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REPORT

on the Commission communication on New European Labour Markets, Open to All, with Access for All
(COM(2001) 116 – C5-0188/2001 – 2001/2084(COS))

Committee on Employment and Social Affairs

Rapporteur: Mauro Nobilia

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PROCEDURAL PAGE

By letter of 2 March 2001, the Commission forwarded to Parliament its communication on New European Labour Markets, Open to All, with Access for All (COM(2001) 116 – 2001/2084(COS))

At the sitting of 14 May 2001 the President of Parliament announced that she had forwarded the communication to the Committee on Employment and Social Affairs as the committee responsible and to the committees on Culture, Youth, Education, the Media and Sport, the Committee on Industry, External Trade, Research and Energy and the Committee on Legal Affairs and the Internal Market for their opinions (C5-0188/2001).

At its meeting of 15 March 2001 the Committee on Employment and Social Affairs had appointed Mauro Nobilia rapporteur.

At the sitting of 3 July 2001 Parliament decided to consult the Economic and Social Committee under Rule 52.

The committee considered the Commission communication and the draft report at its meetings of 21 June ~~2001~~, 11 September ~~2001~~ and 8/9 October 2001.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Michel Rocard, chairman; ~~W~~ Winfried Menrad and José Ribeiro e Castro, vice-chairmen; Mauro Nobilia, rapporteur; Jan Andersson, María Antonia Avilés Perea, Regina Bastos, Theodorus J.J. Bouwman (for Ian Stewart Hudghton), André Brie (for Sylviane H. Ainardi), Philip Bushill-Matthews, Gunilla Carlsson (for Rodi Kratsa-Tsagaropoulou), Luciano Caveri, Alejandro Cercas, Luigi Cocilovo, Harald Ettl, Jillian Evans, Carlo Fatuzzo, Ilda Figueiredo, Hélène Flautre, Fiorella Ghilardotti, Marie-Hélène Gillig, Anne-Karin Glase, Richard Howitt (for Elisa Maria Damião), Stephen Hughes, Anne Elisabet Jensen (for Daniel Ducarme), Ioannis Koukiadis, Jean Lambert, Elizabeth Lynne, Toine Manders (for Luciana Sbarbati), Thomas Mann, Mario Mantovani, Manuel Medina Ortega (for Proinsias De Rossa), Claude Moraes, Manuel Pérez Álvarez, Bartho Pronk, Tokia Saïfi, Herman Schmid, Miet Smet, Helle Thorning-Schmidt, Ieke van den Burg, Anne E.M. Van Lancker, Barbara Weiler and Sabine Zissener (for Raffaele Lombardo).

The opinion of the Committee on Culture, Youth, Education, the Media and Sport is attached; the Committee ~~on Committee~~ on Industry, External Trade, Research and Energy and the Committee on Legal Affairs and the Internal Market decided on 11 and 24 April 2001, respectively, not to deliver an opinion.

The report was tabled on 26 October 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

MOTION FOR A RESOLUTION

Resolution of the European Parliament on the Commission communication on New European Labour Markets, Open to All, with Access for All (COM(2001) 116 – C5-0188/2001 – 2001/2084(COS))

The European Parliament,

- having regard to the communication from the Commission (COM(2001) 116 – C5-0188/2001),
- having regard to the communication from the Commission entitled ‘EURES activity report 1998 – 1999: ‘Towards an integrated labour market: the contribution of EURES’ (COM 2000) 607),
- having regard to its resolution of 31 May 2001 on ‘EURES activity report 1998–~~2000~~^{1,2,3}
- having regard to the communication from the Commission entitled ‘Acting locally for employment ~~– a~~ a local dimension for the European employment strategy’ (COM(2000) ~~196~~),
- having regard to its resolution of 30 November 2000 on that communication (A5-~~0341/2000~~)^{2,2},
- having regard to the communication from the Commission entitled ‘An action plan for free movement of workers’ (COM(1997)586),
- having regard to its resolution of 16 July 1998 on that communication³³,
- having regard to the conclusions of the Lisbon European Council ~~of Lisbon~~ of 23 and 24 ~~March~~ 2000 and the Stockholm European Council ~~of Stockholm~~ of 23 and 24 March 2001,
- having regard to Articles 39 and 40 of the EC Treaty,
- having regard to the opinion of the Economic and Social Committee⁴⁴,
- having regard to Rule 47(1) of its Rules of Procedure,

