



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 19 November 2008 (24.11)
(OR. fr)**

15984/08

SOC 701

NOTE

from: Working Party on Social Questions
to: Permanent Representatives Committee (Part 1)/Council (EPSCO)

No. Cion prop. : 13987/08 SOC 576 - COM(2008) 639 final

Subject: **Commission communication to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions concerning a Commission Recommendation on the active inclusion of persons excluded from the labour market**
– **Draft Council conclusions**

Delegations will find attached draft Council conclusions as finalised by the Working Party on Social Questions at its meeting on 18 November 2008.

The Czech and Polish delegations are maintaining general scrutiny reservations.

Draft

COUNCIL CONCLUSIONS

**on common active inclusion principles
to combat poverty more effectively**

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING

1. the Council Recommendation on common criteria concerning sufficient resources and social assistance in social protection systems and the Council Recommendation on the convergence of social protection objectives and policies¹;
2. that in December 2007, the Council had invited the Commission, in the light of the outcome of the consultation process, to develop proposals for a deepening of the Open Method of Coordination (OMC) in social protection and social inclusion, addressing adequate income support, access to inclusive labour markets and quality social services, in view of the new Open Method of Coordination (OMC) cycle, including a recommendation on the common principles;
3. that in March 2008, the European Council stated that combating poverty and social exclusion, promoting active inclusion and increasing employment opportunities for those furthest from the labour market were all of major importance;

¹ Recommendation 92/441/EEC of 24 June 1992 and Recommendation 92/442/EEC of 27 July 1992, OJ L 245, 26.8.1992.

4. that the Charter of Fundamental Rights recognises the right to work as well as the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Community law and national laws and practices;
5. that Article 137(1)(h) of the Treaty provides that the Community shall support and complement the activities of the Member States to promote the integration of persons excluded from the labour market;

TAKING INTO ACCOUNT

6. the two public consultations undertaken pursuant to Article 138 TEC, on the basis of the European Commission communications of 8 February 2006 and 17 October 2007, which involved all parties concerned, namely the Member States, the social partners, NGOs, service providers and local authorities;
7. the 2008 Joint Report on Social Protection and Social Inclusion, which emphasises the importance of balanced and comprehensive active inclusion strategies; and the Guidelines for the employment policies of the Member States which aim in particular at promoting the inclusion of job-seekers and disadvantaged people in the labour market²;
8. the work carried out by the Social Protection Committee, together with the Employment Committee, on the active inclusion strategy;
9. the Commission communication of 2 July 2008 on the renewed social agenda and the communication "A renewed commitment to social Europe: Reinforcing the Open Method of Coordination for Social Protection and Social Inclusion";

² Council Decision of 7 July 2008 on Guidelines for the employment policies of the Member States, Council document 10614/2/08.

10. the proceedings of the 7th Meeting of People Experiencing Poverty, held in Brussels on 16 and 17 May 2008;
11. the proceedings of the 7th Round Table on Poverty and Social Exclusion, specifically devoted to active inclusion, held in Marseilles on 15 and 16 October 2008;
12. the discussions between Ministers responsible for combating poverty, meeting in Marseilles on 16 October 2008, further to a proposal from the Portuguese Presidency submitted at the Sixth Round Table on Poverty and Social Exclusion, and their renewed commitment to implementing an active inclusion strategy;
13. the European Parliament's own-initiative report "Promoting social inclusion and combating poverty, including child poverty, in the EU", which welcomes the Commission's active inclusion approach and emphasises the additional principles of promoting gender equality, combating discrimination and encouraging active participation³;
14. the opinion of the Committee of the Regions on active inclusion which, while acknowledging the relevance of the active inclusion strategy, highlights the importance of social participation and the need to involve all players, in particular local authorities and the social partners⁴;

³ Report on promoting social inclusion and combating poverty, including child poverty, in the EU (2008/2034(INI)).

⁴ Opinion of the Committee of the Regions on Active Inclusion of 18 June 2008 (CoR 344/2007). See also the opinion of the Economic and Social Committee on minimum social standards of 27 October 2007 (EESC 892/2007).

ACKNOWLEDGING THAT

15. the current international economic and financial crisis, even though it entails more severe budgetary constraints, has made the implementation of integrated active inclusion strategies at national level all the more necessary in order to prevent, as much as possible, a further worsening or extension of poverty and social exclusion by giving people who are excluded from the labour market access to sufficient resources and social assistance to enable them to lead a dignified life;
16. the reality of poverty and social exclusion has become more complex in recent years, and that some vulnerable groups, including the Roma, face multiple disadvantages;
17. Member States' renewed commitment to combating poverty ties in with the goal, set in 2000, to make a decisive impact on eradicating poverty by 2010 and with preparations for the European Year for combating Poverty and Social Exclusion to be held in 2010; in this respect, the organisation of further meetings of ministers in charge of combating poverty and social exclusion would contribute to renewed impetus to be given to these policies;
18. promoting active inclusion contributes to strengthening the social dimension of the Lisbon Strategy for Growth and Jobs, by giving a central role to the fight against poverty and social exclusion;
19. active inclusion entails a combination of adequate income support, inclusive labour markets and access to quality services. Active inclusion policies are intended for all those excluded from the labour market by supporting them with the resources they need to lead a dignified life and with opportunities for social participation, and promoting access to quality and lasting employment that corresponds to their aptitudes and abilities;

