



Risk equalisation in the Irish health insurance market

The Commission has decided not to object to the introduction of a risk equalisation scheme in the Irish health insurance market. This is a scheme to spread the risk among the different insurance companies and to try to ensure that new health insurers do not cover only relatively low risk individuals. The Commission considers that the risk equalisation scheme is necessary for the stability of the health insurance system in Ireland.

WHO Framework Convention on Tobacco Control

The World Health Organisation has agreed a Framework Convention on Tobacco Control. The member states will each need to ratify this Convention and the Employment, Social Policy, Health and Consumer Affairs Council has agreed that the EU will also accede to it.
<http://www.who.int/home-page>

Mental Health

The Employment, Social Policy, Health and Consumer Affairs Council adopted conclusions on combating stigma and discrimination in relation to mental health. This resulted from a conference on the issue – the conference proceedings are at
<http://www.eu2003.gr/en/articles/2003/3/24/2338>

Justice and Home Affairs

The protection of fundamental rights in the EU

The network of independent experts on fundamental rights was set up by the Commission in 2002 to draw up an annual report on the situation of fundamental rights in the European Union. It has recently published its first report. This examines the counter-terrorism measures taken by the EU Member States in the wake of the September 11 attacks. It advocates great vigilance to ensure that the measures adopted – even if their purpose is to prevent the violation of fundamental rights – do not encroach upon the protection of such rights, including the right to security.
http://europa.eu.int/comm/justice_home/index_en.htm

Access to justice

The Commission has launched a website to provide the public with information about the law and legal practices of the individual Member States and about Community law and international law
http://europa.eu.int/comm/justice_home/ejn/

Illegal immigration

The Commission has published a Communication on the development of a common policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents.

General

Treaty of Accession 2003

The Treaty of Accession 2003 is the treaty governing the admission of the 10 new member states to the EU. It was signed in Athens on 16 April 2003. It is available at:
www.europa.eu.int/comm/enlargement

Convention on the Future of Europe

The various texts of the draft constitution are available at:
<http://european-convention.eu.int/bienvenue.asp?lang=EN>

Understanding the EU

A glossary of EU terms is available at:
<http://europa.eu.int/scadplus/leg/en/cig/g4000.htm>

Services of general interest in Europe

The Commission has issued a Green Paper on services of general interest in Europe. The aim is to start a debate on the role of the EU in promoting the provision of high quality public services. Comments are invited by 15 September 2003.
http://europa.eu.int/comm/secretariat_general/services_general_interest/

Data Protection

The Commission has published a report on the implementation of the 1995 Data Protection Directive. The Directive was implemented late in a number of countries (France still has not implemented it and Ireland has only just passed the necessary legislation) and there are differences in the way in which it was implemented. The report is available at:
http://europa.eu.int/comm/internal_market/privacy/lawreport_en.htm

General information on data protection in the EU is at:
<http://europa.eu.int/comm/privacy>

EU treaties in Irish

The texts of the treaties governing the EU have been made available in Irish at: <http://europa.eu.int/eur-lex/ga/treaties/index.html>

Introduction

This supplement covers the significant EU developments from March 2003 to early June 2003 in the broad areas of social policy, consumer policy and citizens' rights.

Monthly updates are posted on the Comhairle Citizens Information Database in the middle of each month. (www.cidb.ie). These include more detailed information on many of the topics which are briefly described in the Supplement and on a number of other topics. The monthly updates also include information on calls for proposals for funding – these must be checked frequently as the closing dates are usually within a number of weeks of publication.

There is further information about almost all the issues mentioned on the Europa website: www.europa.eu.int In some cases, we give the extended website address. The Official Journal of the EU may be accessed via www.europa.eu.int/eur-lex

Social and Employment Policies

Further information:
www.europa.eu.int/comm/employment_social

Social Policy Agenda

The Commission has published the Mid-term Review of the Social Policy Agenda (2000 – 2005). This sets out the detailed actions to be pursued during the remaining period of the agenda. The agenda covers six main areas:

- ◆ More and better jobs
- ◆ A balance between flexibility and security in the workplace
- ◆ Fighting poverty and all forms of exclusion and discrimination
- ◆ Modernising social protection
- ◆ Promoting gender equality
- ◆ Strengthening the social policy aspects of enlargement