¹ Not yet published in the Official Journal

~~¹ Not yet published in the Official Journal.~~

² OJ C 228, 13.8.2001, pp. 16-128

~~² OJ C 228 of 13.8.10, p. 16-128.~~

³ OJ C 292, 21.9.1998, pp. 106-145

~~³ OJ C 292 of 21.9.98, p. 106-14.~~

⁴ CES 1125/2001

~~⁴ CES 1125/2001.~~

- having regard to the report of the Committee on Employment and Social Affairs and the opinion of the Committee on Culture, Youth, Education, the Media and Sport (A5-0375 /2001),
- A. whereas the free movement of persons is a fundamental right of citizens of the European Union, which is also stated as an individual right in the Charter of Fundamental Rights of the European Union, has not yet been fully carried into effect,
- B. whereas the free movement of persons is an essential prerequisite for the creation of a European labour market, with particular reference to frontier workers and also in anticipation of the Union's forthcoming enlargement,
- C. whereas, according to the Commission's communication, mobility of European Union nationals within the EU is a phenomenon that involves fewer than 0.4% of the resident population, of whom 0.2% are returning nationals,
- D. whereas, however, the concept of mobility in Europe, and hence the phenomenon itself, is not comparable with its counterpart in the US because of linguistic differences, differences in circumstances and, above all, cultural differences,
- E. whereas as a general rule, however, the free movement of persons between the States of the European Union offers increased opportunities to employers and to employees, given the existence of certain rights in relation to employment, remuneration and social services which are recognised in principle at least throughout Union territory, - in line with the admirable precepts set out in the Charter of Fundamental Rights; the aim being to ensure that workers are not placed at a disadvantage, irrespective of whether their work falls into the category of 'typical' or 'atypical',
- F. whereas the above considerations are particularly relevant in the light of the forthcoming enlargement of the Union, which raises the question of the mobility of residents of the current CEECs (and prospective Member States) and the strong possibility of migration into the current CEECs, mainly from neighbouring third countries,
- G. whereas, moreover, arrangements to encourage labour mobility within individual Member States and, indeed, within their constituent regions are not strongly developed or likely to give rise to what the Commission calls 'virtual mobility',
- H. whereas, therefore, there are still serious obstacles to the free movement of workers, starting with the accessibility and transparency of economic and social information, which are compounded, in the case of persons moving to a state other than their state of residence, by linguistic, cultural and educational obstacles and others connected with the recognition of skills and qualifications,
- I. whereas the Commission has already analysed these obstacles on various occasions, inter alia in connection with the 1997 action plan (report of the High Level Group chaired by Simone Veil) which culminated in the report on obstacles to cross-border mobility of February 2001,

- J. whereas the objective must not be to create greater mobility of labour solely for particular highly-qualified workers in categories in which there is a shortage, but whereas the obstacles to freedom of movement must be removed in all strata and sectors of the labour market;
- K. whereas the decisions taken at the Lisbon European Council (March 2000), reinforced by the plan submitted to the Stockholm European Council (March 2001) to remove obstacles to the free movement of labour in the European Union by 2005, call for a new Commission initiative specifically to promote mobility,
- L. whereas, however, the Commission's action in this field should aim to improve the situation of workers taking advantage of freedom of movement while also significantly increasing the number of such workers, -bearing in mind that mobility should be a choice freely decided upon by the person concerned, who should not be penalised if he decides not to opt for mobility and to remain in his country of residence instead,
- M. whereas, furthermore, the encouragement of mobility should not imperil the development of less-favoured regions by encouraging a 'brain drain' which could aggravate existing imbalances between the regions of the European Union, thus undermining the European Community's declared objective of reducing disparities between the various regions' respective levels of development as laid down in Article 158 of the EC Treaty,
- N. whereas, finally, encouraging mobility could be an additional factor in the fight against unemployment and a means of redressing the skills shortage in certain sectors by complementing or supplementing – but certainly not replacing – local, regional or national initiatives to promote employment,
- O. whereas the need to promote mobility should be borne actively in mind when all legislation is being considered, including especially employment and social legislation,
- P. whereas improving citizens' proficiency in Community languages other than their mother tongue(s) is an essential step towards creating a more integrated European employment market,
- Q. whereas, granted the ageing of the population of Europe, mobility must embrace all age groups,
- R. whereas, if Europe is to become 'the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion', more Europeans must become competent in the new information and communications technologies,
- S. whereas the sharing of best practice would help to improve the quality of education and training systems in the Member States,
- T. whereas, as many of the petitions received by the Parliament make plain, some

obstacles to free movement of workers stem from shortcomings in the application of Community law by Member States,

