

# EUROPEAN PARLIAMENT

2004



2009

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*Session document*

FINAL  
A6-0216/2005

22.6.2005

## **\*\*\*I** **REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
on the European Social Fund  
(COM(2004)0493 – C6-0090/2004 – 2004/0165(COD))

Committee on Employment and Social Affairs

Rapporteur: José Albino Silva Peneda

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION .....	4
EXPLANATORY STATEMENT .....	39
OPINION OF THE COMMITTEE ON BUDGETS .....	43
OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT.....	48
OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY.	73
PROCEDURE.....	87

## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on the European Social Fund  
(COM(2004)0493 – C6-0090/2004 – 2004/0165(COD))

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004)0493)<sup>1</sup>,
  - having regard to Article 251(2) and Article 148 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0090/2004)<sup>2</sup>,
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs and the opinions of the Committee on Budgets, the Committee on Regional Development and the Committee on Women's Rights and Gender Equality (A6-0216/2005),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

### Amendment 1 Recital 2

(2) Specific provisions concerning the type of activities which may be financed by the ESF under the objectives defined in Regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund] need to be laid down.

(2) Specific provisions concerning the type of activities which may be financed by the ESF under the objectives defined in Regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund] need to be laid down ***in accordance with the provisions of Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the***

<sup>1</sup> OJ C ... / Not yet published in OJ.

<sup>2</sup> OJ C ... / Not yet published in OJ.

## *European Communities*

### *Justification*

*It should be pointed out that the ESF regulation must be established and implemented in accordance with the principles and provisions set out in the Financial Regulation, including the implementing measures.*

#### Amendment 2 Recital 2 a (new)

***(2a) It is necessary to abide by the overall architecture of the Funds and ensure allocation among the various objectives in accordance with Regulation (EC) No .../... [laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund].***

#### Amendment 3 Recital 3

The ESF should support the policies of Member States which are closely in line with the guidelines and recommendations made under the European Employment Strategy and the agreed objectives of the Community in relation to social inclusion **and** education and training, to better contribute to the implementation of the objectives and targets agreed at the Lisbon and Goteborg European Councils.

The ESF should support the policies of Member States which are closely in line with the guidelines and recommendations made under the European Employment Strategy and the agreed objectives of the Community in relation to social inclusion, **non-discrimination, the promotion of equality between women and men, education and training, and those which apply the concept of lifelong learning both within and outside the place of work, with special attention to initial training,** to better contribute to the implementation of the objectives and targets agreed at the Lisbon and Goteborg European Councils **and the application of Articles 2 and 299(2) of the Treaty, with a particular view to establishing conditions which will enable higher levels of productivity and competitiveness to be achieved, greater social cohesion to be generated and better jobs to be created.**

### *Justification*

*According to Article 2 of the EC Treaty, equality between women and men is an objective of the EU as well as of the European Employment Strategy and the Lisbon Strategy. Article 2 of the proposal for a regulation, which relates to the mission of the European Social Fund, also mentions equality between women and men as one of the Community's objectives. Given the importance of this principle, and in order to ensure consistency, this objective should be included in recital 3.*

*The concept of training is defined in different ways in the Member States, or restricted to one stage of education. It must be the aim of territorial cohesion to support lifelong learning, as the modern approach to training, in peripheral regions as elsewhere.*

*It is important for non-discrimination to be recognised as a full objective of the European Social Fund.*

*In line with the text proposed by the rapporteur: the concept of 'training' is defined differently in the various Member States or is restricted to one form of training. The territorial cohesion objective should be geared to supporting the modern 'lifelong learning' approach and this should include remote and very remote regions (Article 299(2) of the EC Treaty).*

#### Amendment 4 Recital 3 a (new)

***(3a) This approach takes on greater significance in the light of the challenges stemming from EU enlargement and the phenomenon of economic globalisation.***

#### Amendment 5 Recital 3 b (new)

***(3b) In this connection, the importance of the European social model must be acknowledged. However, such acknowledgement increases the need for reforms to that model, so that support can continue to be provided in particular to people in vulnerable situations.***

### *Justification*

*This amendment makes the point that the European social model needs to be revised (even though its major significance is acknowledged), emphasises the need for social exclusion to be combated and draws attention to the role to be played by the ESF in that connection.*

Amendment 6  
Recital 3 c (new)

*New lessons have been learnt from the Community Initiative Programme EQUAL, especially in respect of the combination of local, regional, national and European action, access by NGOs and management of projects taken on by NGOs, the participation of target groups, the identification of policy issues and their subsequent mainstreaming, innovation and experimentation, transnationality, outreach to groups marginalised by the labour market, and the addressing of the impact of social issues on the internal market.*

Amendment 7  
Recital 4

With a view to better anticipating and managing change *under the regional competitiveness and employment objective*, assistance by the ESF should focus, in particular, on increasing adaptability of workers *and* enterprises, enhancing access to employment and participation in the labour market, reinforcing social inclusion of people at a disadvantage and combating discrimination, and promoting partnerships for reform.

With a view to better anticipating and managing change, assistance by the ESF should focus, in particular, on increasing *the* adaptability of workers, enterprises *and entrepreneurs to the effects of globalisation and business restructuring, extending workers' qualifications, improving working conditions, taking pro-active measures, such as outplacement and personalised career counselling tailored to the individual's qualifications, to prevent redundancies from resulting in long-term unemployment*, enhancing access to employment and participation in the labour market *with the goal of achieving full employment*, reinforcing *the* social inclusion of people at a disadvantage and *their access to employment*, combating discrimination *on the grounds set out in Article 13 of the Treaty, poverty and social exclusion*, and promoting partnerships for reform.

*Justification*

*Social inclusion must also include back-up measures to enable disadvantaged people to gain access to employment. 'Combating discrimination' should be closely tied to Article 13 of the EC Treaty.*

Amendment 8  
Recital 4 a (new)

***(4a) The ESF should also be used to remedy problems relating to demographic changes in the EU's active population. Particular attention should be paid to the problems stemming from such changes, in particular through lifelong vocational training.***

Amendment 9  
Recital 5

(5) In addition to these priorities, in the least developed regions and Member States, under the convergence objective and with a view to increasing economic growth, employment opportunities for women and men and quality and productivity at work, it is necessary to expand and improve investment in human capital and to improve institutional, administrative and judicial capacity, in particular to prepare and implement reforms and enforce the *acquis*.

(5) In addition to these priorities, in the least developed regions and Member States, under the convergence objective and with a view to increasing economic growth, employment opportunities for women and men, and quality and productivity at work, ***and encouraging economically inactive persons to re-enter the labour market***, it is necessary to expand and improve investment in human capital and to improve institutional, administrative and judicial capacity, in particular to prepare and implement reforms and enforce the *acquis*.

