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AND THE COMMITTEE OF THE REGIONS

MEDIUM TERM SOCIAL ACTION PROGRAMME

1995 - 1997

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INTRODUCTION

This Communication sets out the Commission's detailed work programme in the social field for the next three years (1995-1997). It is the third and final phase in a process which started in 1993, with the launch of the Green Paper on the future of European Social policy, and continued in 1994 with the White Paper on European Social Policy.

Both the Green and White Papers emphasized that Europe is currently living through a period of profound change, and that this change poses major challenges for our societies. Although Europe is now starting to benefit from economic recovery after a period of severe recession, levels of unemployment across the Union remain too high with insufficient employment intensity of growth. The creation of new jobs must remain, therefore, a central objective of the Union.

More generally, the globalisation of economic activity poses a major challenge for European competitiveness. The introduction of new technologies and communication systems at work and beyond and the development of the information society have implications for us all. The Union also needs to give continuing priority to the protection of the environment, through the promotion of sustainable production patterns and technologies, which can contribute to the creation of new jobs and promote competitiveness. Moreover, levels of funding for social protection systems are placing an increasing strain on national budgets, while poverty and social exclusion are becoming all too common. At the same time, demographic changes are altering the very structure of our societies.

The White Paper sought to set out a framework to develop European social policy in order to meet these challenges. It was based on the principle that Europe needs a broadly-based, forward looking and innovative social policy if it is successfully to meet the challenges ahead. This new social action programme seeks to anchor this approach by both building on and taking forward the achievements of the past - and particularly the 1989 Social Action Programme, which this replaces - while at the same time articulating a strategy to meet new needs and new challenges. As such, this action programme should be seen as a continuation of the strategy set out in the White Paper, rather than a radical new departure.

The action programme takes careful account of the extensive consultations and lively debate stimulated by the Green and White Papers, together with the White Paper on Growth, Competitiveness and Employment. In particular, it draws on contributions from the Member States, the Council resolution of 6 December 1994, the European Parliament resolution of 19 January 1995, and the views of the Economic and Social Committee, the Committee of the Regions and those active in the economic and social sphere, especially the social partners.

This wide ranging consultative process highlighted a broad agreement on a number of key themes which underpin this action programme:

- The building of Europe is a unique undertaking, based on achieving a balance between a commitment to competition, cooperation and solidarity. Each of these three components has to be developed in relation with the others, and the social dimension plays a large part in this process. At the same time the diversity of national European

cultures and practices must be preserved for their inherent value and in respect of the principle of subsidiarity, while remaining compatible with the process of building Europe and with the Treaty. Total harmonisation of social policies is therefore not an objective of the Commission or of the Union.

Member States have in common a number of shared achievements, values and practices which underpin their approach to the present and future European social model. This common social heritage lies mainly in the general provision of high levels of social protection and solidarity, the quality of education and training systems, levels of protection at the workplace, efforts to ensure equal opportunities and, finally, the role played by the social partners and by public authorities at different levels. Moreover, these values and objectives also assume a universal dimension, as evidenced by the ten commitments entered into at the recent World Social Summit held in Copenhagen.

- The progressive economic integration of the Union and the completion of the internal market have raised a wide range of social issues, in particular about their impact on the living and working conditions and standards of our citizens. The widespread uncertainty triggered by the unemployment crisis has heightened the need to find the right mix of policies to promote growth and competitiveness and at the same time guarantee social protection and solidarity. There is a very clear conviction that the fundamental objective of the European Union, "to promote economic and social progress which is balanced and sustainable" (cf. Title 1 of the Treaty) must apply to all. People throughout the Union and organisations which represent them, however diverse, expect to feel tangible benefits deriving from the European Union in their everyday lives. The building of Europe must be seen to be for them and not to their detriment, with social policy constituting one of the principal instruments in this respect.

- The creation of jobs remains the top priority. Responsibility lies mainly with individual Member States, but the Commission has a special role to play in promoting the changes needed to enable European economies to overcome their serious structural deficiencies, as highlighted in the White Paper on Growth, Competitiveness and Employment, and to strengthen their competitiveness. Overcoming such weaknesses requires the adaptation of the overall employment systems, including the interplay of taxation and social policies, of lifelong education and training, and of industrial, environmental and regional policies. Such adaptation does not imply dismantling the social protection arrangements but rather the definition of new ways of providing incentives towards changing patterns of work, leisure, and family roles as well as incentives for active citizenship and active participation in the labour market. To these ends, the White Paper and the conclusions of the Essen European Council must be followed up vigorously.

- The economic and social dimensions are in fact interdependent and must, therefore, advance hand in hand. There cannot be social progress without competitiveness and economic growth. Conversely, it is not possible to ensure sustainable economic growth without taking the social dimension into account. Social progress and social solidarity must form an integral part of the European approach to competitiveness.

A new balance must be achieved between the economic and social dimensions, in which they are treated as mutually reinforcing, rather than conflicting, objectives.

Community action in the social field cannot be restricted to the world of work. There is already a wide degree of public support for a strong European social policy across the Union. Further support for the future construction of Europe will be forthcoming only through action which is both credible and visible, in which all the citizens of the Union feel involved. This means that, through mutually supporting economic and social policies, Europe should aim to provide "opportunities for all" to play an active part in society in the years ahead and to engage in building Europe together. The role of civic and voluntary bodies has to be recognized, as well as the wide range of organisations representing firms, and the different sectors both public and private.

However, it remains clear that views on some aspects of social policy differ widely, and are in some cases contradictory. The White Paper pointed out that Member States and others were divided in their opinions about the need for further legislative action at European level, particularly as it concerns labour standards. While some want to see the focus almost exclusively on the application of existing legislation, with no new proposals, others remain in favour of a gradual extension of the floor of binding and enforceable minimum standards. Still others are calling on the Commission to present a wide range of new legislative proposals, some of which do not fall within the scope of the powers laid down by the Treaty of European Union and/or may be at odds with the principle of subsidiarity.

At the same time there is increasing pressure for Union-level activity in a range of areas that go beyond the more traditional focus of European social policy. Just as the challenges facing European society are becoming more complex, and to a large extent interlinked, so the policy response needs to be refined to meet these challenges.

This implies the development of an additional type of response at European level to complement and reinforce the legislative activity which has formed the backbone of the social dimension in the past, and which will continue to be taken forward where necessary. In particular, it means the development of the role to be played at Community level in terms of providing a catalyst in promoting joint discussion, exchange of experience, and concerted action on a transnational basis in responding to common problems.

For example, a number of Member States have already sought to revise to a greater or lesser extent their employment and social systems, while others are preparing to do so. The subject of employment and the action taken in 1993 and 1994, given fresh impetus by the conclusions of the Essen European Council, provide a good example in this respect. This process could usefully be extended to a range of other social policy questions - for example, social protection, the social impact of the information society - and the action programme makes specific proposals in this respect (e.g. sections 6 and 10).

To reinforce this process of collective reflection, the Commission is seeking particularly to step up its efforts in the areas of analysis and research, and this is included as a separate section in this action programme (section 10). Moreover, given the growing demands to develop a European social policy with meaning for all European citizens, both those at work and those who are not, the programme places a special emphasis on promoting opportunities

for all. In this context, the proposal to launch a debate on the future of the Social Charter and its possible extension to cover a wider range of individual rights and responsibilities is particularly important (sections 4 and 6).

This broader approach is reflected in the structure of the action programme. While it has an initial three year perspective, within that time frame it is structured to allow greater flexibility and openness in the planning of work.

In this sense, it differs from the 1989 Social Action Programme -which primarily had a legislative focus - in that it presents a broader and more detailed overview of action in the social policy field.

The programme does present a number of new legislative proposals, while also respecting the principles of subsidiarity and proportionality. In this regard, the Commission is conscious of the interaction between legislative proposals and the new powers of negotiation given to the Social Partners under the Agreement on Social Policy introduced by the Treaty on European Union. Although it is clear that, given particularly the achievements of the 1989 programme, there is at present less scope or need for a wide ranging programme of new legislative proposals, the Commission will continue to review the need for legislation and will not hesitate to make appropriate proposals where necessary and possible.

In addition, the action programme also seeks to highlight and give a new emphasis to the increasing number of pending proposals currently before the Council, with a view to ensuring their rapid adoption. A number of pending proposals which are now superseded are being withdrawn.

In line with its general approach, the Commission will ensure that new proposals are preceded by an evaluation of the costs and benefits to the Member States, public authorities and all the parties concerned. Moreover, the Commission will continue its efforts to ensure the effective implementation and application of adopted legislation.

In addition to this relatively limited number of new legislative proposals, the action programme also launches a wide range of studies and debates on specific issues. The purpose of this exercise is to explore in each case the scope and need for further action - both legislative and non-legislative - and to ensure effective preparation of any future proposals.

Over and above this, the programme is also structured to indicate the Commission's intention to launch debates in areas of key importance for social policy. In this sense, it is designed to reflect the increasingly multidimensional nature of social policy, and to provide a comprehensive agenda for action in the social policy field.

To a certain extent, the future development of this programme will be driven by the outcome of the debates and studies that are now being launched or are already underway. It will also doubtless be influenced by the continuing dialogue both with the other European institutions, and beyond. The Green and White Papers have already demonstrated the rich nature of the contributions which this process can bring, and this action programme also seeks to further develop consultative processes to ensure that this dialogue continues (e.g. section 9).