- U. whereas the European institutions should themselves set a good example in eliminating obstacles to trans-national mobility,
1. Welcomes this new initiative by the Commission to promote mobility; stresses, however, that the abovementioned 1997 action plan had the same objective but was only partially implemented; hopes that this initiative will go beyond the stage of identifying obstacles and will lead to an action plan with clear objectives which will have a substantial and more obvious impact on citizens' lives;
 2. Calls on the Commission to draw up summaries of existing Community legislation on free movement, the right of residence and mutual recognition of professional, academic and vocational qualifications; and to ensure that, through its information campaign, these are disseminated widely;
 3. Calls on the Commission to submit, well ahead of the European Council in Spring 2002, an action plan of this type together with proposals for legislation on, inter alia, the recognition of qualifications and skills and the 'portability' of social security entitlements, with particular reference to supplementary pensions, as the gaps in provision in these areas were identified long ago;
 4. Calls on the Commission to enforce more rigorously existing Community law on mutual recognition of qualifications by more speedy referral to the Courts of First Instance and Justice of persistent breaches of such law by the public authorities in Member States;
 5. Welcomes the Council's Mobility Action Plan, which presents proposals for removing barriers to mobility, and the priority which the Council intends to accord to it;
 6. Welcomes the Commission's intention to submit proposals designed to create a more transparent system for mutual recognition of professional, academic and vocational qualifications;
 7. Calls on the Commission to present its proposals for 'further policy initiatives and recommendations' in the form of a proposal for a Recommendation or a series of Recommendations rather than in the form of an Action Plan;
 8. Hopes that by the end of 2002, in line with the conclusions of the European Councils of Santa Maria da Feira and Nice and in response to the conclusions of the Stockholm European Council, the Member States will reach agreement on the question of the 'fiscal package' and the tax disadvantages affecting cross-border workers;

9. Urges the Council to take a decision as soon as possible on the mandate given by the Stockholm European Council to draw up parameters with a view to modernising Regulation No 1408/1 on the coordination of social security systems, in order to enable the Council and the European Parliament to accelerate final adoption, and also to include third country nationals by the end of 2002;
10. Notes the setting up of a Skills and Mobility Task Force; asks to be informed regularly of the work of the task force; also asks the Commission to forward to Parliament the action plan which it intends to submit to the Spring 2002 European Council so that it can deliver an opinion before the Council;
11. Asks the Commission to instruct the Task Force on skills and mobility to study the impact of the new information technology and innovations in the organisation of work which enable undertakings to practise tele-working; asks also for more specific ideas on promoting mobility for the elderly, the handicapped, and other disadvantaged groups;
12. Calls on the Commission to require the Task Force, set up to examine the drivers and characteristics of the new European labour markets, to provide a set of policy initiatives to ensure that these markets are open to all;
13. Calls on the Commission also to produce as a matter of urgency a thorough qualitative study on the possible distortions of the labour market which might result from the significant increase in labour migration which is principally emerging and may be expected to develop further in particular regions (especially border regions) and sectors (those with a high degree of mobility such as the construction and transport sectors); such a study must not confine itself to what goes on within the legal forms of freedom of movement for workers, but must take particular account of those forms of free movement of services and establishment (particularly by self-employed people who are not really self-employed or independent), forms of sub-contracting and cross-border temporary work, and illegal moonlighting, which are a serious obstacle to the proper treatment of migrant or border workers;
14. Suggests to the Commission that it is appropriate for the Member States' national action plans to contain forecasts of and practical support for mobility within national territory and within national regions, while providing for regional and local bodies to be involved to a more significant extent in the drafting of the national action plans in question;
15. Stresses, furthermore, the need for the Commission to initiate a renewed dialogue with the social partners in the Community, and those of the candidate countries, to sound out the possibility of laying down a basic framework of labour rights, incomes policy and social security for the whole Community, albeit in an embryonic and hypothetical form, so as to formulate common objectives, definitions and minimum standards; in this context it would also be appropriate to look once again at the idea of a kind of 'European worker's status', a parallel European system of labour law and social protection, which could be a straightforward and fair option, alongside existing

national systems and regulations, for workers with a permanently high degree of mobility, such as border workers and those who are often posted across borders;