*Justification*

*Need to refer to economically inactive persons.*

Amendment 10  
Recital 5 a (new)

***(5a) Measures taken in the context of the 'regional competitiveness and employment objective' and/or the 'convergence' objective should take account of Article 299(2) of the Treaty.***

*Justification*

*In line with Article 299(2) of the EC Treaty.*

Amendment 11

Recital 6



(6) The promotion of innovative activities **and trans-national co-operation is a fundamental dimension which should be integrated** in the scope of the ESF.

(6) The promotion of innovative activities **should be integrated as a fundamental dimension in the scope of the ESF as regards both the convergence objective and the regional competitiveness and employment objective. It should be ensured that innovative ideas and measures are promoted and tried out in accordance with the European guidelines and recommendations under the European Employment Strategy, and with the Community's agreed objectives in the field of social inclusion. For such activities, the ceiling for contributions from the ESF should be raised to 85%.**

#### *Justification*

*Its purpose is to enable advantage to be taken of the full potential offered by the ESF and its operational programmes within all the existing objectives. Innovative measures must continue to form an important part of the ESF.*

#### Amendment 12 Recital 6 a (new)

***(6a) Promotion of trans-national cooperation should be integrated as a fundamental dimension in the scope of the ESF. Coordination measures in the framework of transnational, cross-border and interregional cooperation should be 100% funded by the ESF.***

#### Amendment 13 Recital 7

It is necessary to ensure the coherence of the action of the ESF with the policies provided for under the European Employment Strategy **and to concentrate ESF support on the implementation of the guidelines and recommendations on employment.**

It is necessary to ensure the coherence of the action of the ESF with the policies provided for under the European Employment Strategy, **the Community's objectives in the field of social inclusion and the Member States' national action plans on social inclusion. The ESF may also support activities that go beyond the national employment plan if they are necessary because of regional and local**

***particularities and if as a result the Lisbon employment objectives, social inclusion and social cohesion can be better achieved. The ESF should also aim at achieving synergies with assistance from other funds, in favour of sustainable local, regional and national development. ESF support is also key to achieving social inclusion and education and training targets .***

*Justification*

*There is reference throughout the document to education and training and social inclusion objectives. This is, however, not systematic. To allow support to be targeted across all areas of need, it is important that these references be systematic. For regional policy reasons, structural funds need to be flexible so that they can respond to local or regional particularities; see Parliament's resolution on the Third Cohesion Report (P5\_TA(2004)0368, paragraph 36).*

Amendment 14  
Recital 8 a (new)

***(8a) In addition to the need to simplify the legislation in this area, there is a particular need for the procedures to be revised so that they can be made simpler, quicker and less bureaucratic with a view to improving effectiveness and quality in the use of funds and ensuring that the timetables for current actions are more closely adhered to.***

*Justification*

*The purpose of this amendment is to emphasise the need for management of the cohesion policy to be rationalised.*

Amendment 15  
Recital 8 b (new)

***(8a) Arrangements may be introduced whereby local groups, including NGOs may gain simple and rapid access to Fund support for operations concerned with combating social exclusion and thereby build up their capacity for action in that***

*field;*

*Justification*

*This possibility, which already existed in the old ESF Regulation, should be reinstated.*

Amendment 16

Recital 9

(9) The Member States and the Commission must ensure that the implementation of the priorities financed by the ESF under the Convergence and Regional Competitiveness and Employment Objectives contribute to the promotion of equality and elimination of inequalities between women and men; a gender mainstreaming approach should be combined with specific action to increase sustainable participation and progress of women in employment.

(9) The Member States and the Commission must ensure that the implementation of the priorities financed by the ESF under the Convergence and Regional Competitiveness and Employment Objectives contribute to the promotion of equality and elimination of inequalities between women and men **and between disadvantaged groups and societal majority**; a gender **and minority** mainstreaming approach should be combined with specific action **to improve access to employment and** to increase sustainable participation and progress of women, **people with disabilities, immigrants and ethnic minorities – particularly the Roma** – in employment.

*Justification*

*Just as important as gender mainstreaming is the creation of equality for people belonging to disadvantaged minority groups, and particularly the long-term integration into working of specific groups (those with disabilities, migrants, ethnic minorities) A reference to the Roma as an ethnic and at the same time disadvantaged minority is indispensable in the interest of successfully combating their social discrimination in certain new Member States. The situation of the Roma minority is so complex, it raises problems of schooling, employment, discrimination and poverty, and it affects such a broad stratum of society in certain new Member States, that it is important to refer to the Roma minority's integration into employment and society in the text of the proposal for a regulation.*

Amendment 17

Recital 10

(10) The ESF should also support technical assistance, with a particular focus on encouraging mutual learning through exchanges of experiences dissemination, transfer of good practices and on highlighting the contribution of the ESF to

(10) The ESF should also support technical assistance, **in accordance with the budgetary authority's decisions**, with a particular focus on encouraging mutual learning through exchanges of experiences dissemination, transfer of good practices and

the policy objectives and priorities of the Community in relation to employment and social inclusion.

on highlighting the contribution of the ESF to the policy objectives and priorities of the Community in relation to employment and social inclusion **and combating social exclusion and discrimination.**

*Justification*

*The annual decision on technical assistance in its entirety must be taken during the budgetary procedure.*

Amendment 18

Article 2, paragraph 1, subparagraph 1

1. The ESF shall strengthen economic **and** social cohesion by supporting Member States' policies aiming to achieve full employment, improve quality and productivity at work **and** promote social inclusion and the reduction of regional employment disparities.

1. The ESF shall strengthen economic, social **and territorial** cohesion by **improving employability and job opportunities, encouraging a high level of employment and ensuring more and better jobs. It shall do so** by supporting Member States' policies aiming to achieve full employment, improve **employment opportunities and** quality and productivity at work **in all its aspects**, promote social inclusion, **combat social exclusion, including by improving disadvantaged people's access to employment, and promote non-discrimination and equality between men and women**, and the reduction of **national, regional and local** employment disparities.

*Justification*

*See also Parliament's resolution on the Third Cohesion Report (P5\_TA(2004)0368, paragraph 2.*

Amendment 19

Article 2, paragraph 1, subparagraph 2

In particular, the ESF shall support action in line with the guidelines and recommendations adopted under the European Employment Strategy.

In particular, the ESF shall support action in line with the guidelines and recommendations adopted under the European Employment Strategy **and having regard to the commitments of the Member States' national action plans on social inclusion and their downstream instruments.**

Amendment 20  
Article 2, paragraph 2

2. In carrying out the tasks referred to in paragraph 1, the ESF shall support the priorities of the Community as regards the need to reinforce social cohesion, strengthen competitiveness and promote **environmentally sound** economic growth. In particular, **it shall take into account** the objectives of the Community in the fields of social inclusion, education and training **and** equality between women and men.