Moreover, the programme has also to be viewed against the perspective of the inter-governmental conference in 1996, in the course of which questions concerning the social dimension in the future development of the European Union will undoubtedly play an important part in the deliberations. In this context, it should be noted that the Commission has already made clear some of its intentions in this regard in the White Paper on Social Policy.

Finally, it is also important to emphasize the progressive, flexible nature of this action programme. It is deliberately designed as a "rolling programme", which will be updated annually in the light of the changing situation and emerging needs on the one hand, and the results of studies and specific consultations on the other hand. The transparency of Community social action will be accordingly enhanced, and the opinions of the other Community Institutions taken into account on a step-by-step basis.

1 JOBS - THE TOP PRIORITY

- 1.0.1 Fighting unemployment is a paramount task of the European Union and its Member States. The Commission's White Paper on growth, competitiveness and employment presented in December 1993 proposed a series of policy actions to increase competitiveness, boost growth and ensure the necessary structural changes to create jobs.
- 1.0.2 Building on the approach of this White Paper and the conclusions of successive European Council meetings (Brussels; Corfu), the European Council at Essen broke new ground in the employment field, urging Member States to set out their individual policies in multi-annual programmes. These programmes will incorporate the five key areas of action agreed by the European Council into a national context.
- 1.0.3 In addition, the Essen conclusions requested the Employment and Social Affairs Council, ECOFIN and the Commission to monitor employment trends, including training policies and the relevant national policies, and to report annually to the European Council, starting in December 1995.
- 1.0.4 In March 1995, the Commission presented its Communication setting out how these objectives and principles should be put into practice both in terms of action by Member States and by further developing co-operative policy-making, including concertation with the social partners. It proposes the progressive introduction of a process of surveillance of the employment systems. The Council has welcomed the approach advocated by the Commission.

(i) Monitoring and surveillance instruments

- 1.1.1 Over the next 3-year period, the Commission will progressively develop a process of surveillance of employment trends and systems in the European Union. During 1995, the Commission will strengthen its cooperation with Member States with a view to setting up the arrangements for and assessing the progress of Member States in applying the Essen conclusions.

This process will include:

- 1.1.2 - economic policy guidelines: to further develop the coherent approach to employment, in the context of Article 103, the Commission will seek to improve the linkage between the commitment to employment generation and the development of economic policy. In particular, the Commission will seek to include sections dealing with employment trends and policies, including the 5 points agreed at Essen, in Member States' convergence programmes. As a first step, the Commission will include a larger and more developed employment chapter in its recommendation for the "broad guidelines" for the economic policies of the Member States and of the Community (first half of 1995).

- 1.1.3 - report on follow-up to Essen: an initial Commission overview report on progress made by Member States in applying the Essen conclusions (second half of 1995). As agreed at Essen, this will also include the effects of tax and income support systems on the readiness both to create and to take up jobs, and the inter-relationship between economic growth and the environment. On the basis of reactions to this overview report, the Commission will present its report to the European Council in December 1995.
- 1.1.4 - the annual Employment Report: it will concentrate on the five priorities identified at Essen (1995). Future Employment Reports will focus in turn on the employment potential of the Information Society (1996) and on the emergence of new approaches to work organisation and local employment initiatives (1997).
- 1.1.5 - employment assessment: the Commission will take careful account of the employment implications of its proposals, including the assessment of possible burdens on firms, especially SMEs. In addition, the Commission's 1996 Report on the Internal Market will include an analysis of the impact on jobs.

(ii) **Intensifying collaboration**

- 1.2.1 - regular meetings of Directors General for employment and of social security: to provide continued coordination and forge closer links between national administrations in this field. The scope for building collaboration with the Ministries of Finance will be examined (1995-1996).
- 1.2.2 - employment action research programmes: the Commission will present a proposal to develop a closer and more structured collaboration with the Member States in the field of employment and labour market policy. This proposal will build on the work already carried out in previous actions in this area and existing networks. It will rationalise these instruments and provide a framework for Union support to the implementation of the conclusions agreed at Essen, and be complementary to the innovatory operations and initiatives supported by the Structural Funds. The Commission's proposal will be presented in the first half of 1995 and will cover the period 1996-98. It will incorporate the idea of creating a European Platform to pool experience about local employment initiatives.
- 1.2.3 - strengthening the employment observatory: the Commission will present a report reviewing the functioning of its employment Observatory in the light of the new tasks required to undertake surveillance of employment trends and systems and in particular the need to improve information on the impact of employment policies (second half of 1995). The scope for increased cooperation with the OECD and the ILO will also be examined. Furthermore, in cooperation with EUROSTAT, a review will be produced of the effectiveness of data collection (1996), including the need for a target structure for a more frequent Community labour force survey and a set of short-term statistical indicators on employment to be defined and collected regularly.

- 1.2.4 - supporting the social dialogue: the Social Dialogue Committee will assess developments in the Member States particularly regarding the negotiation of collective bargaining and other agreements linked to job creation. The Commission will support the exchange and transfer of experience in this field, and generally promote concertation with and dialogue between the social partners. A first report on national experience will be established by the social partners in the second half of 1995 and could be updated regularly in future years, with the assistance of the European Foundation for the improvement of living and working conditions. The Commission will also explore ways of supporting similar initiatives in the sectors.
- 1.2.5 - Standing Employment Committee: the Commission considers that the Standing Committee for Employment, set up by the Council in 1970, should be used as the main institutional forum for concertation between the Council, the social partners, and the Commission on the Union's employment strategy. The Commission will present a proposal for a new Council Decision to update the role, composition and functioning of this Committee (1995).
- 1.2.6 - listening to Companies: the Commission will extend its arrangements to enable companies to make suggestions about the creation of jobs and the attack on unemployment. These will include regular meetings with Directors of Human Resources and Company leaders.
- 1.2.7 In the field of enterprise policy, in order to facilitate the creation of jobs in SMEs, the Commission will continue to promote actions aimed at reducing obstacles to the creation and growth of SMEs, through the improvement of their administrative, legal and financial environment and through the development of support services.
- (iii) **Adapting and strengthening the role of the Structural Funds and particularly the European Social Fund**
- 1.3.1 The Structural Funds all contribute in their complementary ways to promoting employment. During the period 1994-99, the European Union will commit 141 billion Ecu for this purpose (1992 prices). As part of the process of monitoring the contribution of the structural funds the Commission will:
- 1.3.2 - assess the implementation of the Community Support Frameworks carefully in the light of the Essen conclusions and may recommend adjustments later in 1995 in the light of the information transmitted by Member States in application of Article 103, and ensure that the conclusions are incorporated in the CSFs to be launched in the three new Member States;
- 1.3.3 - follow-up and assess the operation of Structural Fund measures, when necessary, in order to further adapt actions and funding to the ongoing policy adjustments arising in the implementation of the present Action Plan. The Commission will regularly report on the situation, including in the context of its triennial report on Economic and Social Cohesion, the first of which will be issued in 1996.

- 1.3.4 - review the contribution of the Structural Funds to the promotion of equal opportunities for women and men, as provided for explicitly in the Regulations governing the Structural Funds, in the CSFs and in the Council Resolution of 22 June 1994 on the promotion of equal opportunities for men and women through action by the European Structural Funds. A first report on this subject will be issued before the end of 1995, and a European Conference will be held in the first half of 1996.
- 1.3.5 - encourage the active participation of the social partners in ESF operations as an essential feature of the partnerships needed to maximise the impact of the Fund. These arrangements will be reviewed with the ESF Committee during the second half of 1995, so as to pave the way for more effective involvement in the following years.
- 1.3.6 - present an analysis of the contribution of the Structural Funds to human resource development, drawing on the experience gained in relation to all the Objectives (1996).
- 1.3.7 - the implementation of Objective 4 of the ESF is of special strategic significance, with its focus on the need for firms to develop a better capacity to anticipate industrial and technological change. A European Conference will be held in September 1995 in Toulouse to take stock of progress in the implementation of Objective 4, and will be followed in 1996 by an appraisal of the new perspectives opened up by the ESF in this field. In 1996, a first report will be presented on the implementation of Objective 4.
- 1.3.8 - the Community Initiatives to be launched during 1995 all involve to a greater or lesser extent a commitment to the promotion of employment and a concern for social inclusion. The Employment, ADAPT and SME initiatives are especially focused on encouraging trans-european cooperation and partnerships in creating the conditions for more active labour market policies and in targeting specific needs. Together, these Initiatives will generate in the region of 5.000 transnational projects designed to support the process of innovation within key areas of employment and training policies. A first review of their progress and impact will be presented by the Commission in the second half of 1996, and a series of special European events will be arranged over the next 3 years to disseminate information and good practices.
- 1.3.9 - the special Community Initiative for peace and reconciliation in Northern Ireland and the Border Counties is currently being launched and is expected to make a real contribution to the re-generation of the economic and social fabric of the areas concerned.
- 1.3.10 - European Coal & Steel Community (ECSC): resources for the readaptation of workers affected by industrial change in the coal and steel industry are being reduced rapidly in the context of the phasing-out of a specific policy for both of the industries concerned. This requires close coordination between ECSC and the Union's other financing instruments. A review of the situation will be presented before the end of 1995.

- 1.3.11 - emphasis will also be placed on strengthening job creation in rural areas by targeting the measures included in the rural development programme (in Objective 1 and 5b areas) and structural horizontal regulations (Objective 5a). Special account will be taken of the measures provided by FEOGA to support restructuring and job lay-offs in the agricultural and fishing sector.