16. Calls on the Commission, ~~....~~ now that the time available to the social partners to come to an agreement in the context of the social dialogue has expired, to submit as a matter of urgency a legislative proposal on temporary work, based on the principle that temporary workers should receive the same treatment as those in regular employment with the firms making use of their services; a directive on temporary work is important, in the same way as the directives on part-time work and fixed-term contracts, in order to create a level playing field in the European Union as regards 'atypical employment';
17. Asks the Council and the Commission for the opportunity to assess in advance of the Spring 2002 European Council the planned report containing the detailed programme of work concerning the objectives of the education and training systems, with particular reference to the accessibility of the latter to migrant workers from third countries or to workers moving between Member States;
18. Also asks, by the end of 2002, to be instructed by the Council and the Commission to assess the indicators specified by the Stockholm Council with a view to setting up in the Member States welfare services for children and family protection schemes;
19. Calls on the Commission to submit a proposal, in conjunction with the Sixth Framework Programme on Research which is due to be adopted by June 2002 in codecision with Parliament, to formulate a specific strategy on mobility inside the European Research Area, while urging the Member States to pool their ideas and experience and to strengthen research and development, inter alia by means of economic incentives and EIB actions, with particular reference to disadvantaged regions of the Union;
20. Welcomes the Commission's proposal to overhaul the European Employment Service (EURES) network; and calls on Member States to ensure that careers advisory services they support are able to advise their clients about careers opportunities in other Member States;
21. Welcomes the idea of setting up a 'one-stop' site for information on mobility in Europe; stresses, however, that care should be taken when setting up such a site to ensure that it is integrated with EURES and eSCHOLA and, to help the network become operational more swiftly, with any existing systems in the Member States, which are similar in some or all respects, while offering regional and local bodies and their employment offices greater possibilities of actively participating;
22. Calls on the Commission to suggest to the candidate states that they participate in the project in question, possibly by incorporating it in the action plan for eEurope 2002;
23. Finally, calls on the Commission, in view of the fact that the activities of the third sector already have a significant international dimension, the impact the sector has at local level and the significant contribution it makes to increasing typical and atypical employment, to consider the possibility of laying down, in concert with the

representatives of the sector, a basic system of Community rights for persons working in the sector;

24. Welcomes the Commission's commitment to proposing an action plan on lifelong education and training;
25. Welcomes the Commission's action plan on e-Learning, which seeks to help schools and educational institutions in Europe adapt to the new information and communications technologies and to promote wider access to these technologies;
26. Welcomes the adoption by the Council of the Commission's report on 'The concrete future objectives of education systems' and the commitment of Member States to an exchange, through the open coordination method, of best practice in reforming educational systems;
27. Welcomes the initiative to establish a Task Force with a view to implementing programmes in connection with the Recommendation on 'mobility of students, persons undergoing training, young volunteers, teachers and trainers within the Community';
28. Calls on the European institutions to set a good example by reforming the conditions of employment and remuneration of officials and other employees of the European institutions, so as to facilitate, for example, the transfer to the Community pension scheme of pension rights acquired in previous employment;
29. Instructs its President to forward this resolution to the Council and Commission.

EXPLANATORY STATEMENT

Introduction

The Commission, in its report, considers the best means of ensuring that the various labour markets which comprise the European labour market are open and accessible to all and highlights the reasons why such action is needed:

- pressure from increasingly integrated European businesses for simpler solutions to their recruitment needs across Europe's labour markets;
- the impact of wide-ranging structural changes across Europe driven by globalisation, technology, demography and social aspirations; constantly changing and commonly experienced skill needs, especially with the emergence of the high-productivity new economy and the knowledge society, which also raise the question of skill gaps and the problem of mobility towards more prosperous regions;
- the challenge of ensuring greater convergence and opportunity across the regions of the EU in the face of economic and social change and integration, not least in relation to the Union's relatively slow pace in advancing cohesion in terms of levels of employment, and in relation to the impact of further enlargement.