20. the successful implementation of the active inclusion strategy entails mobilising appropriate instruments. The sharing of best practices, particularly experimental projects carried out at local or regional level, is a means of reinforcing national strategies to combat poverty and social exclusion;

WELCOMES

21. the European Commission Recommendation on the active inclusion of people excluded from the labour market, which recognises the importance of promoting the social and occupational integration of people excluded from the labour market in terms of ensuring dignified living conditions for all⁵;
22. the decision of the social partners, following the common analysis of the main challenges facing labour markets in Europe submitted in October 2007, to start negotiations on an autonomous agreement promoting the integration into enterprises of those furthest from the labour market;

ENDORSES

23. the aim of designing and implementing comprehensive and integrated national strategies to promote the active inclusion of people excluded from the labour market, combining adequate income support, inclusive labour markets and access to quality services on the basis of the common principles and guidelines identified in the European Commission Recommendation;

⁵ Commission Recommendation of 3 October 2008 on the active inclusion of people excluded from the labour market.

EMPHASISES THAT

24. active inclusion is not a single-model approach. With due regard for the principle of subsidiarity and on the basis of the common principles, the Member States shall define the level of adequate income support and the policy mix best adapted to the needs identified at local, regional and national level. The financial allocation should strike a balance between increasing work incentives, alleviating poverty and avoiding unsustainable budgetary costs;
25. active inclusion should promote gender equality and equal opportunity, as an essential pre-condition for reducing poverty, and support the implementation of fundamental rights and increase territorial cohesion. The specific situation of vulnerable groups and of persons with multiple disadvantages should be addressed. Policies should be consistent with a lifecycle approach in order to support intergenerational solidarity and break the intergeneration transmission of poverty;
26. to be successful, active inclusion strategies should adopt a holistic approach and be implemented in an integrated and coordinated way, involving all levels of government. It also appears essential to cooperate closely with social partners, non-governmental organisations and service providers. The participation of the persons concerned in developing, framing, monitoring and reviewing active inclusion policies should be encouraged;

27. the Recommendation of 24 June 1992 on common criteria concerning sufficient resources and social assistance in social protection systems is still valid, and its main principles [A to C(3)] should therefore be taken into account, while paying attention to the conditions for the granting of benefits. In particular, in active inclusion strategies, the right to adequate income support should be combined with active measures promoting social and labour market integration. Financial incentives to access to employment should also be preserved to encourage the motivation to actively seek employment and to ensure that once people have access to the labour market or increase their working time, their income is higher than their income from benefit. In this framework, it is for the social protection and national tax systems to evolve as required to make work pay;
28. active inclusion strategies should include effective, personalised assistance in entering the labour market, notably in order to avoid long-term unemployment and loss of employability, and the support required to stay there. Access to employment should be an opportunity which is open to all and the aim should be for quality jobs. In this respect, combating in-work poverty is of crucial importance, but it should not increase the cost of employing unqualified workers to such an extent that it ultimately excludes them from the labour market. For the purpose of combating job insecurity and staying in employment, it is essential to provide access to lifelong vocational training, qualifications, career prospects and good working conditions which guarantee a decent job, comply with health and safety regulations and favour conciliation between work and family life;
29. for active inclusion strategies to be successful, individuals excluded from the labour market must have access to essential services such as social welfare services, employment and vocational training services, housing assistance, social housing, childcare, health and long-term care and basic financial services. These services should be organised in line with the principles of universality, solidarity and accessibility, at the same time ensuring a personalised follow-up, focused on the specific needs of the most vulnerable;

30. Member States should take appropriate measures to ensure that all, including the most vulnerable, are informed of their rights and of the assistance available to them. Administrative procedures should be simplified as much as possible. Lastly, where possible, Member states should organise in accordance with national provisions the machinery for appeals before the competent administrative authorities and, where necessary, independent third parties, to which the persons concerned should have easy access;

INVITES THE MEMBER STATES

31. to continue making the fight against poverty and social exclusion one priority among their economic and social policies;
32. to implement active inclusion strategies at national level in line with the abovementioned common principles;
33. to continue discussions on the relevance of determining national quantified objectives in the area of combating poverty and social exclusion that are appropriate to the situation of each Member State, and, in this framework, reflect on objectives quantified in terms of results or means. While the decision on setting national quantified targets and their definition remain a core responsibility of Member States, the national strategy reports on social protection and social inclusion could serve as a basis for the choice of these targets and associated indicators;

INVITES THE COMMISSION

34. to ensure a regular review in the joint reports on social protection and social inclusion of the implementation of the active inclusion strategy, on the basis of the national reform plans and the national strategy reports on social protection and social inclusion and the relevant indicators;

35. to support, via PROGRESS and the ESF, the exchange of good practices and the launch of experimental transnational programmes in the area of combating poverty and social exclusion;

INVITES THE COMMISSION AND MEMBER STATES

36. to implement appropriate monitoring of the application of the common active inclusion principles using the open method of coordination, coordinated with the implementation of the European Employment Strategy;
37. in accordance with their respective competences, to mobilise the resources of the Structural Funds, and in particular the European Social Fund, to support active inclusion measures, in line with national labour market circumstances and priorities;
38. to consider how to prevent and address over-indebtedness and financial exclusion.