2. In carrying out the tasks referred to in paragraph 1, the ESF shall support the priorities of the Community as regards the need to reinforce social cohesion, strengthen **productivity and** competitiveness, and promote economic growth **and sustainable development**. In particular, **the ESF shall promote the participation of economically inactive people in the labour market and support actions which reflect** the objectives of the Community in the fields of **combating social exclusion, in particular that of disadvantaged groups such as people with disabilities**, education and training, equality between women and men **and non-discrimination**

**The ESF shall ensure that the principles developed by the EQUAL programme are taken into consideration, in particular by combining local, regional, national and European initiatives; providing access for NGOs and encouraging project leadership by NGOs; supporting the participation of target groups; identifying and then incorporating political issues; recognising the practical importance of policy development; innovation and experimentation; pursuing a bottom-up and cross-border approach; promoting access to the labour market for marginalised groups and addressing the social effects on the internal market.**

*Justification*

*The addition is needed to ensure that the scope of EQUAL is completely incorporated in the mainstream of the ESF Regulation.*

Amendment 21  
Article 3, paragraph 1

1. Within the framework of the convergence and the regional competitiveness and

1. Within the framework of the convergence and the regional competitiveness and

employment objectives, the ESF shall support action under the following priorities:

employment objectives, the ESF shall support action **and innovative measures in the Member States and in the context of trans-national cooperation** under the following priorities:

*Justification*

*Innovative measures and the exchange of best practice must continue to have an appropriate role within the ESF, since they give important incentives to national labour market policies and often provide the desired European added value.*

Amendment 22

Article 3, paragraph 1, point (a)

(a) increasing adaptability of workers and enterprises, in particular by promoting:

(a) increasing adaptability of workers and enterprises **and entrepreneurs , thereby improving the anticipation and positive management of economic change,** in particular by promoting:

*Justification*

*By means of this amendment the changes made to recitals 3a and 4 are incorporated into the main text of the Regulation. The action of the ESF must also incorporate measures promoting the adaptability of businesspeople and people in charge of firms, particularly SMEs and micro-businesses.*

Amendment 23

Article 3, paragraph 1, point (a), point (i)

(i) increased investment in human resources by enterprises, especially SMEs, and workers, through the development and implementation of lifelong learning systems and strategies which ensure improved access to training of low skilled and older workers, transparency of qualifications and competences, dissemination of ICT **and management** skills and the promotion of entrepreneurship and innovation;

(i) **lifelong learning and** increased investment in human resources by enterprises, especially SMEs, and workers, through **the promotion of responsibility-taking and business start-ups,** the development and implementation of lifelong learning systems and strategies which ensure improved access to **in-house** training of, **in particular, all** low-skilled workers, **highly-skilled workers** and older workers, transparency of qualifications and competencies **including accreditation of those acquired abroad,** dissemination of ICT skills and the promotion of

entrepreneurship and innovation.

### *Justification*

*Article 3 of the regulation sets out the scope for assistance that ESF will provide. Importantly ESF does have a focus on people in Employment. This is critical for regions with tight labour markets yet paradoxically have a weak skills base. Attempts to address deficits in professional and managerial level skills must go hand in hand with initiatives targeting the basic skills agenda. ESF must engage in funding action research projects designed to tackle gender discrimination in employment. Understanding the role of migrant workers in the labour market is becoming an increasingly important issue. Migrant workers fill seasonal and temporary vacancies that are unattractive to the native labour force, at the same time, there are also significant numbers of skilled migrant workers that fill skills shortages in many sectors of the EU economy. This amendment makes also clear that the focus of any training activities is put on low skilled and older workers. However, it also ensures that - depending on national priorities - other target groups can profit from ESF measures taken with regard to internal qualification trainings. Private initiatives to encourage business start-ups would help to achieve the employment objectives. In accordance with the Lisbon Strategy, lifelong learning should be set out as a priority and not only as an instrument*

### Amendment 24

Article 3, paragraph 1, point (a), point (ii)

(ii) the anticipation and positive management of economic change, notably through the design and dissemination of innovative and more productive forms of work organisation, **including better health and safety**, the identification of future occupational and skills requirements, **and** the development of specific employment, training **and support** services **to workers in the context** of company and sector restructuring.

(ii) the anticipation and positive management of economic change, notably through **increased industrial investment, especially by SMEs**, the design and dissemination of innovative and more productive forms of work organisation, **the improvement of quality of the workplace, including health and safety at work, by giving specific support to SMEs and micro-businesses and their representative organisations at national, regional and local level in the implementation of existing legislation and by promoting an appropriate balance between safety and flexibility**, the identification of future occupational and skills requirements, **the adequate supply of possibilities for part-time work**, the development of specific employment, **occupational and** training services, **as well as outplacement and support services to improve the protection of workers from the effects** of company and sector restructuring.

### *Justification*

*In the light of the volume and complexity of the legislation, it is important that the specific needs of SMEs as regards the implementation of existing legislation should be taken into account.*

#### Amendment 25

##### Article 3, paragraph 1, point (b)

(b) enhancing access to employment of job seekers and inactive people, preventing unemployment, prolonging working lives and increasing participation in the labour market of women and migrants, in particular by promoting:

(b) enhancing access to employment **and the sustainable inclusion in the labour market** of job seekers and inactive people, **particularly searching for solutions to long-term and youth unemployment and the cross-border integration of labour markets**, preventing unemployment, **and its recurrence**, prolonging working lives and increasing participation in the labour market of women, **people with disabilities, legal migrants, inactive people over 40 but still of working age, the long-term unemployed and members of ethnic minorities – especially the Roma** – in particular by promoting:

### *Justification*

*First insert: alongside preventing unemployment it is absolutely essential also to mention halting the recurrence of unemployment from one generation to the next. Second insert: With regard to integration or reintegration into employment, it is very important to mention each target group. It is notable that the original proposal for a regulation already mentions migrants as well as women at this point : however, text as a whole can only be regarded as coherent and acceptable if the whole key target group with regard integration or reintegration into employment is mentioned.*

#### Amendment 26

##### Article 3, paragraph 1, point (b), point (i)

(i) the modernisation and strengthening of labour market institutions, in particular employment services;

(i) the modernisation and strengthening of labour market institutions, in particular employment services **and other initiatives in the context of the European Union's and the Member States' strategies for full employment;**



### *Justification*

*This amendment is necessary to point out the benefits that outplacement and career coaching can bring to an extremely volatile labour market in terms of long-term employment. Outplacement services have proven to constitute an effective tool in restructuring situations, by assisting and coaching individuals at the different levels of the organisation going through change and helping them acquire appropriate new jobs in the best timeframe.*