The Commission also highlights how the driving forces ('drivers') behind Europe's labour markets have changed over the last ten years or so: the processes of integration in the EU, starting with the euro, the transformation of the services sector, changed requirements in respect of location and skills, trends in competitiveness in the industrial and service sectors, pressures to regroup ('cluster') to achieve economies of scale and the concentration of financial services and industries in an increasingly restricted number of physical locations.

The Commission also takes a view that establishing more genuinely European labour markets by removing linguistic, economic and social obstacles and significantly reducing adaptation costs and skills shortages will have the combined effect of increasing the efficiency of the labour markets by reducing pressure to migrate on those who do not wish to move while offering genuine possibilities for those who do.

Consequently, the Commission considers that the impact on national, regional and local markets of such an extensive increase in competition is similar to the impact of trade competition, where firms in all countries readjust their production to the new patterns, and balance, of supply and demand. The Commission argues that the greater the extent to which jobs and skills at local, regional and national level evolve to meet and reflect the new possibilities created by the development of European-wide jobs markets, the less pressure there will be for people to be physically relocated.

Main points

The rapporteur shares the Commission's basic outlook. He considers, however, that to carry these ideas into effect, it is necessary for the Commission's commendable proposals to be accompanied by others which, in the rapporteur's view, would help make for a more level playing field in terms of economic and social opportunities, whether from the point of view of

disadvantaged areas or people in general.

Your rapporteur will therefore summarise those points which he believes require further explanation.

The first point concerns more effective involvement of the social partners, both in the representative bodies in the Community and in the CEECs. Your rapporteur envisages some form of Community concertation system which would make it possible to combine the freedom to reach negotiated agreements between the parties concerned with the development of some form of guidelines which would be consistent with the social principles enshrined in the Community acquis. These guidelines would emerge from widely differing situations but would pave the way towards eventually reducing existing disparities in terms of rights and incomes.

Your rapporteur considers that, in addition to the need to draw up legislative proposals concerning the recognition of qualifications and skills, and the question of 'portable' social security rights, inter alia with regard to supplementary pensions, it is crucial to reach agreement on the 'fiscal package'.

For, setting aside the attraction exerted by lower taxes and less regulation, particularly with regard to employment rights and social security, in the case of the CEECs, there are considerable disparities between the existing Member States' respective situations. And your rapporteur, while fully supporting the principle of subsidiarity and sustainability, believes that some kind of agreement aimed at reducing the considerable inequalities in tax treatment can be combined with the open method of coordination that is to be applied to other basic issues, including economic questions, particularly in view of the forthcoming introduction of the euro.

The second question which needs to be addressed, in the rapporteur's opinion, is the need for the Member States' regional and local institutions to participate more fully in drawing up national action plans. That objective has already been stated, but there is no evidence of any significant progress having been made so far. However, proposals have already been put forward, in the Committee on Employment and Social Affairs and elsewhere, concerning the need to establish a dialogue between the regions and the cities as well as between the state and the region.

The aim should be to exploit more fully the initiatives and opportunities existing at local level in the context of regional planning and integrate them better, and more effectively, in the drawing up of the national action plans.

Moreover, it is essential to ensure greater and more effective participation by regional and local bodies in the setting up of a European computerised information network on employment and job opportunities; the promising results that EURES has achieved so far have been partly offset by the rather inconsistent approach of the central bodies responsible for employment-related information policies and systems and the somewhat uneven involvement of the regional and local bodies, particularly in terms of their awareness of available vocational training opportunities.

The idea of setting up a 'one-stop' European site relating to mobility is admirable. In your

rapporteur's opinion, care should be taken to ensure that it ties in with EURES and, bearing in mind the need to identify educational opportunities, with *eSCHOLA*, as well as with any systems that may already exist under the aegis, for example, of regional or local authorities.