2 EDUCATION AND TRAINING: KEY FACTORS FOR SOCIAL STABILITY IN THE COMMUNITY

- 2.0.1 Increased investment in the development of human resources is a central element of the Union strategy to strengthen medium-term growth, improve competitiveness of the European economy, create more jobs and promote solidarity. The great technological changes and rapid shifts in work patterns put a premium on investment in human capital. The need is widely recognised to develop a more competitive edge and to secure maximum employment by helping the workforce adapt to change; initial education and training have to become more flexible and vocationally relevant and a new culture of commitment to lifelong learning is necessary. This has been recognised by successive European Councils and confirmed most recently in the Essen Action Plan, as well as in a series of joint opinions adopted by the social partners at European level.
- 2.0.2 The Commission will analyze current developments in the Member States, the extent of convergence of policies and the links with labour-market and macro-economic policies, with a view to the identification of common problems and objectives.
- 2.0.3 To this end, comparative analyses of education and training are currently being updated with the cooperation of Directors-General for vocational training and the social partners, so as to identify the main lessons to be drawn. Similar contacts will also be held with Directors of Human Resources, and with appropriate consultative structures within companies, especially those at European level.

(i) Main new initiatives

- 2.1.1 New impetus was given at Community level by the adoption in December 1994 of the Council Decision on the Leonardo programme for the implementation of a Community vocational training policy and by the Socrates programme on cooperation in the area of education, which has recently been adopted by the Council. The Commission and the Member States will closely monitor the implementation of the common framework of objectives set out in the Leonardo programme, and an overall report on vocational training will be drawn up by the Commission on this basis in 1997.
- 2.1.2 On the basis of the experience to be derived from these programmes and the Employment (Youthstart) Initiative, the Commission will present proposals in 1997 for the more effective integration of young persons into the labour market. The Commission will at the same time report on the situation of unqualified, untrained

young people in the European Union, on the basis of a special enquiry to be launched in collaboration with the Member States in 1996.

(ii) Launching of debates

- 2.2.1 The Commission will issue later this year a White Paper on education and training: the levers of the year 2000. This White Paper will set out a coherent presentation of all the planned initiatives and instruments of the Commission in these areas in order to develop Community action, especially under the terms of Articles 126 and 127. As announced in its work programme for 1995, the Commission will outline new proposals including a Community initiative on quality training (1996) and on policies to promote lifelong learning (1996). It will also launch the necessary debates on new ways of accrediting and recognising prior learning and skills and on the advisability of - and the conditions for - introducing European rules for apprenticeships in the context of mobility.
- 2.2.2 Following on from the White Paper on Social Policy, this White Paper on education and training will examine the options and arrangements for introducing tax incentives for businesses and people to widen access to and participation in continuing training.
- 2.2.3 The Commission will publish a Green Paper on the legal, administrative and practical obstacles concerning young people on transnational placement in another Member State as part of their vocational training (second half 1995). More specifically, the Commission will analyse the remaining barriers to the mobility of researchers (doctoral and post-doctoral) in the European Union.
- 2.2.4 This Green Paper, which follows on from the work done notably as part of the PETRA Programme, should make it possible to identify the obstacles in the areas of law, administration, regulations or social protection which inhibit European mobility opportunities of young people for training, and more generally of anyone following an apprenticeship or training. This Green Paper will provide an opportunity for wide consultations. On that basis proposals will be presented before the end of 1996.

(iii) Implementation of policies

- 2.3.1 The Leonardo and Socrates programmes will be key elements in the Commission's policy of supporting the improvement of the quality of education and training systems and the development of concepts and models of life-long learning. In this context, there will be a focus on a range of issues, including: new models of apprenticeship, new qualification structures (particularly in the areas of new jobs), improving the anticipation of skill needs and developing skills for a technology culture and the Information Society; and promoting the use of new technology in education and training. Complemented by the Community Initiatives, notably EMPLOYMENT and ADAPT, these programmes will expand considerably the scope for transeuropean cooperation and they will be monitored on a regular basis throughout their duration.

3 Building a European labour market

3.0.1 Freedom of movement is one of the fundamental principles of the European Union. The freedom to move from one country to another to work, study and reside is also one of the most tangible benefits of the Union for individuals in the different Member States.

3.0.2 An important body of legislation is now in place to give effect to the objective of freedom of movement as set out in the Treaties. But although significant progress has been made, there remains a need for further efforts at Union level, not least to ensure that the existing Community provisions are up-to-date, understood and applied. It is also clear, not least from the Commission's surveys of the functioning of the internal market, that some real obstacles - both legal and practical - still confront European citizens seeking to exercise their rights to free movement and residence within the Union.

(i) Main new initiatives and legislative proposals

3.1.1 - pension rights : workers who move across the Union often face problems in transferring rights built up in occupational or supplementary pension schemes. The Commission will propose a draft directive to establish a general framework to protect individual rights acquired, or being acquired, in such schemes for people who cross national borders (first half of 1995).

3.1.2 - rights of residence : the Commission will bring forward proposals to recast the current legislation, incorporating the decisions of the European Court of Justice to take into account the scope of Union citizenship and fill gaps in the existing system (second half of 1995).

3.1.3 - recognition of diplomas : the Commission intends to bring forward a proposal to extend the general system for recognition of diplomas to professions not yet covered (skilled crafts, etc.); the date will be determined after the consultation of the Member States and of the numerous associations concerned. It will also present a report to the European Parliament and the Council on the state of application of the general system for recognition of diplomas during its first five years, including, as appropriate, proposals for improvements. The Commission will also take forward its work on improving the methods of recognition of diplomas and qualifications for academic and professional purposes, between the Member States and interested groups, following the current debate on its Communication of December 1994 on this topic.

3.1.4 - social security for migrant workers : the Community framework for the coordination of national social security provisions for people moving about the Union has to be constantly up-dated to take account of new developments. In addition to the annual technical amendment, the Commission will therefore present proposals to:

3.1.5 - codify the Regulations, to provide a single, up-to-date version for greater clarity (second half of 1995).

- 3.1.6 - introduce provisions covering early retirement schemes (second half of 1995 - the existing proposal in this area will be withdrawn - see 3.2.2 below)
- 3.1.7 - revise the provisions covering unemployment benefits (second half of 1995 - the existing proposal in this area will be withdrawn - see 3.2.2 below)
- 3.1.8 - facilitate greater access to cross-border health care and services (first half of 1996)
- 3.1.9 - extend to third-country nationals the provision of immediate medical care and other limited benefits (second half of 1996).
- 3.1.10 - taxation : the Commission has started consultations with the Member States to identify what measures they have taken to adapt their legislation to the 1993 Recommendation on the tax treatment of people who live in one Member State but work and pay tax in another. During 1995 the Commission will present a report on this Recommendation and in the light of this report and recent European Court of Justice case-law, will consider further action in this area, including the adoption of a memorandum on this issue.

(ii) Pending proposals

- 3.2.1 - free movement of workers : in 1989 the Commission proposed an amendment to the existing provisions to improve the situation of workers as regards family reunion, equality of treatment and residence and consolidate European Court of Justice law (see Annex I). The proposal will be reviewed in the light of the report of the high-level panel (see 3.3.1. below).
- 3.2.2 - social security for migrant workers : the annual updating amendments are currently under discussion in the Council, and the Commission will continue to press for the adoption of its 1991 proposal to extend the existing Regulations to cover all insured people, students and special schemes for civil servants (see Annex I). The 1980 proposal on unemployment and pre-retirement benefits will be withdrawn by the Commission (see 3.1.6. and 3.1.7. above).

(iii) Launching of debates

- 3.3.1 - high level panel on free movement: the outstanding obstacles to free movement of persons and workers generally raise a variety of complex and often interrelated problems. So as to gain a clear overview of these different problems, the Commission is establishing a high-level panel on free movement. At the same time, the Economic and Social Committee will be invited to make its distinctive contribution on this subject. The panel will report to the Commission by mid, 1996. On the basis of these reports, the Commission will present a White Paper setting out an integrated strategy including specific proposals aimed at tackling the outstanding problems (1996).
- 3.3.2 - the accreditation and recognition of prior learning and experience: the Commission intends to launch a series of studies, pilot measures and debates in order to test new ways of recognising the prior learning and experience of workers in order to increase

the transparency of qualifications (1996).

- 3.3.3. - opening-up the public sector: in 1988 the Commission launched a series of actions to encourage Member States to open up employment opportunities in the public sector, in line with the case law of the European Court of Justice. The Commission will issue a memorandum to review progress made and, taking account of the report of the high level panel and other studies, propose further measures to promote free movement in the public sector (1996). The Commission will also, in this context, identify the scope for increasing collaboration between the public services, and promote the social dialogue in this field.
- 3.3.4 - social security for migrant workers: the Commission will launch in 1996 - in close collaboration with national authorities - a wide-ranging review of the existing Regulations, to prepare the way for a comprehensive revision and restructuring of the provisions so as to take account of significant changes in national social security systems and simplify the rules (1997 and beyond).
- 3.3.5 - third-country nationals legally resident in a Member State: in spite of the establishment of an internal market without frontiers, third-country nationals who are permanently and legally resident in one Member State currently do not have the right to move to another Member State to engage in economic activity. As a first step, the Commission will present a recommendation (first half 1996) inviting Member States to give employment priority to third country nationals permanently and legally residing in another Member State when job vacancies cannot be filled by EU nationals or nationals of third countries legally residing in the Member State concerned.