European Employment Strategy

The Employment, Social Policy, Health and Consumer Affairs Council has approved the European Employment Strategy which must now be discussed by the European Parliament. The employment guidelines set 10 priorities for action in member states and individual recommendations to each member state. (The Commission calls these the “ten commandments”). They are:

1. Active and preventive measures for the unemployed and the inactive
2. Job creation and entrepreneurship
3. Address change and promote adaptability and mobility in the labour market
4. Promote development of human capital and lifelong learning
5. Increase labour supply and promote active ageing
6. Gender equality
7. Promote the integration of and combat the discrimination of people at a disadvantage in the labour market
8. Make work pay through incentives to enhance work attractiveness
9. Transform undeclared work into regular employment
10. Address regional employment disparities.

Agency Workers

The Employment, Social Policy, Health and Consumer Affairs Council did not agree the proposed Directive on the protection of temporary agency workers. This proposed Directive was published by the Commission in March 2002. Its aim is to provide for equality of treatment for temporary agency workers with similar directly employed permanent workers. It is proposed to have a waiting period, rather like most employment legislation, before you are entitled to any rights. The Council could not agree on this period – the Commission



had proposed 6 weeks; the European Parliament and some member states wanted equal pay from the start while other member states wanted a much longer period. There was also disagreement on the removal of restrictions on the use of temporary workers.

People with Disabilities

Promoting Employment And Social Integration Of People With Disabilities

The Employment, Social Policy, Health and Consumer Affairs Council has adopted a resolution on the promotion of employment and social integration of people with disabilities. The resolution exhorts the governments of member states to take measures to promote employment

Students with Disabilities

The Education Council has adopted a Resolution on Equal Opportunities for Pupils and Students with Disabilities. A Resolution is a statement of policy and an encouragement of activity but is not legally binding. The resolution is published in OJ C 134, 7 June 2003.

Accessibility of cultural activities

The Education Council also adopted a resolution on the Accessibility Of Cultural Infrastructure And Cultural Activities For People With Disabilities. This is published in OJ C 134, 7 June 2003.

Transport for people with disabilities

Over 3 million people in the EU currently hold a driving licence for private cars adapted to the needs of people with disabilities. This is one of the results revealed by the Quavadis project which the Commission has presented in connection with the European Year of People with Disabilities. The Quavadis programme was started by the Commission in 2001 and is aimed at promoting information exchange and best practice so as to ensure proper application of Community legislation relating to adapted vehicles. It is also aimed at improving the safety level of vehicle adaptations. www.quavadis.org

eEurope and accessibility for people with disabilities

In order to address one of the targets of the eEurope 2002 programme, the Commission has set up a working group under the Communication Committee (this is the Member States' committee of the new telecoms regulatory package). The working group aims to improve access to communications networks and services for people with disabilities by;

- ◆ encouraging network operators and terminal equipment manufacturers to co-operate on facilitating access to electronic communication services by users with disabilities
- ◆ raising awareness of the constraints experienced by people with various disabilities in gaining access to

- ◆ and using electronic communication services
- ◆ suggesting ways of overcoming these constraints and sharing experience and good practice identified at national, regional or at local level.

Another target of eEurope 2002 was the publication of the Design for All and Assistive Technology Standards with a view to improving employability and social inclusion. In order to progress this, a co-ordination group was set up which reports directly to the board of European Standardisation Organisations. This group is setting priorities on the development of assistive technologies and Design for All standards. The group also promotes knowledge, awareness and use of Design for All guidelines and tools by the market players and within standardisation organisations. The Network of Centres of Excellence in Design for All was launched in July 2002 and consists of over 100 members from all Member States.

Research and Development

Future calls for proposals under the EU's 6th Framework Programme for R&D will promote research and pre-standardisation on accessibility issues. The theme "eAccessibility for All" means a holistic, multi-disciplinary approach, focusing on the real-world needs and concerns of users in all aspects of their lives: eGovernment, eBusiness, eLearning, work, entertainment, transport, leisure, etc. These should be made accessible to all citizens. The intention is to further develop this theme within two inter-related areas of research and technological development work, 'Barrier-free Technologies' and 'Empowering Technologies'.

'Barrier-free Technologies' focuses on mainstream Information Society products and systems, including public services. They must be designed so that they meet the requirements of the widest possible range of users and use situations.

