



EUROPEAN PARLIAMENT

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Committee on Employment and Social Affairs

2012/2039(INI)

19.3.2012

DRAFT OPINION

of the Committee on Employment and Social Affairs

for the Committee on Legal Affairs

on the Statute for a European mutual society
(2012/2039(INI))

Rapporteur for the opinion: Regina Bastos

(Initiative – Rule 42 of the Rules of Procedure)

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SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on Legal Affairs, as the committee responsible:

- to incorporate the following suggestions in its motion for a resolution:
 1. Points out that the values of mutual societies correspond to the fundamental principles of the European social model;
 2. Points out that mutual societies play a major role in the EU economy by providing health care and social services to more than 160 million European citizens¹, that they represent more than EUR 180 billion in insurance premiums² and that they employ over 350 000 people in the EU³;
 3. Notes that in 2010, some 12.3 million European citizens, or 2.5% of the Union's active population, were working in another Member State;
 4. Stresses that with a 25% share of the insurance market and 70% of the total number of undertakings in the industry, mutual societies cannot be forgotten by the single market⁴;
 5. Notes that retirement and survivor's pensions make up the largest share of social protection expenditure and that population ageing risks putting public expenditure on social protection under pressure;
 6. Stresses that the increase in expenditure on health care and pensions could have significant consequences for the continuity and cover of the current social protection schemes, which could lead Member States to lower their level of contribution to statutory social protection and to transfer the costs of social security to the private sector;
 7. Points out that mutual societies lack the necessary legal instruments to facilitate their development and their cross-border activities within the internal market;
 8. Considers that legislation on mutual societies varies considerably within the EU and that the European statute could be used as a starting point leading to a certain approximation of national legislation;
 9. Regards as regrettable that the Commission, after having withdrawn its proposal for a statute for a European mutual society in 2006, has not brought forward any new proposals which would give mutual societies a suitable legal instrument to facilitate their cross-border activities;

¹ Association Internationale de la Mutualité (AIM). See AIM's Memorandum to the new European Parliament.

² AIM/AMICE: A European Statute for Mutual Societies, 2007.

³ International Centre for Research and Information on the Public, Social and Cooperative Economy (CIRIEC): The Social Economy in the European Union, 2007.

⁴ COM(2011)206.

10. Is pleased that the Commission has recognised the need for a statute and that it is committed to delivering better legislation for social economy organisations (including mutual societies), while stressing that mutual societies must be able to operate across borders as a contribution to the European effort to ‘boost growth and strengthen confidence’ in the European Economic Area⁵;
11. Points out that mutual societies play an important role in the Member States’ economies, given that they contribute to the EU’s strategic objectives of ensuring inclusive growth with access to basic resources, to social rights and services for all and to high-quality health care for all on the basis of solidarity and non-exclusion;
12. Stresses that the social economy – and mutual societies in particular – plays an essential role in the EU economy, by combining profitability with solidarity, creating high-quality jobs, strengthening social, economic and regional cohesion, generating social capital and promoting active citizenship, solidarity and a type of economy with democratic values which puts people first and supports sustainable development and social, environmental and technological innovation⁶;
13. Points out that mutual societies have a role to play in meeting these challenges alongside the private sector, and that in order to do so they must be able to compete on equal terms with other forms of undertaking in the EU;
14. Regards as regrettable the gap in EU legislation, as mutual societies are not specifically mentioned in the treaties and respect for their business models is not covered by any secondary legislation, which refers only to public and private enterprises, which undermines the status of mutual societies, their development and the establishment of a cross-border group;
15. Points out that the European statute for a mutual society is essential for achieving better integration in the single market and thereby helping to achieve the growth and employment objectives of the 2020 strategy;
16. Stresses that mutual societies are solid and durable elements which have better withstood the financial crisis in all economies, particularly in the area of insurance and social protection; points out that mutual societies are particularly active in the area of population ageing and social needs, and that the involvement of mutual societies in the area of pensions offers additional opportunities for EU citizens;
17. Calls on the Commission to take into account the specific characteristics of mutual societies so as to ensure a level playing field, with a view to avoiding additional discrimination and guaranteeing a fair and competitive market.

⁵ Commission Communication of 13 April 2011 entitled ‘Single Market Act - Twelve levers to boost growth and strengthen confidence - Working together to create new growth’ (COM(2011)206),

⁶ European Parliament resolution of 19 February 2009 on social economy.