(iv) Implementation of policies

- 3.4.1 - EURES (European employment services) was launched in November 1994. Over the next 3 years, in cooperation with national employment services, the Commission will consolidate and develop the network to provide an effective mechanism for the Union-wide exchange of information on job offers and demands, the evolution of the labour market, living and working conditions and to develop activities in the cross border regions. The target of the EURES network is to increase substantially the number of job vacancies offered and filled by the network and to develop transnational cooperation between the public employment services.
- 3.4.2 - TESS (Modernisation of the exchange of information between national social security institutions) is a transnational telematics system designed to link the social security institutions in all Member States. A series of projects are planned for step-by-step implementation by 1998, including:
- linking 7 national institutions covering old-age pensions (underway)
 - creation of a glossary of terms and standardised electronic messages (1997)
 - development of a reference model to coordinate pension schemes and sickness benefits (1996-98)

- modernising the E111 (health care entitlement) and other similar forms
- study of legal aspects including protection of personal data in relation to electronic data transfer in the social security field.

4 ENCOURAGING HIGH LABOUR STANDARDS AS PART OF A COMPETITIVE EUROPE

4.0.1 The promotion of improved working conditions has always been an important objective of the Union. As European social policy has developed, a number of important steps have been taken towards achieving this objective, and the adoption of the Social Charter in 1989 gave a particular impetus to this process. Reactions to the White Paper have reaffirmed the need to continue to promote improved working conditions, both as a common objective of the Union, as set out in the Treaty, but also as a key element in the search for improved competitiveness.

4.0.2 In the first half of 1995 the European Parliament will organise, in collaboration with the Commission, a public hearing on the 1989 Social Charter. The hearing will address both whether there is a need to revise the Charter to extend its scope and whether some or all of its provisions should be incorporated in the future Treaty.

4.0.3 Meanwhile, the priority for the coming period will be the further development of a common framework of minimum social standards, completing where necessary the 1989 Social Action Programme while at the same time taking account of the increasingly rapid changes in the working environment and the diversity between Member States.

(i) Main initiatives and new legislative proposals

4.1.1 - part-time, fixed term and temporary work: given the blockage in the Council on the Commission's existing proposals in this area (Annex I), the Commission will launch consultations with the social partners under the Agreement on Social Policy to consider what further action might be taken, including as a first step the possibility of a directive on part-time work (second half of 1995). Once this consultative process is underway, the Commission's existing proposals will be overtaken, and will therefore be withdrawn at the appropriate stage.

4.1.2 - individual dismissals: during 1995 the Commission will complete a detailed study on national rules and practices on individual dismissals. In the light of this study, the Commission will initiate consultations with the social partners on the advisability and possible direction of Community action in this area (first half of 1996).

4.1.3 - working time: during 1995, discussions with the social partners and/or studies will continue on how best to ensure that the activities and sectors excluded from the directive on the organisation of working time are appropriately covered (transport, sea fishing, inland waterways, civil aviation, sea transport, doctors in training and other work at sea). If necessary, the Commission will consider bringing forward proposals to complete the working time directive in 1996-1997.

- 4.1.4 - homeworking: homeworking is an increasing common phenomenon in our societies. The Green and White Paper consultations demonstrated significant concerns about the situation of people working at home. The Commission will therefore adopt a Recommendation on homeworking with a view to encouraging Member States and the social partners to develop and implement measures to improve the working conditions of homeworkers covering for example working time and health and safety issues (second half of 1995) and will continue to monitor developments in this rapidly evolving area.
- 4.1.5 - health and safety at work: the Commission will present a Communication, including a draft Decision, on the Fourth Programme concerning Safety, Hygiene, and Health Protection at Work (1995-2000) setting out the measures necessary in this area, and including a proposal for a specific programme SAFE to promote better awareness of health and safety legislation in small and medium size enterprises (see section 10.iii). Once adopted, the proposals in the Fourth Action Programme will be integrated into the Social Action Programme.
- (ii) **Pending proposals**
- 4.2.1 - transfers of undertakings: the Commission's proposal to amend and update the 1977 directive on the transfer of undertakings is currently under discussion in the Council and the European Parliament (Annex I). The Commission will press for its adoption in the course of 1995.
- 4.2.2 - posting of workers in the framework of the provision of services: in view of the progress made in Council discussions on this proposal, the Commission will continue to press for its adoption in 1995 (Annex I). If this does not happen, the Commission will initiate consultations with the social partners to identify how best to resolve the problems in this field.
- 4.2.3 - information and consultation of workers: the Commission is currently examining whether and to what extent the system of workers' involvement established by the information and consultation directive could help the adoption of the four amended proposals for Regulations concerning the European Company Statute, the Statute for a European Association, the Statute for a European Cooperative and the Statute for a European Mutual Society.
- 4.2.4 Given that little progress has been made on the information and consultation provisions of the draft "fifth" directive (Annex I), the Commission will consider the possibility of deleting those provisions from the proposal during 1995. In that case, having regard to the Parliament's opinion on the White Paper, the Commission will initiate consultations with the social partners on the advisability and possible direction of Community action in the field of information and consultation of employees in national undertakings.
- 4.2.5 Given the fact that the directive on information and consultation of workers is now in place, it is proposed to withdraw the draft European Works Council directive and the so-called "Vredeling directive" (see Annex I) which are now overtaken.

4.2.6 - health and safety at work: the Commission will continue to press for adoption by the Council of the proposals concerning physical agents, chemical agents, means of transport and work equipment (Annex I). These proposals seek to develop and consolidate Community health and safety standards. In addition, a new proposal for a Council Directive on risks from explosive atmospheres will soon be submitted to the Council. During 1995, the Commission will formally request the Council to take forward these proposals, with a view to their adoption.

(iii) **Launching of debates**

4.3.1 - rights of workers to be consulted on internal company matters: during 1995, the Commission will carry out a study on national legislation and practices regarding the individual rights of workers to be consulted on internal company matters which concern them. In the light of this study, the Commission will consult further with the social partners and then determine the action to be followed (1996).

4.3.2 - flexibility and work organisation: the Commission will carry forward its work and launch further studies on work organisation and productivity, including payment systems, working time, reduction and reorganisation of working time, occupational and geographical mobility and stability of employment. The social partners and national experts will be closely involved in this work. As appropriate, the Commission will present specific communications, including good practice guidelines on different aspects of flexibility and work organisation and will consider the scope for a Green Paper on reduction and reorganisation of working time (1996-1997).

4.3.3 - illegal work: with a view to eliminating practices which distort fair competition between Member States and which are detrimental to the welfare of workers and a proper functioning of the European labour market, the Commission will complete research on the issue of illegal work. A Green Paper will be prepared to provide a basis for consultations with the social partners and national experts on the scope for Union action in this field (1996).

4.3.4 - telework: the Commission will present a Communication on the social and health impact of telework, to provide examples of good practice including adequate training support and stimulate debate with all interested parties (first half of 1996). This will be linked with the overall work of the Commission on the implications of the Information Society.

- 4.3.5 - protection of the privacy of workers: during 1995, the Commission will complete its study on rules in different Member States regarding the protection of the rights of workers with regard to the processing of personal data, including teleworking situations. In the light of this study and progress made following the Council's common position on the general framework directive on the protection of individuals with regard to the processing of personal data, further consideration will be given to the need for and possible scope of Community intervention in this area (first half of 1996).
- 4.3.6 - the right to payment of wages on public holidays and during illness: this question will be covered by the first report on the Commission's Opinion on an Equitable Wage, which will be adopted in the second half of 1996. The Commission will then decide whether and to what extent further Community action in this field is appropriate.

(iv) **Implementation of policies**

- 4.4.1 - insolvency of undertakings: a report on the application of the 1980 insolvency directive will shortly be presented by the Commission, and this report will be supplemented in 1995 to take account of the new Member States. In the light of this report and existing studies on the directive, the Commission will then decide whether and to what extent the insolvency directive should be revised (first half of 1996).
- 4.4.2 - report on the Social Charter and Social Protocol: the Commission will continue to produce an annual report on progress in achieving the objectives in Article 1 of the Agreement on Social Policy, and on the implementation of the Social Charter (second half of each year).
- 4.4.3 - health and safety: the Commission will present a number of specific reports on health and safety measures (eg. a report on the asbestos directive), as well as guidance documents on matters such as risk assessment for pregnant workers, violence, and stress at the workplace (1996). The Commission hopes that the European Agency for Health and Safety (Bilbao) can be launched towards the end of 1995.
- 4.4.4 - monitoring of information and consultation directive: the Commission has established a working group with the Member States with a view to finding concrete and coordinated answers to a range of technical problems which have to be addressed in the transposition and implementation of the directive by the Member States. In this context, the Commission will present a report reviewing progress and analysing current experience (1997).

5 EQUALITY OF OPPORTUNITY FOR WOMEN AND MEN

- 5.0.1 On the basis of the significant achievements already made in this field at Community level, it is now necessary to launch a new phase underpinned by a medium-term strategy entailing action on a number of fronts: reconciling working and family life, desegregating the labour market including reinforced access to training opportunities, and extending the principle of equal treatment, and promoting the concept of citizenship for women (gender balance in decision-making, strengthening of active citizenship).
- 5.0.2 Giving women the opportunity to realise their potential in all spheres of society by promoting their full participation at all levels and all sectors of public and economic life will be a central issue which the Commission will address between now and the end of the century.

