steps towards filling the existing gaps in social security cover for voluntary development workers and, where appropriate, members of their families, with a view to ensuring that they are not penalised in relation to other citizens of the European Community;
  2. Stresses that in coordinating volunteer development work at European Community level, every effort must be made to secure the full participation and cooperation of the relevant non-governmental organisations already established in Member States, reinforcing such structures wherever necessary and only creating new ones where national committees, or their equivalent, do not already exist;
  3. Insists that cooperation between, and concerted action by, volunteer development organisations at the European level will help give the European Community a human face and thereby contribute towards the creation of a sense of common purpose and true partnership between all concerned, both in the sending and in the host countries;
  4. Recognises that volunteer development work can provide an extremely worthwhile and satisfying occupation for young people provided that they are properly motivated and trained;
  5. Endorses the main points made in this connection in the Motion for a Resolution on the legal and social status of development cooperation workers in the EEC, tabled by Mrs RABBETHGE and others, and, in particular, the emphasis placed on the need to attach far greater importance to "human resources in development policies" and on "the vital contribution made by qualified and properly trained volunteers in the implementation of development projects";<sup>(1)</sup>
  6. Points out that, because of the requirements laid down by the non-governmental organisations concerned which must be met by those re-

cruited as volunteer development workers (notably, that they must be mature, highly motivated, have both professional qualifications and experience, and undergo in-depth training before being sent out into the field), most of the "young people" concerned are to be found in the 25 - 30 years age bracket;

7. Considers that adequate provision should be made under the European Social Fund for the training of European Community development workers, and particularly under Article 601 relating to general measures for persons aged 25 and over;
8. Endorses wholeheartedly the principles, measures and procedures set out in the draft recommendation, subject to the foregoing important provisos, and calls on the Commission, the Council and the Member States to do their utmost to put them fully into effect;
9. Agrees with the Commission that, at this stage, a recommendation seems the most appropriate instrument for achieving these aims; urges it, however, to give serious consideration to the desirability of proposing a directive which takes account of the experience acquired during the two-year period following the entry into force of the recommendation;
10. Instructs its President to forward to the Commission and the Council, as Parliament's opinion, the proposal from the Commission as voted by Parliament and the corresponding resolution.

Motion for a Resolution (Doc. 2-421/84)

tabled by Mrs Rabbethge, Mr Bersani, Mr Wawrzik, Mr Vergeer, Mrs Cassanmagnago Cerretti, Mrs de Baker, Mrs Lentz-Cornette and Mrs Maij-Weggen  
pursuant to Rule 47 of the Rules of Procedure  
on the legal and social status of development cooperation volunteers in the EEC

The European Parliament,

- A. having regard to the growing importance of non-governmental organizations (NGOs) in the development policies of the European Community and its Member States and the positive results of cooperation between the EEC and the NGOs, in particular through co-financing measures,
  - B. pointing out the need to place greater stress on human resources in development policies,
  - C. having regard to the vital contribution made by qualified and properly trained volunteers to the implementation of many development projects,
  - D. having regard also to the growing difficulty of finding qualified volunteers willing to work abroad, owing to the inadequacies or total absence of legal and social guarantees for such volunteers in the various Member States,
  - E. recalling Article 48 of the EEC Treaty, enshrining freedom of movement for workers within the Community and entailing the abolition of any discrimination based on nationality as regards employment and conditions of work,
  - F. asserting the need to extend the benefit of these principles to volunteers considered as European workers seconded to developing countries,
1. Invites the responsible bodies of the European Community to examine, as a matter of urgency, the current status of volunteers, i.e. persons sent by public or private organizations in the Member States to a developing country to engage in work designed to make a practical contribution to the progress of the recipient country;
  2. Calls on the Commission, with this in view, to draw up a draft directive aimed at integrating all volunteers within the public social security system applied in the different Member States, for the duration of their cooperation contract and on their return;
  3. Considers that this European directive should lead Member States, within a specified period (maximum 2 years) to include all volunteers within their social security system and abolish all legal or administrative provisions which, with regard to social security, are not consistent with the principle of equal treatment between volunteers and other workers or prevent this principle from being applied;



4. Considers also that the directive should oblige public and private cooperation organizations to fulfil their obligations regarding volunteers' social security and conditions of work; in the case of NGOs, it should do so by making the granting of state subsidies (in particular through co-financing measures) dependent on fulfilment of these obligations;
5. Points out that these obligations must cover both volunteers and their dependent families, for the duration of the contract and on return, in the following areas: sickness, accidents and invalidity, retirement pensions, death benefits, other normal social benefits and civil liability insurance;
6. Invites Member States, without awaiting the adoption of a draft directive, to amend or complete their current social security legislation to give volunteers an appropriate status as workers, residents or seconded persons;
7. Calls on the Community and its Member States to make provision for or promote access to voluntary work for all those working in the public service, including the granting of unpaid leave for the duration of the cooperation contract and maintenance of all acquired rights;
8. Emphasizes lastly the need for the European Community and its Member States to promote adequate on the spot diplomatic protection for volunteers and development aid workers;
9. Instructs its President to forward this resolution to the Council and Commission, and to the parliaments of Member States.