### Amendment 27

Article 3, paragraph 1, point (b), point (ii)

(ii) the implementation of active and preventive measures ensuring early identification of needs and personalised support, job search and mobility, self-employment and business creation;

(ii) the implementation of active and preventive measures ensuring early identification of needs and personalised **career support, advice and training in connection with individual action plans**, job search, **outplacement** and mobility, **as well as measures encouraging** self-employment and business creation, **creation of incentives and promotion of working conditions likely to keep people in employment for longer; specific measures to promote young people's access to the labour market, in particular through the establishment of occupational traineeships and entrepreneurship incentives; the use of the social economy and the intermediate labour market model on a pathway to full employment; childcare and transport support as mechanisms to encourage inactive people and the unemployed to work;**

### *Justification*

*This amendment is necessary to point out the benefits that outplacement and career coaching can bring to an extremely volatile labour market in terms of long-term employment. Outplacement services have proven to constitute an effective tool in restructuring situations, by assisting and coaching individuals at the different levels of the organisation going through change and helping them acquire appropriate new jobs in the best timeframe. This amendment shall further emphasise the fact that the ESF - in addition to active and preventive measures - also co-finances self-employment. Need for a reference to economically inactive people.*

### Amendment 28

Article 3, paragraph 1, point (b), point (iii)

(iii) specific action to increase sustainable participation and progress of women in employment, **to reduce** gender-based segregation in the labour market including by addressing the roots of the gender pay gaps, **and to reconcile work and private life including by facilitating access to childcare and care for dependent persons**;

(iii) **mainstreaming and improve access to employment and** increase sustainable participation and progress of women in employment, to **eliminate direct and indirect** gender-based segregation in the labour market including by addressing the roots of the gender pay gaps; **special attention should be given to women wishing to re-enter the job market after maternity or parental leave, and women made redundant who have only a few years left to qualify for pension rights**;

*Justification*

*Reconciling work and private life should be a separate sub-paragraph, since it does not benefit only the employment of women. Measures are needed to facilitate women's access to and participation in employment. Article 2(e) of Regulation 1784/1999 on the ESF states that 'the Fund shall support...specific measures to improve women's access to and participation in the labour market'.*

Amendment 29

Article 3, paragraph 1, point (b), point (iii a) (new)

**(iiia) promotion of specific measures to reconcile work and private life, including the facilitating of access to childcare and care for dependent persons**;

*Justification*

*Reconciling work and private life should be a separate sub-paragraph, since it does not benefit only the employment of women.*

Amendment 30

Article 3, paragraph 1, point (b), point (iv a) (new)

**(iva) special measures to offset the particular constraints arising from the special characteristics of the outermost regions, in accordance with Article 299(2) of the Treaty**;

Amendment 31

Article 3, paragraph 1, point (b), point (iv b) (new)

**(ivb) mental health support to**

*economically inactive people, where appropriate.*

Amendment 32

Article 3, paragraph 1, point (c)

(c) reinforcing social inclusion of people at a disadvantage and combating discrimination, ***in particular*** by promoting:

(c) reinforcing social inclusion ***and sustainable inclusion in the labour market*** of people at a disadvantage and combating ***social exclusion and all kinds of discrimination in the labour market and communities at large, for example*** by promoting:

*Justification*

*This amendment is designed to clarify the concept of discrimination.*

Amendment 33

Article 3, paragraph 1, point (c), point (i)

(i) pathways to integration in employment for disadvantaged people, people experiencing social exclusion, early school leavers, minorities and people with disabilities, through employability measures, including in the field of the social economy, accompanying actions and relevant social support and care services;

(i) pathways to integration in employment and society for disadvantaged people, ***migrants, members of ethnic minorities – especially the Roma – people living in disadvantaged settlements or parts of settlements, people without schooling, early school leavers, people with disabilities, the poor and the long-term unemployed, and the access and ease of return to employment*** for people experiencing social exclusion ***including the over 50s and lone parents***, early school leavers, minorities, ***asylum seekers*** and people with disabilities, through employability ***and social and community integration*** measures, including in the field of the social economy, accompanying actions and ***promotion of the relevant social support, neighbourhood*** and care services;

*Justification*

*From the point of view of combating social integration and exclusion it is of key importance to list precisely the whole target group of those disadvantaged people particularly affected. Article 3 of the regulation sets out the scope for assistance that ESF will provide. Importantly ESF does have a focus on people in Employment. This is critical for regions with tight labour markets yet paradoxically have a weak skills base. Lone parents (the overwhelming majority*

*being female) face particular disadvantages. Their main barrier to work is affordable, accessible childcare. Economic activity rates fall significantly for those over 50. These persons have an important role to play in the sustainable development of a region as they can ameliorate recruitment difficulties without adding further to housing pressures.*

Amendment 34

Article 3, paragraph 1, point (c), point (i a) (new)

***(ia) promotion of specific measures to improve the social inclusion of migrants and increase their participation in employment, e.g. through advisory services, language teaching and the validation of skills obtained abroad;***

*Justification*

*This is a more appropriate point in the text to deal with migrants as a group.*

Amendment 35

Article 3, paragraph 1, point (c), point (ii)

(ii) diversity in the workplace and ***the combat against discrimination in accessing*** the labour market ***through awareness-raising*** and the involvement of local communities and enterprises.

(ii) diversity in the workplace and ***combating discrimination through vocational training, encouraging access, participation and progress within*** the labour market, ***by raising the awareness*** and involvement of local communities and enterprises ***and promoting local development initiatives, such as urban social projects, lifelong learning and active citizenship;***

*Justification*

*The justification for this amendment reflects rapporteur Peneda's own observation, that whilst ESF is designed to support the EES, there is also greater scope for the ESF, it has a dual role to play under the current treaty (article 159): it provides support for individuals and it helps to strengthen social and economic cohesion. This amendment strengthens the regulation in terms of focusing on the social cohesion activities that should be supported by the fund. Incorporates the local dimension.*

Amendment 36

Article 3, paragraph 1, point (c), point (ii a) (new)

***(iia) the creation of jobs suitable for people with disabilities, and the willingness on the part of employers to employ people with disabilities;***

*Justification*

*Improving access to the labour market for people with disabilities should be one of the priorities of the ESF.*

Amendment 37

Article 3, paragraph 1, point (c), point (ii b) (new)

***(iib) specific actions to raise awareness among employers of the requirement to provide reasonable accommodation under Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation \*, to provide information and assistance to employers as regards making their working environments accessible for disabled persons and to train employers in equal opportunities recruitment, disability awareness and non-discrimination;***