(i) Main initiatives and new legislative proposals:

- 5.1.1 - fourth action programme: the Commission will present a Communication including a draft Council decision for a Fourth Action Programme on equal opportunities for women and men, to come into force in January 1996 (second half of 1995). This proposal will include the provision of an annual report on the situation of the Member States in this field, which could also serve as a monitoring instrument for the Fourth Action Programme. The new measures proposed in the Programme will then be incorporated into the Social Action Programme.
- 5.1.2 - framework proposal on reconciliation of family and professional life: in February 1995, the Commission launched consultations with the social partners under the Agreement on Social Policy to consider the possibility of negotiating an agreement on the reconciliation of professional and family life. The aim of such a proposal will be to promote equal opportunities and encourage the introduction of new, flexible models better suited to the changing needs of European society. Future action will depend on the outcome of the current consultations. Now that this consultation process is underway, the Commission's existing proposal on parental leave (Annex I) has been overtaken, and will therefore be withdrawn at the appropriate stage.
- 5.1.3 - follow-up to the Barber judgement: the Commission will propose an amendment to Directive 86/378/EEC on equal treatment between men and women in occupational social security schemes to align it with the jurisprudence of the European Court of Justice in the light of the Barber judgement and subsequent judgements interpreting Article 119 of the Treaty (first half of 1995).

- 5.1.4 - burden of proof: it has been shown in practice that it is difficult and sometimes impossible for complainants to prove that differences in pay or treatment amounts to discrimination. The Commission will launch consultations with the social partners under the Agreement on Social Policy on possible actions on this area (first half of 1995). Once this consultative process is underway, the pending proposal from 1988 (Annex I) will be overtaken and therefore will be withdrawn at the appropriate stage.
- 5.1.5 - code of practice on equal pay: the Commission will adopt a Code of Practice for the implementation of equal pay for work of equal value for women and men in the workplace, designed to provide practical guidance in eliminating direct and indirect sex discrimination where grading, classification and job evaluation systems are used as the basis for pay structures (first half of 1995).
- 5.1.6 - women in decision making: the Commission will present a draft Recommendation to the Council defining measures and actions to promote the participation of women in the decision-making process in both the public and private sectors (second half of 1995).
- 5.1.7 - dignity of women and men at work : the Commission will produce a report (second half of 1995) evaluating the impact of its 1991 Recommendation on the protection of the dignity of women and men at work. This report will serve as the basis for any future action in this area.

(ii) Pending proposals

- 5.2.1 - equal treatment in social security schemes: this proposal is designed to complete the Community framework on equal treatment in social security (Annex I). Despite favourable opinions from the European Parliament and the Economic and Social Committee, it has not been discussed by the Council since 1989. The Commission will seek to relaunch the debate on this proposal during 1995.

(iii) Launching of debates

- 5.3.1 - individualisation of rights: given that social protection systems in Member States often create gender inequalities in respect of rights and contributions, and that there are also coordination difficulties where benefits are established through derived rights, attention needs to be paid to the question of the individualisation of social security rights. The same is true of tax questions. The Commission will carry out studies and expert discussions during 1995-6, with a view to the presentation of a Commission communication on the subject (second half of 1996).
- 5.3.2 - 4th UN conference for women: the Commission will present a Communication summarising the Union-level actions taken since the last conference (1985) and perspectives for the future (first half of 1995). In the light of the Beijing conclusions, the Commission will review the scope for further initiatives during 1996.

(iv) **Implementation of policies**

- 5.4.1 The Commission will explore during 1995 ways of improving the functioning of the Advisory Committee on Equal Opportunities. Moreover, the Group of Commissioners set up under President Santer will review the question of equal opportunities and women's rights as the basis for identifying its future strategy in this field (1995-1996).

6 SOCIAL POLICY AND SOCIAL PROTECTION - AN ACTIVE SOCIETY FOR ALL

- 6.0.1 The White Paper deliberately aimed to set out a broad conception of social policy, which included but also went beyond the traditional focus on the needs of people at work. If the Union is to meet the broad objective of raising the standard of living and quality of life in Europe, a greater emphasis needs to be given to the problems faced by society as a whole.
- 6.0.2 To date, the Commission's actions in this area have tended to take the form of targeted measures for specific groups with specific needs, such as those excluded from the labour market, disabled people and older people. What is needed in the future is a more broadly based approach which is still sensitive to the specific problems of certain groups but which seeks to help Member States in their efforts to address the larger policy issues such as the functioning and the financing of social protection systems and the overall quality of life.
- 6.0.3 The Commission fully recognizes that the main responsibility for policy in these areas rests at national, regional or even local level. However the Commission firmly believes that the Union can play a valuable role in promoting cooperation and even common action. Many of the problems faced are common to all Member States. While there is no question of imposing uniform solutions, the advantages of deepened exchanges and dialogue at European level are already demonstrable in a number of areas. The specific proposals in each of these areas are set out in the sub-sections below.
- 6.0.4 Over and above these proposals, the Commission will launch a debate on the question of fundamental social rights in the EU. The Green and White papers have shown that there is a growing debate at European level about the establishment of the fundamental social rights of citizens as a constitutional element of the European Union. It is clear that this will be one of the issues to be discussed at the 1996 IGC. As part of its contribution to this debate, the Commission has already announced its intention to hold a public hearing with the European Parliament on the 1989 Social Charter (section 4). In the light of this hearing, the Commission will consult the European Forum on Social Policy in February 1996 about the possible extension of the Social Charter to cover a wider range of individual rights and responsibilities.

(i) **Social protection**

- 6.1.1 - framework initiative on the future of social protection: the Commission proposes to launch in partnership with the Member States and taking full account of sensitivities regarding subsidiarity in this area, a process of joint medium-term reflection on the future of social protection. As a first step and on the basis of the two Recommendations adopted in July 1992 (92/441/CEE and 92/442/CEE) and of the conclusions of the informal meeting of the Social Security Ministers of 2 February 1995, a common framework for analysis of problems and solutions could be established (1995-1996). The purpose of this framework would be to maximise exchanges of information, experience and best practice in this area, with a view to enabling Member States to develop and adjust their national systems on the basis of optimum understanding of what is happening in other Member States. One particular example where common exchanges would be fruitful is the whole question of the implications of the ageing of the European population for our societies. Directors-General for Social Security will be closely associated with this initiative.
- 6.1.2 The Commission will continue to produce a bi-annual Social Protection Report (second half of 1995 and 1997) so as to provide an up-to-date analysis of Member States' social protection systems and policies. It will also continue to develop the MISSOC (Mutual Information System on Social Security within the Community) system, which provides an analytical tool through the publication of comparative tables and periodic newsletters, as well as ESSPROS (European System of Social Protection Statistics). Arrangements for strengthening MISSOC will be reviewed during 1996.
- 6.1.3 In addition, building on the discussions at the Informal meeting of social security Ministers (2 February 1995), the Commission will present a Communication on the financing of social security. The Communication will look at ways of improving the coordination of the different national systems in regard to the recovery of social contributions, prepare an inventory of the benefits that could accrue from increased cooperation and consider how to reconcile the reforms in hand with the smooth operation of the single market (second half of 1995).
- 6.1.4 - complementary health insurance: this kind of insurance, which supplements public provision, plays an important role in many Member States. The Commission will present a Communication assessing the current situation and identify problems and obstacles which these insurance schemes may pose to mobility within the European Union (second half of 1995).
- 6.1.5 - care insurance for persons becoming dependent: as the Union's population ages, increasing numbers of people in our society are becoming dependent: they need long-term help and constant care. An expert discussion is planned for 1995, to prepare the ground for a comparative report. The Commission may then present a Recommendation on this issue (1997).

6.1.6 - the Commission will also present a second report on the Recommendation 85/308/EEC on social protection for volunteer development workers (first half of 1996)

(ii) **Poverty and Social exclusion**

6.2.1 - the Commission will continue to press for the urgent adoption by the Council of the final phase of its action programme to combat social exclusion and promote solidarity (Annex I). The question of building a new relationship between work and welfare will be examined in the context of the framework initiative on the future of social protection. 1996 will be dedicated to the opening up of a European-wide debate on poverty and social exclusion as the basis for identifying the scope for concerted action. A report on all relevant Community actions will be presented in 1996, embracing the contribution of the Structural Funds, the new specific Community research programme on targeted socio-economic research, etc. Account will be taken of the ten commitments adopted at the Social Summit of Copenhagen.

6.2.2 - the Commission will endeavour to build on the Declaration of European Businesses Against Exclusion which was adopted by a number of major business interests in January 1995. The Commission is anxious to play its role in the follow-up to the conclusions of the Conference which is being organised by the companies concerned in London in May 1995. In particular, the Commission is prepared to support a data bank on innovative business practices in the field of exclusion, should such a facility be considered necessary or desirable. Among other things, the Commission will explore the possibility of extending the scope of the Declaration of European Businesses so as to involve the social partners, civic and voluntary bodies, foundations and trusts.

6.2.3 - the Commission will continue to promote cooperation on housing issues, social developments in urban areas, and homelessness, on the basis of existing exchanges of information, regular informal meetings of housing ministers and support for pilot action and projects. During 1996, the Commission will draw together all its work concerning urban development and social exclusion and present a review which could serve as the basis for further consultations on the scope for action at the level of the Union.

(iii) **Disabled people**

6.3.1 - the HELIOS II programme ends in 1996. In the light of the interim evaluation of the programme (1995) the Commission will launch wide-ranging consultations on possible future Union-level action in this field.