The next point to which your rapporteur would draw attention relates to research. The sixth framework programme is due to be adopted by June next year, and it is to be hoped that regional and local bodies, particularly in the disadvantaged regions, will have greater access to and involvement in the possibilities and instruments it comprises. Your rapporteur also hopes that the Member States will demonstrate greater commitment to encouraging research (and, hence, development) initiatives, supported by economic incentives, in the disadvantaged regions. The EIB could also step up its efforts in this field.

Action of this kind could contribute to developing a consistent, specific strategy for mobility within the European research area, which could also encourage initiatives in the field of 'virtual mobility'.

Your rapporteur's final point concerns the third sector where, in view of the indisputable importance of that sector both at international and local level, it is becoming apparent that we need a common legal basis setting out the common rights and status of those in the sector in order to ensure greater cohesion and integration in view of the fact that the workforce is likely to become increasingly mobile.

26 June 2001

OPINION OF THE COMMITTEE ON CULTURE, YOUTH, EDUCATION, THE MEDIA AND SPORT

for the Committee on Committee on Employment and Social Affairs

on the ~~C~~ommunication from the Commission to the Council on new European Labour
Markets, Open to All, with Access for All
(COM(2001) 116 — C5-0188/2001 – 2001/2084(COS))

Draftsman: Maria Martens

PROCEDURE

The Committee on Culture, Youth, Education, the Media and Sport appointed Maria Martens draftsman at its meeting of 22 March 2001.

-It considered the draft opinion at its meetings of 29 May and 20 June 2001.

-At the latter meeting it adopted the following conclusions unanimously.

-The following were present for the vote: Giuseppe Gargani, chairman; Vasco Graça Moura;
~~vice-chairman; and~~ Ulpu Iivari, vice-chairman, Maria Martens, draftsman; Alexandros
Alavanos, Ole Andreasen, Pedro Aparicio Sánchez, Thierry de La Perriere, Raina A.
Mercedes Echerer (for Eurig Wyn), Lucio Manisco, Pietro-Paolo Mennea, Barbara O'Toole,
Mónica Ridruejo, Christine de Veyrac, Theresa Zabell and Sabine Zissener.

BACKGROUND

1. Freedom of movement of workers who were nationals of one Member State to take up employment in another Member State was one of the four freedoms guaranteed by the Treaty of Rome. –The implications of this Treaty right were subsequently spelled out and extended in Community legislation (notably in a Regulation and a Directive adopted in 1968) and in the case law of the Court of Justice.
2. The completion of the Single Market in 1992 notwithstanding, it became evident that substantial obstacles to free movement of the economically active. –In 1996, the Commission set up a High-Level Panel on the free movement of persons, chaired by Mrs. Simone Veil. – The report of the High-Level Panel in March 1997 formed the basis of the Commission's Communication entitled "Action plan for free movement of workers".–
3. The present Communication announces the establishment of a Skills and Mobility Task Force, the report of which will form the basis for another Action Plan to be presented to the Spring 2002 Council.

THE COMMISSION COMMUNICATION

4. Over the past decade, economic growth in Europe has been slower than that in the USA. Unemployment rates in the European Union are roughly double those in the USA. But employment opportunities are not evenly spread: in some regions of the EU, levels of unemployment are worryingly high; while in others there are significant shortages of skilled labour which are holding back the growth of some sectors of the economy. –Part of the explanation of this situation, according to the Commission Communication, is that mobility within and between Member States is much lower than in the United States; and is much lower among the unskilled than the skilled.
5. According to the Communication, each year about 1.5 million Europeans - less than 0.4% of the nationals of the Member States - move to another Member State: less than 2% of EU nationals are resident in another Member State. –Three points about mobility need to be highlighted:
 - Trans-national mobility is most common among those aged between 16 and 30: it is greatest in the 21-25 age group.
 - Most migration is not life-long but rather either cross-border commuting (about 600 000 people in Europe commute across national borders to work, about half between EU states and half between EU and third countries) or short- to medium-term migration (i.e. for a few years).–
 - Mobility is much greater among highly skilled workers and managers than among the unskilled.

Many of those who are mobile, it seems, are students and recent graduates, spending a year or so abroad before returning home to begin work. Leaving aside cross-border commuting (including weekly commuting), only a small proportion of migrants are unskilled, married or more than 30 years old.