***\* OJ L 303 , 2.12.2000, p.16.***

*Justification*

*The European Commission in its own evaluation of the European Employment Strategy recognised that disabled persons are one of the most disadvantaged groups when it comes to employment and accessing the labour market. Very little has been achieved in terms of reducing the unemployment rate of disabled persons in Europe. Combating discrimination of disabled persons must be given specific attention and reference in Article 3 on Scope of Assistance.*

*The ESF must be active in supporting the effective implementation of the Equal Treatment Directive in Employment and Occupation 2000/78/EC; it is therefore appropriate to give specific attention to supporting Member States in their work on non-discrimination in this field.*

Amendment 38

Article 3, paragraph 1, point (c), point (ii c) (new)

***(iic) actions to facilitate the re-entry to the labour market of those from disadvantaged***

**groups such as persons with disabilities and people providing care for dependent persons;**

*Justification*

*The European Commission in its own evaluation of the European Employment Strategy recognised that disabled persons are one of the most disadvantaged groups when it comes to employment and accessing the labour market. Very little has been achieved in terms of reducing the unemployment rate of disabled persons in Europe. Combating discrimination of disabled persons must be given specific attention and reference in Article 3 on Scope of Assistance.*

*The ESF must be active in supporting the effective implementation of the Equal Treatment Directive in Employment and Occupation 2000/78/EC; it is therefore appropriate to give specific attention to supporting Member States in their work on non-discrimination in this field.*

Amendment 39

Article 3, paragraph 1, point (c), point (ii d) (new)

***(iid) neighbourhood ownership, leadership and democracy - to equip individuals, voluntary and community groups with the skills to enhance their participation in community life as well as connecting disadvantaged individuals with employment and other opportunities in the labour market;***

*Justification*

*This amendment strengthens the regulation in terms of focusing on the social cohesion activities that should be supported by the fund. It is essential that the ESF regulation be flexible enough to account of national, regional and local labour needs. As much as possible should be done to encourage the participation of voluntary organisations in the ESF. Employers should be supported and trained so as to allow for the full involvement of disabled workers in the workplace.*

Amendment 40

Article 3, paragraph 1, point (d)

(d) mobilising for reforms ***in the fields of*** employment and inclusion, in particular by promoting ***the development*** of partnerships and pacts through networking of relevant

(d) mobilising for reforms ***that push for full*** employment, ***increased quality of work*** and inclusion, in particular by promoting ***business start-ups and the further***

stakeholders at national, regional and local level.

***development and implementation*** of partnerships and pacts through networking of relevant stakeholders at ***transnational***, national, regional and local level, ***such as social partners and non-governmental organisations, especially those in the fields of social inclusion and equal opportunities for men and women, and of local employment initiatives and territorial employment pacts, in order to increase employment, skills and opportunities, and improve outcomes.***

*Justification*

*The general aim is strict separation between the function of social partners and NGOs as partners in connection with the funds' participation principle, and their participation in projects that the ESF is funding. The distinction between the "Convergence" objective and the "Regional Competitiveness and Employment" objective is being dropped, and so the amount of funding should be adjusted in a manner consistent with the two objectives.*

Amendment 41

Article 3, paragraph 2, point (a), point (i)

(i) the implementation of reforms in education and training systems, ***especially*** with a view to raising ***their*** responsiveness to the needs of a knowledge-based society, improving the labour market relevance of initial education and training and continually updating *of* skills of teaching and other personnel;

(i) the implementation of reforms in education and training systems ***designed to prepare individuals to work independently and to promote responsibility-taking and business start-ups***, with a view to raising ***people's*** responsiveness to the needs of a knowledge-based society ***and the need for lifelong learning***, improving the labour market relevance of initial education and training and continually updating *the* skills of teaching and other personnel;

*Justification*

*One basic condition for success in the constantly changing labour market environment is the acquisition of an ability to learn throughout life; it is the task of basic education and vocational training to lay the foundation for this. This amendment is designed to promote responsibility-taking and business start-up so as to extend and improve investment in human capital.*

Amendment 42

Article 3, paragraph 2, point (a), point (ii)

(ii) increased participation in education and training throughout the life-cycle, including through action to achieve a significant decline in early school leaving and increased access to initial vocational **and tertiary** education;

(ii) increased participation in education and training throughout the life-cycle, including through action to achieve a significant decline in early school leaving **and segregation** and increased access to initial vocational **training and to** education **at all levels**;

*Justification*

*In addition to early school leaving – which typically affects children and young people from disadvantaged families – another serious problem is the segregated education of disadvantaged children. Segregation may occur within the same school or between schools, when disadvantaged pupils are forced to learn in separate groups or institutions; in many cases this has serious consequences for their later educational, employment and general life chances.*

Amendment 43

Article 3, paragraph 2, point (a), point (iii)

(iii) the development of human potential in research and innovation, notably through post-graduate studies and training of researchers and related networking activities between universities, research centres and enterprises.

(iii) the development of human potential in research and innovation, notably through post-graduate studies and training and related networking activities between universities, research centres and enterprises **in the form of public-private partnerships or other types of cooperation between the various economic and social players**;

Amendment 44

Article 3, paragraph 2, point (a), point (iii a) (new)

**(iiia) the adaptation of the workplace environment to give consideration to issues of work/life balance;**

Amendment 45

Article 3, paragraph 2, point (b)

(b) Strengthening institutional capacity and the efficiency of public administrations and public services at national, regional and local level to embrace reforms and good governance especially in the economic,

(b) Strengthening institutional capacity and efficiency of public administration, public services, **the social partners, civil society and non-governmental organisations** at national, regional and local level to embrace



employment, social, environmental and judicial fields, in particular by promoting:

reforms and good governance, especially in the economic, employment, social, environmental and judicial fields, in particular by promoting:

*Justification*

*There is a need for the strengthening of institutional capacity to apply to the entire Structural Funds partnership, not only the governmental partners.*

Amendment 46

Article 3, paragraph 2, point (b), point (ii)

(ii) capacity building in the delivery of policies and programmes, including with regard to the enforcement of legislation, especially through managerial and staff training and specific support to key services, inspectorates and socio-economic actors including social partners **and** relevant non-governmental organisations.

(ii) capacity building in the delivery of policies and programmes, including with regard to the enforcement of legislation, especially through **ongoing** managerial and staff training and specific support to key services, inspectorates and socio-economic actors including social partners, relevant non-governmental organisations **and representative professional organisations.**

*Justification*

*The general priorities set by the ESF can only be achieved via a policy of active support for back-up networks.*

Amendment 47

Article 3, paragraph 3

3. In implementing the objectives and priorities referred to in paragraphs 1 and 2, the ESF shall support the promotion and mainstreaming of innovative activities as well as **trans-national and inter-regional** cooperation in particular through sharing of information, experiences, results and good practices, and through developing complementary approaches and coordinated or joint action.