6.3.2 - the Commission will focus in 1996 on the issue of the employment of disabled persons, in the overall context of its follow-up to the European Council of Essen. The European Disability Forum will be invited to give its opinion on this subject, and on the potential of new technologies and communication systems (see also section 10). In the light of this and other analyses from the Member States, the Commission will

issue its proposals (first half of 1997). The Commission will also prepare a code of good practice on the employment of disabled people within the Commission and other European Union Institutions (second half of 1995) and will initiate discussions, in the framework of the social dialogue during 1996 with a view to encouraging good practices among employers throughout the EU.

6.3.3 - the Commission will present a Communication on the measures to be taken to remove discriminatory barriers still facing disabled people in Europe (second half of 1995). To help facilitate freedom of movement for disabled people, the Commission will present a Recommendation on reciprocal recognition of parking cards for disabled people (second half of 1995). Furthermore, the Commission will continue to press for the adoption of the proposed directive on the travel conditions of workers with motor difficulties.

6.3.4 - Finally, the Commission will present a Recommendation concerning the practical implementation of the general rules adopted in 1993 by the UN General Assembly on affording equal opportunities to disabled people (1996).

(iv) **Older People**

6.4.1 - the Commission has recently presented a draft Decision for a series of actions in favour of older people (Annex I), which it hopes will be adopted by the end of 1995 to run for the period 1996-1999. These actions will follow up the European Year for the Elderly.

6.4.2 - the Commission will continue to examine the demographic developments in the Member States and to produce periodic reports.

(v) **Racism, xenophobia and anti-semitism**

6.5.1 - to give further impetus to the Union-wide global strategy, the Commission will draw up a communication presenting an action plan against racism. This communication will include a Council Decision to designate 1997 as European year against racism (second half of 1995). Account will also be taken of the conclusions which the European Council at Cannes will draw from the various inputs it requested at its meeting in Corfu, including the recommendations of the Consultative Commission on racism and xenophobia..

6.5.2 - the Commission will continue to support discussions within the framework of the social dialogue on the production by the social partners of a code of conduct to combat racial discrimination at work (1995).

6.5.3 - the Commission will publish an updated version of its comparative analysis of legal provisions in Member States against racism and xenophobia (first half of 1995).

(vi) **Integration of immigrants and ethnic minorities**

- 6.6.1 The Commission will continue to take forward the actions to strengthen integration policies for the benefit of legal migrants set out in its 1994 Communication on immigration and asylum policies, including:
- 6.6.2 - protection of the rights of migrant workers and their families: the Commission will adopt a Recommendation encouraging Member States to adopt the 1990 UN international convention on this subject in order to improve the position of migrant workers and their families resident in the Union and ensure that the rights accorded to them correspond to international standards (first half of 1995)
- 6.6.3 - the Commission will continue to promote the exchange of information and experience with governments, NGOs and - as concerns local authorities - with the ELAINE network. The Commission will publish a first report on the evaluation of grants to NGOs (second half of 1995).
- 6.6.4 - migrants forum: as requested by the European Parliament, the Commission will continue to provide support for the Migrants Forum.

7 PUBLIC HEALTH

- 7.0.1 Articles 3(o) and 129 of the Treaty on European Union have given a major impetus to Union-level action on public health. The Commission explained how it intends to implement these provisions in its 1993 Communication on the framework for action in the field of public health.
- 7.0.2 The role of the Community is to underpin the efforts of the Member States in the public health field, assist in the formulation and implementation of objectives and strategies and contribute to the provision of health protection across the Community, setting as a target - where practicable - the best results already obtained in a given area anywhere in the Community.

(i) Main new initiatives and legislative proposals

- 7.1.1 - health data indicators: a proposal for an EP-Council Decision aiming to provide the Community and the Member States with comprehensive, comparable and reliable data covering areas such as health status, determinants of health, health system components, impact of policies, needs and priorities (second half of 1995).
- 7.1.2 - pollution-related diseases: a Communication and draft EP-Council Decision on a programme of action on pollution-related diseases, aiming at combating health problems related to pollution and contributing to their prevention, in particular by supporting and supplementing Member States' efforts through an exchange of information, experience, good practice and coordination of activities at Community level (second half of 1996).

7.1.3 - accidents and injuries: the Commission is assessing the scope for a programme on voluntary and involuntary injuries and accidents aiming at combating mortality and illness arising from accidents and injuries, in particular by supporting and supplementing Member States' efforts through an exchange of information, experience, good practice and coordination of activities at Community level. On the basis of this analysis, a programme of action could be presented (second half of 1996).

7.1.4 - rare diseases: the Commission is assessing the scope for a programme on rare diseases aiming at combating certain rare diseases in particular by supporting and supplementing Member States' efforts through an exchange of information, experience, good practice and coordination of activities at Community level. On the basis of this analysis, a programme of action could be presented (second half of 1996).

(ii) Pending proposals

7.2.1 The Commission hopes that the four pending proposals for EP-Council Decisions establishing Community action programmes on cancer, health promotion, prevention of drug dependence, and AIDS and certain other communicable diseases, as well as the pending proposal for a Directive on tobacco advertising (see Annex I) will be adopted in 1995.

(iii) Launching of debates

7.3.1 - integration of health protection requirements in other Community policies: the Commission will present a report on health protection activities in other Community policies (first half of 1995).

7.3.2 - state of health in the European Union: the Commission will present a report on health status in the EU to provide information on health determinants and the health situation in the Member States (first half 1995).

7.3.3 - a Community system for the surveillance of communicable diseases: disease surveillance, which involves the timely collection of validated information especially for the introduction of counter-measures and action, is the key to communicable disease control. The Commission will submit a discussion paper on this issue (second half of 1995).

(iv) Implementation of policies

7.4.1 Reports on the previous actions concerning cancer and AIDS will be presented by the Commission, as well as a Communication on the evaluation of the European Drug Prevention Week (1995).

7.4.2 The Commission will encourage cooperation between Member States in a variety of areas including fundamental health choices, access to health services, evolution of technology, health aspects of pharmaceuticals, and mobility and health provision,

through regular meetings of Directors General for Health, in order to make the best possible contribution towards ensuring a high level of human health protection

8 DEVELOPING THE INTERNATIONAL DIMENSION

8.0.1 Social policy is playing an increasingly important role in the external relations of the Union. The challenge for the coming period will be to ensure that the Community develops a clear, overall view of the external dimension of European social policy.

(i) Main initiatives

8.1.1 - framework Communication: in the light particularly of the conclusions of the Copenhagen social summit, the Commission will present a framework Communication designed to bring together the different activities underway, to define the role of the Union and procedures for cooperating with international organisations, and to propose guidelines for actions in the medium term (second half of 1996).

Five particular areas of focus can already be defined:

8.1.2 - countries of Central and Eastern Europe: in order to back up the measures already in hand under PHARE and the Europe Agreements, the Commission will present, in conjunction with the measures carried out in the context of PHARE and the White Paper on the internal market, a programme of cooperation for the purpose of exchanging information and practices, facilitating transfer of know-how and implementing fully the social provisions contained in the Europe Agreements. Ongoing activities exist in the field of education (TEMPUS) and vocational training which are being managed by the European Training Foundation in Turin.

8.1.3 - third countries and territories of the Mediterranean region: in the context of the new Euro-Mediterranean partnership the Commission will support measures to strengthen and develop employment creation; social security and social protection systems; industrial relations and dialogue between the two sides of industry; education and professional training; promotion of participation of women in society; health and safety at work and public health and institution building.

8.1.4 - social issues connected with world trade: several initiatives have been taken recently both in the context of the Generalised System of Preferences (GSP) and within the World Trade Organisation (WTO). With regard to the former, the Commission will establish a report on the outcome of the analyses carried out within international bodies such as the ILO, WTO, OECD on the relations between trade and workers' rights (second half of 1996). As far as the "social clause" is concerned, the Commission will report at regular intervals on how this issue is progressing within the various organisations concerned, taking into account the conclusions of the Presidency at the recent Social Affairs Council (27 March 1995).

- 8.1.5 - bilateral cooperation: the programme of cooperation with Japan on social and employment topics of common interest (exchanges of experts, seminars and joint studies), will be further developed. In addition, the Commission intends to build up a similar programme with the United States and explore, in the light of its resources, possibilities for organising some joint actions with other industrialised countries. The Commission is negotiating an agreement with the United States on higher education and vocational training and is examining the possibility of a similar agreement with Japan.
- 8.1.6 - multilateral cooperation: the globalisation of commerce and trade and the resulting trans-nationalisation of social, employment and industrial relations issues have increased the importance of the role played by international organisations such as the UN, ILO, WHO, WTO, OECD, the Council of Europe and the G7. In this context, the Commission will strengthen the links with these organisations, encourage the nomination, where necessary, of contact points in the social policy field, identify areas for common reflection and cooperation, and set up agreed cooperation procedures with the international organisations concerned. The Commission will publish every two years a report on multilateral cooperation in the social field, starting in 1996. The problems linked with the exercise of the external competence of the Community in the ILO will have to be solved. The Commission will seek close collaboration with the Member States in this regard (1995).