'Empowering Technologies' focuses on a broad range of intelligent assistive devices and systems for people with disabilities, which must be developed and improved. The first call for proposals in this area is expected in June 2003 with the first contracts to be signed at the end of the year.

Education

European benchmarks for education

The Education Council has agreed conclusions on "reference levels of European average performance" or European benchmarks. The benchmarks for the improvement of education and training systems in Europe up to 2010 are:

- ◆ By 2010, an EU average rate of no more than 10 % early school leavers should be achieved
- ◆ The total number of graduates in mathematics, science and technology in the European Union should increase by at least 15 % by 2010 while at the same time the level of gender imbalance should decrease
- ◆ By 2010, at least 85 % of 22 year olds in the

- ◆ European Union should have completed upper secondary education
 - ◆ By 2010, the number of 15 year olds in the European Union who cannot read, or who read very badly, will have decreased by at least 20% compared to the year 2000
 - ◆ By 2010, the European Union average level of participation in Lifelong Learning, should be at least 12.5% of the adult working age population (25-64 age group)
- The Council Conclusions are published in OJ C 134, 7 June 2003.

Environment

Enforcing Environmental Legislation

The Commission is taking legal proceedings against Ireland for a number of breaches of environmental legislation. These relate to;

- ◆ failure to provide information on how it complied with various Directives
- ◆ possible breaches of the Wild Birds Directive
- ◆ possible breach of the Environmental Impact Assessment Directive (this relates to the charging of fees for commenting on the environmental impact of projects)
- ◆ failure to adopt legislation implementing EU law on the deliberate release of genetically modified organisms (GMOs) into the environment
- ◆ failure to adopt national legislation concerning end-of-life vehicles.

Protection of the environment through criminal law

The Commission is asking the European Court of Justice to annul a Framework Decision (2003/80/JHA) adopted by the Council on 27 January 2003 on protection of the environment through criminal law. This is because the Council disregarded the Commission proposal for a directive on the same subject and the Commission is challenging the legal basis for the Council's Decision. The Commission believes that its proposed directive, if adopted, would secure better protection of the environment through criminal law than the Framework Decision.

Strategy on Waste Prevention and Recycling

The Commission has issued a Communication called "Towards a Thematic Strategy on Waste Prevention and Recycling." The aim is to start a consultation process. On average, each EU citizen produces an average of 550kg of municipal waste per year. The EU's 1993 Fifth Environment Action Programme set a target of 330 kg.

Comments are invited before 30 November 2003 and it is expected that a strategy will be drafted in 2004. <http://europa.eu.int/comm/environment/waste/strategy.htm>

Health and Consumer Affairs

Rules for safer, cheaper and more competitive products

The Commission has published a Communication aimed at enhancing the drive for safer, cheaper and more competitive European products. The Communication is called "Enhancing the Implementation of the New Approach Directives". The New Approach is a legislative technique that consists of defining mandatory essential product requirements to ensure a high level of public protection, while leaving the choice of technical solution up to interested parties (users, manufacturers etc.). <http://europa.eu.int/comm/enterprise/newapproach/index.htm>

VAT on postal services

The Commission has published a proposal to apply Value Added Tax (VAT) to all supplies of postal services. This is being proposed for competition reasons. The Commission says that this is unlikely to have a significant effect on postal costs as the postal services providers will be able to deduct the VAT on their inputs. Under the proposal, member states would have the option to apply a lower VAT rate on small items (up to 2 kg in weight). http://europa.eu.int/comm/taxation_customs/whatsnew.htm

Report on human embryonic stem cell research

The Commission has published a report on the scientific, ethical, legal and socio-economic issues related to human embryonic stem cell research. The report will help in the process of defining guidelines for EU-funded stem cell research. http://europa.eu.int/comm/research/press/2003/pdf/sec2003-441report_en.pdf

Motor insurance

The Commission is taking a number of member states, including Ireland, to the European Court of Justice for failing to implement the Fourth Motor Insurance Directive (2000/26/EC) by the specific date of 20 July 2002. This Directive aims to speed up claims in cases where the accident takes place outside the victim's member state of residence. The Directive also applies to accidents between two EU parties in any of the 43 countries participating in the Green Card system (for more information, see the website of the Council of Bureaux, which manages the Green Card system, at <http://www.cobx.org>).