3. In implementing the objectives and priorities referred to in paragraphs 1 and 2, the ESF shall support the promotion and mainstreaming of innovative activities **as a separate item** as well as **cooperation between EU Member States at national and regional level**, in particular through sharing of information, experiences, results and good practices, and through developing complementary approaches and coordinated or joint action.

*Justification*

*Needed for technical reasons as the draftsman is providing for a higher EU contribution.*

*An objective of the ESF must be to support cooperation between EU Member States at*

*national and regional level. The term 'trans-national', which is used in the proposal for a regulation, is imprecise and misleading.*

Amendment 48  
Article 3, paragraph 3 a (new)

***3a. The ESF shall support information and awareness-raising measures targeting the public, implemented by the Member States with the aim of fighting discrimination and promoting equal treatment and opportunities for women and men in the workplace and society.***

*Justification*

*The fight against discrimination and unequal treatment and opportunities for women and men (new terminology to be used) must take the form of raising public awareness in such a way that attitudes gradually change, leading ultimately to genuine equality in the labour market.*

Amendment 49  
Article 3, paragraph 4

4. In implementing the social inclusion priority referred to in ***paragraph 2 (c) (i)***, the financing by the ESF of actions within the scope of the Regulation (EC) N° [...] [ERDF] may amount to a maximum of 10% of the priority axis concerned.

4. In implementing the social inclusion priority referred to in ***paragraph 1 (c) (i)***, the financing by the ESF of actions within the scope of the Regulation (EC) N° [...] [ERDF] may amount to a maximum of 10% of the priority axis concerned.

*Justification*

*A mistake was made with the paragraph number. Article 3, paragraph 1, point (c) (i), and not paragraph 2, point (c) (i), refers to social inclusion.*

Amendment 50  
Article 4, paragraph 1

1. The Member States ***and managing authorities*** shall ensure that the action supported by the ESF is consistent with and underpins the implementation of the European Employment Strategy. In particular, they shall ensure that the *action* set out in the strategic frame of reference and in the operational programmes promote

1. The Member States shall ensure that the action supported by the ESF is consistent with ***the targets***, and underpins the implementation, of the European Employment Strategy ***and the objectives of the Community in the fields of social inclusion, education, training and equality between men and women.*** In particular, they

the objectives, priorities and targets of the **Strategy in each Member State and** concentrate support in particular on the implementation of the employment recommendations made under Article 128(4) of the Treaty as well as of the relevant objectives of the Community in the field of social inclusion.

shall ensure that the *actions* set out in the strategic frame of reference and in the operational programmes promote **in each Member State** the objectives, priorities and targets of the **national employment and social inclusion plans**. **The Member States shall** concentrate support in particular on the implementation of the employment recommendations made under Article 128(4) of the Treaty as well as of the relevant objectives of the Community in the field of social inclusion **and combating social exclusion**. **The ESF may also support measures that go beyond a Member State's national employment plan if they are necessary owing to regional and local particularities and if, as a result, the Lisbon employment objectives, social inclusion and social cohesion can be better achieved.**

#### *Justification*

*The original wording appears to limit ESF intervention to supporting the implementation of the EES, which is not consistent with the objectives of Article 2.*

#### Amendment 51 Article 4, paragraph 2

2. Within operational programmes, resources shall be directed towards the most important needs and focus on those policy areas to which ESF support can bring about a significant effect in view of the attainment of the objectives of the programme. To maximise the efficiency of ESF support, operational programmes shall take particular account of the regions and localities facing most serious problems, including deprived urban **and** declining rural and fisheries dependent areas.

2. Within operational programmes, resources shall be directed towards the most important needs and focus on those policy areas to which ESF support can bring about a significant effect in view of the attainment of the objectives of the programme. To maximise the efficiency of ESF support, operational programmes shall take particular account of the regions and localities facing most serious problems, including deprived urban **areas**, declining rural and fisheries dependent areas, **islands, mountainous and remote regions, regions with a low population density or a demographic handicap and those particularly adversely affected by business relocations**.

#### Amendment 52 Article 4, paragraph 4

4. The quantified objectives and indicators

4. The quantified objectives and indicators

selected to monitor the implementation of the national strategic frame of reference defined in Article 18 of regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall be those used in the implementation of the European Employment Strategy and in the context of the agreed objectives of the Community in the fields of social inclusion **and** education and training. The monitoring indicators of operational programmes should be coherent with these quantified objectives.

selected to monitor the implementation of the national strategic frame of reference defined in Article 18 of regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall be those used in the implementation of the European Employment Strategy and in the context of the agreed objectives of the Community in the fields of social inclusion, **non-discrimination, education and training and equality between women and men**. The monitoring indicators of operational programmes should be coherent with the se quantified objectives.

#### *Justification*

*The need to ensure that non-discrimination is taken into account as an objective. Equality between women and men is one of the Community's objectives and should be taken into account by the ESF.*

#### Amendment 53 Article 4, paragraph 5

5. Evaluations undertaken in relation to the action of the ESF shall also assess the contribution of the action supported by the ESF to the implementation of the European Employment Strategy and to the objectives of the Community in the fields of social inclusion and education and training in the Member State concerned.

5. Evaluations undertaken in relation to the action of the ESF shall also assess the contribution of the action supported by the ESF to the implementation of the European Employment Strategy and to the objectives of the Community in the fields of social inclusion, **non-discrimination, the promotion of equality between women and men** and education and training in the Member State concerned.

#### *Justification*

*The need to ensure non-discrimination is taken into account in evaluation. It is important to evaluate the extent to which actions financed by the ESF contribute to the promotion of equality between women and men in the Member States.*

#### Amendment 54 Article 5, paragraph 2

2. The Member States and the managing authority of each operational programme shall ensure the involvement of the social

2. The Member States and the managing authority of each operational programme shall ensure the involvement **and adequate**

partners and adequate consultation of non-governmental stakeholders, at the appropriate territorial level, in the programming, implementation and monitoring of ESF support.

*access* of the social partners, and adequate consultation *and participation* of non-governmental stakeholders, *particularly in the areas of social inclusion, non-discrimination and the equal treatment of men and women*, at the appropriate territorial level, *which may at the same time be both the national and regional level*, in the programming, implementation and monitoring of ESF support.