9 FOR A MORE ACTIVE SOCIETY

- 9.0.1 The social reforms needed to address the challenges and massive structural changes facing the Union require a new balance between legislation and collective bargaining and an increased participation of the social partners in the preparation and implementation of Community social policy. A wide range of voluntary organisations and other representative bodies also need to be much more actively engaged in helping to reconcile economic performance with a wide-spread social solidarity.
- (i) **Main initiatives and new legislative proposals**
- 9.1.1 - development of social dialogue: the Commission will present a Communication on the development of the social dialogue to review its operation, in particular the implementation of Articles 3 and 4 of the Agreement on Social Policy, including dissemination and awareness-raising actions (second half of 1995).
- 9.1.2 - sectoral social dialogue: the Commission will complete its review of the number, mandate, scope and composition of the sectoral social dialogue committees and present a Communication and relevant amending decisions designed to reinforce in a consistent manner, the linkage with the existing inter-professional consultative Committees (second half of 1995).

9.1.3 - European Training Centre for Industrial Relations: the Commission will present a Communication to support the operation of a European Training Centre for Industrial Relations recently set up at the initiative of the social partners at European level, and will invite the Council to adopt a resolution endorsing the Communication (first half of 1995).

(ii) Launching of debates

9.2.1 - European Forum on Social Policy: in line with the Declaration on cooperation with welfare organisations annexed to the Treaty on European Union, and without prejudice to the particular role of the Social Partners, the Commission considers that voluntary and other representative organisations should be consulted on a wide range of social issues, such as social exclusion, racism, issues concerning disability, demographic trends and ageing. The Commission will therefore periodically convene a European Forum on Social Policy issues involving the widest possible range of interested parties. In the course of the first meeting, the Commission will also consult the European Forum, and the Economic and Social Committee, on the revision of the Community Charter of Fundamental Social Rights of Workers (first half of 1996).

9.2.2 In order to prepare this, and building on the outcome of the joint hearing with the European Parliament (section 4), the Commission proposes to establish a "comité des sages" to prepare a report.

9.2.3 - consultative body for disabled people: the Commission will present a proposal for a Council decision establishing a permanent consultative forum of disability organisations building on the European Disability Forum established under the HELIOS II programme, with a remit to advise on disability issues in all areas of Community activity (1996).

(iii) Implementation of policies

9.3.1 - European industrial relations observatory: during 1995, the Commission will consolidate arrangements for the effective functioning of the European Observatory on Industrial Relations, in close collaboration with the European Foundation for the improvement of living and working conditions. A first report on the work of this observatory will be produced before the end of 1996.

9.3.2 - support for the social partners: the Commission will present an annual report on the support provided for the social partners (second half of each year).

10 MEDIUM-TERM SOCIAL POLICY ANALYSIS AND RESEARCH

10.0.1 The enormous and rapid challenges and changes facing European societies call for greater efforts in terms of joint analysis and reflection by the Community Institutions working in partnership. The Commission is taking steps therefore to strengthen its own capacity to address social policy issues in a medium to long term perspective. The Commission is particularly well placed to play a role by both promoting, in

collaboration with the Member States, the collection of comparable, up to date data and by analyses on issues of common interest, and networking the activities of specialised bodies on selected themes.

- 10.0.2 During 1995, the Commission is reviewing the different observatories set up in recent years with a view to determining their tasks more clearly and enabling them to improve their efficiency. Where necessary these will be rationalised.
- 10.0.3 The Commission will mobilize all available resources in this operation, both in terms of research and active promotion of policies. It will make extensive use of the Targeted Socio-Economic Research programme set up within the fourth framework Research and Development programme, and EUROSTAT. In addition, the Commission will promote closer cooperation with European bodies such as the European Foundation for the Improvement of Living and Working Conditions, the European Centre for the Development of Vocational Training, the European Health and Safety Agency and other bodies in the Member States. Particular emphasis will be placed on linking the different bodies in networks and on the promotion of exchanges. In this context, the Commission will look into the feasibility of setting up a system for the pooling and comparison of results of studies carried out in the Member States and by the Commission on one or more of the themes set out.
- 10.0.4 The Commission will give priority to furthering its own reflections on themes including: problems caused by disparities in employment and social conditions both within the EU and between the EU and third countries including trends on relocations from, to and within the EU; the question of the organisation of working/leisure time considered in the widest social context; and the relationship between competitiveness, productivity, macro-economic policy (including economic and monetary union), and social policy.
- 10.0.5 Particular attention will be paid to managing the social and societal consequences of the information society. During 1995 the Commission will, with the support of a High Level Expert Group and the European Foundation for the Improvement of Living and Working Conditions, launch an extensive debate on the social and societal implications of the information society. Most importantly, the debate will address issues of employment, education and training and how to help those who have difficulty coping with the new challenges.
- 10.0.6 The High Level Expert Group will issue its first report in November 1995, with a subsequent report in mid-1996. This will help the Commission to develop a clear picture of the social and societal issues of central concern in the information society, starting from the six priorities themes mentioned in the Commission report for the Essen European Council of December 1994, (viz: impact of the introduction of new information and communication technologies on employment, on work organisation including flexible enterprise and teleworking, on social legislation, consequences on the cohesion of Europe's regions and towns, opportunities for adaptation of education systems, for improving management of systems devoted to healthcare, for improving the labour market situation and developing human resources), and to analyze thoroughly the conditions for the optimal exploitation of the new possibilities for

employment and growth linked to technological change.

- 10.0.7 In parallel, other subjects of particular interest will include the employment effects of liberalisation in the telecommunication sector, taking into account the consequent impact on the development of new applications and services and the contribution to new employment opportunities, the promotion of sustainable production patterns and technology and the completion of the internal energy market. In the light of these reports, the Commission will present a Green Paper on the social and societal implications of the Information Society (second half 1996).

11 TOWARDS A MORE EFFECTIVE APPLICATION OF EUROPEAN LAW

- 11.0.1 The emphasis placed in the White Paper on the need to improve the current level of application of EU law in the social field met with wide spread support. At its meeting on 27 March 1995, the Council affirmed its commitment to improve the situation in this regard. The Commission will therefore step up its efforts to ensure that Community law is properly and fairly transposed. It will also take action to review Union legislation in this field regularly so to improve its efficiency and ensure its transparency. In this context, the conclusions of the Molitor Group will be taken into account. In addition, the Commission will take the necessary measures to promote greater awareness of social legislation throughout the European Union.

(i) Control

- 11.1.1 - transposition of directives: in addition to its monitoring activity, the Commission will produce an annual report on the situation of transposition into national legislation for each directive in the social field.
- 11.1.2 - implementation of directives: implementation reports play a key role in the analysis carried out by the Commission of the conformity of national implementing measures, providing a clear picture of the situation in each Member State and the need to start infringement proceedings where necessary. A specific obligation to draw up an implementation report will therefore be inserted in all future directives.
- 11.1.3 So far as existing directives are concerned, the Commission will adopt the implementation report for the insolvency Directive in the first half of 1995 and update by the end of 1995 existing implementation reports with regard to the situation in the new Member States (see 4.4.1. above). The Commission will also review the implementation situation for directives where no implementation report was foreseen.
- 11.1.4 - enforcement of legislation: the Commission will take forward a number of initiatives to ensure that EU social legislation is fully enforced and promote a closer cooperation with Member States and with social partners:

- 11.1.5 - contact points: in order to ensure the flow of information between Member States and the Commission, a list of contact points will be created (first half 1995). All future directives will contain a specific obligation for Member States to notify implementing measures to the Commission together with a contact point in the respective national administrations.
- 11.1.6 - Committee of Senior Labour Inspectors: the Commission will adopt a Decision setting up a Committee of Senior Labour Inspectors thus formalising the work of this Committee which has been operating informally for the last 12 years and which will help to contribute to effective enforcement of EU law in the area of health and safety at work (first half 1995).
- 11.1.7 - exchange of inspectors and best practice: the Commission will reflect on how to extend labour inspectors' networks to fields other than those of health, safety and hygiene at work. It will launch a study assessing the general framework of national systems of inspection in the field of labour law and social security and the possible links between these fields. The Commission will also promote the exchange of inspectors, information and best practice between Member States (1996).
- 11.1.8 - sanctions: Member States authorities must ensure that Union legislation is fully enforced through inter alia appropriate systems of control or sanctions, which are effective in practice and have a deterrent value. The Commission will insert in all future legislation a standard clause establishing an obligation for Member States to impose sanctions which are effective, proportionate and dissuasive.
- 11.1.9 - implementation of Directives by collective agreements: in the light of the European Court of Justice case law and the Agreement on Social Policy, and taking into account diverse national practices, the Commission will present a Communication addressing the entire area of implementation of Community directives by collective agreements. The Communication will also consider and reflect on ways and procedures to involve the social partners in the process of control of transposition and enforcement of Community law (1996).
- 11.1.10 A clause concerning implementation by collective agreements will be inserted in all future directives, where the issues concerned may fall under the bargaining power of the social partners.

(ii) Efficiency and transparency

- 11.2.1 If EU legislation is to be fully enforced throughout the Union, it needs to be simplified, updated and clarified where necessary.
- 11.2.2 - the Commission has already put forward proposals to this effect in the areas of free movement of workers, social security and health and safety at work (see sections 2 and 3 above).

11.2.3 - in 1995 the Commission will take further action in the fields of labour law and health and safety at work with the adoption of proposals concerning collective dismissals (consolidation of Directives 75/129 and 92/56), carcinogens (updating of Directive 90/394) and biological agents (reclassification of agents in annex II of Directive 90/679 in the light of technical progress). The Commission will also incorporate revision clauses in all future directives.