6. The Communication lists the following **kinds of barriers to mobility**:

Social, cultural and linguistic e.g. ignorance of languages other than one's mother tongue; the difficulty "following partners" may face in finding suitable employment; the problems which arise when children are moved from one educational system to another.

Economic (pensions, tax and benefit systems, portability of acquired rights, wages) e.g. pensions are commonly not portable from one Member State to another; tax relief is usually not available for contributions to pension institutions located in another Member State; unemployment insurance schemes sometimes reduce incentives to seek work; health insurance entitlements built up in one Member State typically cannot be transferred to another; wage and salary levels for the same occupation sometimes vary markedly from one Member State to another.

Skills and qualifications: there is inadequate recognition of professional, academic and vocational qualifications obtained in another Member State or outside the EU.

Lack of information about job vacancies, training opportunities, wages, working conditions, and legal rights; as well as about essential non-work areas such as housing and school systems.

Barriers in the Internal Market, especially the fragmentation of the internal market in services.

7. The Communication also outlines **recent measures** which have been taken at Community level since 1997 to facilitate and promote mobility e.g. the establishment of a High Level Expert Group on improving mobility of researchers and measures to promote mobility of researchers within the Framework Programme 2002-2006.—

8. Many of these measures, however, have still not been adopted by Council and Parliament e.g. the Commission's proposals designed to enable the unemployed to seek work in another Member State without losing their entitlement to unemployment benefits in their home state.—
The Communication urges the Council and Parliament to make rapid progress on existing proposals which would contribute to improving the skills profile of the workforce and to greater mobility e.g. the proposal for a Council and Parliament Recommendation on mobility of students, trainees, young volunteers, teachers and trainers; proposals establishing common residence and employment rights of third-country nationals.

9. A number of **further measures, arising from existing policies, are in the pipeline.**—
These include:

- proposals (in 2002) to create a more uniform, transparent and flexible system of professional recognition;
- an action plan on lifelong learning;—
- promotion of exchange of best practices in education and training systems in the different Member States;
- a proposal (in 2001) to improve portability of supplementary pensions;
- a strategy (in 2001) for the mobility of researchers;
- a study (in 2001) on the feasibility of setting up "a one-stop European mobility information site", working with national and local authorities;
- an information campaign on mobility, using existing instruments such as the EURES network.

10. Finally, the Communication announces the establishment in April 2001 of a high-level **Skills and Mobility Task Force** to identify the principal features of the new European labour markets and the obstacles to the further development of these markets (especially with regard to skills and mobility); and to report to the Commission by December 2001. The Commission put forward to the spring 2002 Council an **Action Plan** which "will propose a set of further policy initiatives and recommendations to ensure that by 2005, the new European labour markets are open to all, with access for all".

COMMENT

11. The Commission has identified the formidable obstacles to mobility which continue to exist in the European Union: low levels of mobility are a perfectly understandable consequence of these. The European Union institutions themselves set a bad example in this respect. One might have thought that these, above all, would have ensured that their employment conditions and personnel policy favoured trans-national mobility. Yet, for example, only a small range of pensions rights acquired in other employment can be transferred to the EU staff pension scheme. And the EU staff regulations in practice make it difficult for a "following partner" to start work in Belgium or Luxembourg.

12. The main barriers to mobility are linguistic, cultural and social. Member States are reluctant to make politically sensitive changes to their taxation, social security, pensions, health provision, labour law and educational systems - the heartland of subsidiarity - in order to facilitate mobility in which only a very small proportion of their populations will ever take part. And there are plainly anxieties in some Member States that mobility may in future become too great - as evidenced by calls for transitional periods following the next wave of accessions, during which freedom of movement for employment purposes of nationals of the new Member States will be restricted. The Commission would be wise to bear these facts in mind and ensure that the action it calls for is realistic, proportionate and respects subsidiarity.

13. If, as is routinely asserted, cultural and linguistic diversity is part of Europe's strength, does it not make sense that Europe's citizens value the particularities of their own languages and cultures and are reluctant to give these up? Put more concretely, there may be a trade-off between cultural and linguistic diversity on the one hand and mobility on the other.