*Justification*

*NGOs must not only be consulted but also fully involved in the process of framing the ESF.*

Amendment 55

Article 5, paragraph 2 a (new)

***2a. The Member States shall take the necessary measures to inform the population and the relevant stakeholders about the operational programmes and activities eligible for financing by the ESF.***

*Justification*

*Informing the population and the relevant stakeholders will make it possible to ensure the transparency of assistance under the Fund and increase the number of project proposals and participation in the activities financed, and help resolve the problem of under-use of appropriations.*

Amendment 56

Article 5, paragraph 3, subparagraph 1

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners to the activities funded under **Article 2** of this Regulation.

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners to the activities funded under **Article 3** of this Regulation.

*Justification*

*The number of article referred to is incorrect.*

Amendment 57

Article 5, paragraph 3, subparagraph 2

*Under the ‘Convergence’ Objective, at least 2% of the ESF resources shall be allocated to capacity-building and activities jointly undertaken by the social partners, in particular as regards adaptability of workers and enterprises referred to in Article 2 (1) (a).*

At least 2% of the ESF resources shall be allocated to capacity-building, **training and networking measures, strengthening the social dialogue** and activities jointly undertaken by the social partners, in particular as regards **the strengthening of the role of NGOs and Community** adaptability of workers and enterprises referred to in **Article 3 (1) (a) and to the capacity building activities of representative non-governmental organisations active in the fields of social inclusion and non-discrimination.**

Amendment 58  
Article 5, paragraph 4

4. The managing authority of each operational programme shall encourage adequate participation and access **of** non-governmental organisations to the funded activities, notably in the **domain** of social inclusion and equality between women and men.

4. The managing authority of each operational programme shall encourage adequate participation and **ensure simple and rapid access by the** non-governmental organisations **concerned** to the funded activities, notably in the **domains** of social inclusion, **in particular for disadvantaged groups such as people with disabilities, non-discrimination** and equality **of opportunity** between women and men.

*Under the ‘Convergence’ Objective, at least 1 % of ESF resources shall be allocated to capacity-building and measures for the education and networking activities of NGOs, in particular those active in the fields of social inclusion and combating discrimination, as provided for under Article 3(c).*

Amendment 59  
Article 5, paragraph 5

5. When responsibility for implementation is delegated, support in the framework of a programme may be provided through global grants.

5. When responsibility for implementation is delegated, support in the framework of a programme may be provided through global grants **in accordance with the procedures defined by the Member States concerned.**

*Justification*

*Just what global grants comprise and how they are to be implemented needs to be left up to the Member States.*

Amendment 60

Article 5, paragraph 5 a, paragraph 1 (new)

***5a. In the context of the programmes' priorities for innovative activities pursuant to Article 3(3), a fund may be created to support a limited proportion of programmes for small projects involving local actors. Funding shall be allocated in the form of global subsidies. 'Small projects' shall mean those of up to EUR 300 000.***

*Justification*

*This goes back to a tried and tested procedure under Article 42 of the Interreg Regulation (OJ C 143, 23.5.2000, p. 8) seeking to reduce the level bureaucracy for innovative measures.*

Amendment 61

Article 5, paragraph 5 a, paragraph 2 (new)

***The managing authority shall ensure access to that fund by non-governmental organisations working in the domains of social inclusion and anti-discrimination on terms no less favourable than those of the EQUAL programme.***

*Justification*

*The need to ensure that NGOs are not disadvantaged as a result of the termination of the EQUAL programme.*

Amendment 62

Article 6, Title

Gender equality

Gender equality ***and equal opportunities***

Amendment 63

Article 6

The Member States and the managing

The Member States and the managing

authorities shall ensure that operational programmes include ***a description on how*** gender equality is promoted in the programming, implementation ***and*** monitoring including ***any*** specific indicators, ***and in the evaluation.***

authorities shall ensure that operational programmes include ***an analysis of their gender-specific impact, that the allocation of funds suitably reflects the specific needs of men and women, and that*** gender equality is promoted in the programming, implementation, monitoring ***and evaluation,*** including ***by the setting of*** specific ***objectives and targets with clear time-tables, and the use of qualitative and quantitative gender*** indicators.

#### *Justification*

*To implement a decision of the European Parliament (P5\_TA(2003)0323, paras 14 and 20). Clear objectives and targets are needed to ensure that gender equality is adequately promoted in the programming, implementation, monitoring and evaluation of the Member State operational programmes. Developing the instruments for gender budgeting in the Structural Funds programmes is necessary to establish gender equality in the distribution of EU resources. A gender budgeting process would not only reveal the gaps, but would also be an instrument for indicating the ways in which resources needed to be redirected.*

#### Amendment 64

Article 6, subparagraph 1 a (new)

***The Member States and the managing authorities shall ensure that gender budgeting is implemented at all stages of the operational programme.***

#### *Justification*

*Clear objectives and targets are needed to ensure that gender equality is adequately promoted in the programming, implementation, monitoring and evaluation of the Member State operational programmes. Developing the instruments for gender budgeting in the Structural Funds programmes is necessary to establish gender equality in the distribution of EU resources. A gender budgeting process would not only reveal the gaps, but would also be an instrument for indicating the ways in which resources needed to be redirected.*

#### Amendment 65

Article 6, subparagraph 1 b (new)

***The Member States and the managing authorities shall ensure a balanced participation of women and men in the management and realisation of the***



***operational programmes at local, regional and national level.***

*Justification*

*Clear objectives and targets are needed to ensure that gender equality is adequately promoted in the programming, implementation, monitoring and evaluation of the Member State operational programmes. Developing the instruments for gender budgeting in the Structural Funds programmes is necessary to establish gender equality in the distribution of EU resources. A gender budgeting process would not only reveal the gaps, but would also be an instrument for indicating the ways in which resources needed to be redirected.*

Amendment 66  
Article 6 a (new)

***Article 6 a***

***Non-discrimination***

***The Member States and the managing authorities shall ensure that operational programmes include a description on how the social inclusion of people with disabilities and vulnerable groups, and non-discrimination principles are to be promoted and achieved in the programming, implementation, monitoring and evaluation phases, using specific indicators.***

Amendment 67  
Article 7

In the framework of each operational programme, Member States and managing authorities shall pay particular attention to the promotion and mainstreaming of innovative activities. After consulting the Monitoring Committee referred to in Article 47 of Regulation (EC) N° [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], the managing authority shall choose the themes for the funding of innovation and shall define the appropriate modalities of implementation.

In the framework of each operational programme, Member States and managing authorities shall pay particular attention to the promotion and mainstreaming of innovative activities ***as a separate item, especially those which promote closer cooperation between different public, social and economic players.*** After consulting the Monitoring Committee referred to in Article 47 of Regulation (EC) N° [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], the managing authority shall choose the themes for the funding of innovation ***in accordance with the European employment guidelines*** and

shall define the appropriate modalities of implementation. ***Innovative activities should account for at least 1 % of the operational programme. For such activities the ESF co-financing share shall be 85 %.***

Amendment 68  
Article 8, paragraph 1

1. The Member States and managing authorities ***shall ensure that programming of trans-national and inter-regional co-operation activities takes the form of*** a specific priority axis within an operational programme or a specific operational programme.