(iii) **Information and guidance**

11.3.1 A broad programme of information activities is planned in order to promote awareness of European social legislation and action. The information activities will target European citizens in general, as well as specialist audiences (including companies, social partners, public administrations and NGOs). National and regional authorities also have an important role to play in providing information about programmes and policies in this field.

11.3.2 - publications: in addition to existing publications (such as Social Europe, the Employment Report and the Social Protection Report), the Commission will produce a series of publications and adopt a number of documents aimed at providing clear and easily understandable information for European citizens.. These will include:

- a compendium of all Union Social legislation (second half of 1995).
- a guide to national implementing measures
- a set of guides on social security for people moving throughout the European Union (first half of 1995)
- a memorandum on acquired rights of workers in cases of transfers of undertakings (second half of 1995)
- an annual report on equal opportunities for women and men (1996)
- updating of the comparative study on Labour Law and Industrial Relations
- a general brochure on the European Social Fund "Human Resources Development across the Union" 1994-1999
- an audit manual for the use of SMEs on health and safety in the workplace.

11.3.3 - training and guidance: a series of information and training activities will be carried out by the Commission in 1995 and 1996 in order to provide assistance and guidance in the application of European social legislation to enterprises and individuals through the Euroguides and EURES networks. The Commission will also carry out an information programme targeting personnel managers of large companies. The main actions in this field include:

11.3.4 - the adoption of a proposal for a specific programme SAFE with the objective of promoting a better awareness of EU legislation on health and safety in small and medium size enterprises

11.3.5 - the adoption of guides on practical application of EU legislation in the field of health and safety

- 11.3.6 - the promotion of a number of meetings involving the social partners in order to improve and enhance the training of social partners with a view to facilitate the conclusion of information and consultation agreements within Community scale undertakings and groups
- 11.3.7 - the adoption of a Communication on procedures and remedies for the implementation of Article 119 and the equality directives with the aim to improve the knowledge of lawyers, judges and other interested parties on procedural problems encountered by complainants in sex discrimination cases.

ANNEX I

Pending proposals in the social field

Free movement and social security

Amendments to Regulation 1408/71 on social security for migrant workers:

- concerning unemployment and early retirement benefits (OJ C169 of 09.07.80, p.22)
EP 19.12.80 (OJ C346 of 31.12.80, p.103)
ESC 10.12.80 (OJ C353 of 13.12.80, p. 13)
- **to be withdrawn**

- concerning the extension of the personal and material scope (OJ C046 of 20.02.92, p. 1)
EP 13.03.92 (OJ C094 of 13.04.92, p. 32)
ESC 26.02.92 (OJ C098 of 21.04.92, p. 4)

- miscellaneous amendments (OJ C143 of 26.05.94)
EP underway
ESC 14.9.94 (OJ C393 of 31.12.94, p. 5)

Regulation to apply Decision 3/80 of the EEC-Turkey Association (OJ C110 of 25.04.83, p.1)
EP 11.10.85 (OJ C288 of 11.11.85, p.148)

Amendment to Regulation 1612/68 and Directive 68/360 on free movement for workers
(OJ C100 of 21.4.89, p. 6)
EP 14.02.90 (OJ C068 of 19.03.90, p.93)
ECS 27.04.89 (OJ C159 of 26.06.89, p.65)
modified proposal (OJ C119 of 15.05.90, p.10)

Labour law

Draft Directive on procedures for informing and consulting workers (the "Vredeling"
directive) (OJ C297 of 15.11.80, p.3)
EP 14.12.82 (OJ C013 of 17.01.83, p.25)
ESC 27.01.82 (OJ C077 of 29.03.82, p. 6)
modified proposal (OJ C217 of 12.08.83, p.3)
- **to be withdrawn**

Draft Directive on the establishment of European Works Councils in Community-scale
undertakings (OJ C039 of 15.02.91, p.10)
EP 10.07.91 (OJ C240 of 16.09.91, p.132)
ESC 20.03.91 (OJ C120 of 06.05.91, p.35)
modified proposal (OJ C336 of 31.12.91, p.11)
- **to be withdrawn**

Draft 5th Directive concerning the structure of public limited companies and the powers and
obligations of their organs (OJ C240 of 19.08.83, p. 2)

Draft Directive on contracts and employment relationships other than full-time open ended contracts:

- working conditions (OJ C224 of 08.09.90, p.4)
EP 20.11.90 (OJ C324 of 24.12.90, p. 96)
ESC 19.09.90 (OJ C332 of 31.12.90, p.167)
- to be withdrawn
- distortions of competition (OJ C224 of 08.09.90, p.6)
EP 24.10.90 (OJ C295 of 26.11.90, p.97)
ESC 19.09.90 (OJ C332 of 31.12.90, p. 167)
modified proposal (OJ C305 of 05.12.90, p.8)
- to be withdrawn

Draft directive on the posting of workers (OJ C225 of 30.08.91, p.6)
EP 10.02.93 (OJ C072 of 15.03.93, p.85)
ESC 18.12.91 (OJ C049 of 24.02.92, p.41)
modified proposal (OJ C187 of 09.07.93, p.5)

Draft directive amending the transfer of undertakings directive (OJ C274 of 01.10.94, p.10)
EP underway
ESC 30.03.95

Health and safety

Draft Decision on the ratification of the Torremolinos Convention on safety on fishing boats (OJ C183 of 10.07.84, p.17)
EP 14.02.85 (OJ C072 of 18.03.85, p.110)
ESC 27.09.84 (OJ C307 of 19.11.84, p.2)
- to be withdrawn

Draft Decision extending the competence of the advisory Committee for Safety, Health and Hygiene at Work to cover ionising radiation (OJ C111 of 25.04.87, p.6)
EP 15.04.88 (OJ C122 of 09.05.88, p.374)
ESC 24.09.87 (OJ C319 of 30.11.87, p.29)

Draft Directive on activities in the transport sector (OJ C025 of 28.01.93, p.17)
EP 14.07.93 (OJ C225 of 20.09.93, p.80)
ESC 28.04.93 (OJ C161 of 14.06.93, p.1)
modified proposal (OJ C294 of 30.10.93, p.4)

Draft Directive on chemical agents (OJ C165 of 16.06.93, p.4)
EP 20.04.94 (OJ C128 of 09.05.94, p.176)
ESC 24.11.93 (OJ C034 of 02.02.94, p.42)
modified proposal (COM/94/0230 transmitted to Council on 09.06.1994)

Draft Directive on physical agents (OJ C077 of 18.03.93, p.12)
EP 20.04.94 (OJ C128 of 09.05.94, p.154)
ESC 30.06.93 (OJ C249 of 13.09.93, p.28)
modified proposal (OJ C230 of 19.08.94, p.3)

Draft Directive on work equipment (modification) (OJ C104 of 12.04.94, p.4)
EP underway
ESC 23.11.94

Amendment to Regulation on Health and Safety Agency (COM(94)651 of 15.12.94)

Equal opportunities

Draft Directive on parental leave (OJ C333 of 09.12.83, p.6)
EP 30.03.84 (OJ C117 of 30.04.84, p.180)
ESC 24.05.84 (OJ C206 of 06.08.84, p.47)
modified proposal (OJ C316 of 27.11.84, p.7)
- to be withdrawn

Draft Directive on burden of proof (OJ C176 of 05.07.88, p.5)
EP 15.12.88 (OJ C012 of 16.01.89, p.188)
ESC 27.10.88 (OJ C337 of 31.12.88, p.58)
- to be withdrawn

Draft Directive on equal treatment in social security schemes (OJ C309 of 19.11.87, p.10)
EP 16.09.88 (OJ C262 of 10.10.88, p.179)
ESC 25.02.88 (OJ C095 of 11.04.88, p.4)

Consultation of management and labour on the reconciliation of professional and family life
SEC(95) 276 of 22.02.95

Exclusion

Draft Decision on a medium-term action programme to combat exclusion and promote solidarity (COM(93)435 of 22.09.93)
EP 24.02.94 (OJ C077 of 14.03.94, p.43)
ESC 21.12.93 (OJ C052 of 19.02.94, p.4)

Disabled people

Draft Directive on transport for workers with motor disabilities (OJ C068 of 16.03.91, p.7)
EP 20.11.91
ESC 29.05.91 (OJ C191 of 22.07.91, p.2)
modified proposal (OJ C015 of 21.01.92, p.18)

Older People

Proposal for a Council Decision on Community support for actions in favour of older people
COM(95) 53 of 01.03.95

Public health

Draft Decision for a programme on AIDS (OJ C333 of 29.11.94 p.34)
ESC 30.03.95

Draft Decision for a programme on cancer (OJ C139 of 21.05.94, p.12)
ESC 14.09.94 (OJ C313 of 31.12.94, p.8)
CR 27.09.94

Draft Decision for a programme on health promotion (OJ C252 of 09.09.94, p.3)
ESC 25.01.95
CR 16.11.94

Draft Decision for a programme on drug dependence (OJ C257 of 14.09.94, p.4)
ESC 22.02.95
CR 16.11.94

Draft Directive on tobacco advertising (OJ C167 of 27.06.91, p.3)
EP 11.02.92 (OJ C067 of 16.03.92, p.37)
ESC 23.09.92 (OJ C313 of 30.11.92, p. 27)
modified proposal (OJ C129 of 21.05.92, p.5)

International

Draft Decision on the exercise of the Community's external competence at international labour conferences in cases falling within the joint competence of the Community and its Member States (COM(94)002 of 12.01.94)

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