14. There are a number of broad areas falling within the competences of the Culture Committee in which action is appropriate:

- information about citizens' rights to freedom of movement and about the employment opportunities mobility may offer;
- knowledge of Community languages other than citizens' mother tongue(s);
- lifelong learning and training, especially in information and communication technologies;
- comparability of educational systems;
- mutual recognition of academic qualifications.

15. Finally, the Commission has announced that it will present a draft Action Plan to the Spring 2002 Council proposing "a set of further policy initiatives and recommendations". However, since Community resources will certainly be expended in helping Member States in

their efforts to take action in accordance with these policy proposals, would it not be more appropriate - and more transparent - to present these proposals in the form of one or more Recommendations?

CONCLUSIONS

The Committee on Culture, Youth, Education, the Media and Sport calls on the Committee on Employment and Social Affairs, as the committee responsible, to include the following points in its motion for a resolution:

- A. whereas there is a shortage of knowledge and information on the rights and opportunities associated with free movement,
 - B. whereas improving citizens' proficiency in Community languages other than their mother tongue(s) is an essential step towards creating a more integrated European employment market,
 - C. whereas, granted the ageing of the population of Europe, mobility must embrace all age groups,
 - D. whereas, if Europe is to become "the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion", more Europeans must become competent in the new information and communications technologies,
 - E. whereas the sharing of best practice would help to improve the quality of education and training systems in the Member States,
 - F. whereas there are shortcomings in Community legislation covering recognition of diplomas, certificates and other evidence of formal qualifications; and whereas failure to recognise such qualifications in practice discriminates against migrant workers,
 - G. whereas, as many of the petitions received by the Parliament make plain, some obstacles to free movement of workers stem from shortcomings in the application of Community law by Member States,
 - H. whereas the European institutions should themselves set a good example in eliminating obstacles to trans-national mobility,
- 1. Calls on the Commission to draw up summaries of existing Community legislation on free movement, the right of residence and mutual recognition of professional, academic and vocational qualifications; and to ensure that, through its information campaign, these are disseminated widely;
 - 2. Welcomes the Commission's proposal to overhaul the European Employment Service (EURES) network; and calls on Member States to ensure that careers advisory services they support are able to advise their clients about careers opportunities in other Member States;

3. Reiterates its belief that the Member States should set themselves, as a long-term goal, attainment by all school leavers of proficiency in two Community languages other than their mother tongue(s); and, as an initial step towards reaching this goal, proficiency in one Community language other than the mother tongue(s) as an entry requirement for all university students;
4. Welcomes the Commission's commitment to propose~~ing~~ an action plan on lifelong education and training;
5. Welcomes the Commission's action plan on e-Learning, which seeks to help schools and educational institutions in Europe adapt to the new information and communications technologies and to promote wider access to these technologies;
6. Welcomes the adoption by the Council of the Commission's report on ["The concrete future objectives of education systems"](#) and the commitment of Member States to an exchange, through the open coordination method, of best practice in reforming educational systems;
7. Calls on the Commission to enforce more rigorously existing Community law on mutual recognition of qualifications by more speedy referral to the Courts of First Instance and Justice of persistent breaches of such law by the public authorities in Member States;
8. Welcomes the Council's Mobility Action Plan, which presents proposals for removing barriers to mobility, and the priority which the Council intends to accord to it;
9. Welcomes the Commission's intention to submit proposals designed to create a more transparent system for mutual recognition of professional, academic and vocational qualifications;
10. Welcomes the initiative ~~to~~ to establish a Task Force with a view to implementing programmes in connection with the Recommendation on "mobility of students, persons undergoing training, young volunteers, teachers and trainers within the Community";
11. Calls on the Commission to set a good example by reforming the conditions of employment and remuneration of officials and other employees of the European institutions, so as to facilitate, for example, the transfer to the Community pension scheme of pension rights acquired in previous employment;
12. Calls on the Commission to require the Task Force, set up to examine the drivers and characteristics of the new European labour markets, to provide a set of policy initiatives to ensure that these markets are open to all;
13. Calls on the Commission to present its proposals for "further policy initiatives and recommendations" in the form of a proposal for a Recommendation or a series of Recommendations rather than in the form of an Action Plan.