1. The Member States and managing authorities ***may set up*** a specific priority axis within an operational programme or a specific operational programme ***in the programming of trans-national and inter-regional cooperation activities. For such activities the ESF share be 85 %.*** ***Coordination measures within the framework of trans-national and inter-regional cooperation shall be 100 % funded by the ESF.***

Amendment 69  
Article 9, Title

***Technical*** assistance

***Innovative measures and technical***  
assistance

*Justification*

*The references to innovative measures and operations contained in the previous ESF Regulation should be reinstated in order to accord the social partners a more significant role at European level.*

Amendment 70  
Article 9

***At least 1% of ESF resources shall be allocated to the European Commission to finance operations of an innovative nature and pilot projects in the context of labour markets, employment, and vocational training, as well as operations within the framework of social dialogue, directed at employees and concerning the transfer of specialised knowledge in areas falling within the scope of the Fund.***

*The* Commission shall promote in particular exchanges of experiences, awareness raising activities, seminars, networking and peer reviews to identify and disseminate good practices and encourage mutual learning with the aim of enhancing the policy dimension and contribution of the ESF to the objectives of the Community in relation to employment **and** social inclusion.

**Moreover, the** Commission shall promote in particular **development of fora and the creation of regional employment pacts when preparing programme planning**, exchanges of experiences, awareness raising activities, seminars, networking and peer reviews to identify and disseminate good practices and encourage mutual learning with the aim of enhancing the policy dimension and contribution of the ESF to the objectives of the Community in relation to employment, **notably of young and older people**, social inclusion, **non-discrimination and the reconciling of work and family life**.

#### *Justification*

*The references to innovative measures and operations contained in the previous ESF Regulation should be reinstated in order to accord the social partners a more significant role at European level. Employment pacts are important instruments for planning the synergy effects of Structural Fund interventions sensibly. These fora and employment pacts are important instruments for systematic planning of the synergy effects of structural fund intervention. Non-discrimination needs to be included in the areas covered by technical assistance.*

Amendment 71  
Article 10, title

**Annual** and final reports

**Progress** and **implementation** reports

#### *Justification*

*Annual reports are a bureaucratic instrument that is also considered unsuitable for ascertaining progress.*

Amendment 72  
Article 10, introductory part

The **annual** and final implementation reports referred to in **Article 49** of regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall contain a **synthesis** of the implementation of:

The **reports to be submitted every two years** and final implementation reports referred to in **Article 66** of Regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall contain a **summary and assessment** of the implementation of:

*Justification*

*Experience shows that the submission of annual reports is counterproductive because it involves unnecessary bureaucracy.*

Amendment 73  
Article 10, point (a a) (new)

***(aa) mainstreaming of groups suffering discrimination, including actions to secure social integration, accessibility for and employment of persons with disabilities;***

*Justification*

*These reports should demonstrate the mainstreaming of all discriminated groups in society and not focus solely on gender.*

Amendment 74  
Article 10, point (b)

(b) action to strengthen social integration and employment of migrants;

***(b) action to strengthen social integration of migrants and to improve their access to employment;***

Amendment 75  
Article 10, point (c)

(c) action to strengthen social integration and employment of minorities;

***(c) action to strengthen social integration and employment of people belonging to disadvantaged groups: members of ethnic minorities – especially the Roma– people with disabilities, people living in disadvantaged settlements and parts of settlements, people who have received no schooling, the poor and the long-term unemployed;***

*Justification*

*From the point of view of combating social integration and exclusion it is of key importance to list precisely the whole target group of those disadvantaged people particularly affected. The annual and final reports must refer to the change in the situation of the whole social group targeted as a high priority in the programme, through analysis of the designated indicators.*

Amendment 76  
Article 10, point (c a) (new)

***(ca) action to strengthen social integration of other disadvantaged groups and to improve their access to employment;***

Amendment 77  
Article 10, point (c b) (new)

***(cb) action to enhance the vocational qualifications of workers;***

Amendment 78  
Article 10, point (d a) (new)

***(da) action to strengthen cooperation between the public and private sectors;***

Amendment 79  
Article 10, point (d b) (new)

***(db) action to promote the involvement of social players and their integration in local, regional, national and transnational networks;***

Amendment 80  
Article 10, point (e)

(e) trans-national and inter-regional co-operation activities.

(e) trans-national, ***cross-border*** and inter-regional co-operation activities.

Amendment 81  
Article 10, point (e a) (new)

***(ea) measures to encourage self-employment and business start-ups;***

#### *Justification*

*The aim of this amendment is to include in the implementation reports a summary of the measures designed to promote private enterprise and encourage the setting up of SMEs.*

Amendment 82  
Article 10, point (e b) (new)

***(eb) the coordination of ESF funds with measures under national employment plans, the European Employment Strategy and the Lisbon Strategy;***

*Justification*

*Need for effective links between all these measures.*

Amendment 83  
Article 10, point (e c) (new)

***(ec) actions to address social exclusion and assessment of economic inactivity rates.***

## EXPLANATORY STATEMENT

### 1. Background

The ESF is the major financial instrument of European social policy, with a history stretching back over 40 years.

The fund was originally set up for the purpose of reimbursing the costs incurred by the Member States in training and relocating nearly two million workers affected by economic restructuring. In the intervening period, action has been taken to broaden the objectives of European social policy. In 1974 the first Social Action Programme was concerned with employment protection, worker participation, equal treatment for men and women, health and safety. One of the purposes of the 1986 European Single Act was to prevent social dumping. In 1989 the European Social Charter was adopted, following which the 1992 Maastricht Treaty enshrined the promotion of a high level of employment as one of the EU's objectives. Under the 1997 Amsterdam and 2001 Nice Treaties the EU's social-policy component was further strengthened. Lastly, the Constitutional Treaty (which is currently being ratified by the Member States) enshrines full employment, social progress and action to combat exclusion as EU objectives.

### 2. Assessment of the Commission proposal

On 14 July 2004 the Commission submitted a set of proposals with a view to creating a new regulatory framework for all the structural funds, which will reach the end of their current term in 2006.

The backdrop to those proposals may be said to be constituted by the Lisbon Strategy objectives, the Commission's recognition of the need for texts and procedures to be simplified, and the relationship between the ESF and the European Employment Strategy.

The new programming period (2007-2013) provides an opportunity for the Community instruments to be re-tailored to the above objectives, which were laid down during the 2000-2006 programming period. The recent enlargement of the EU to include 10 new Member States creates major new challenges relating in particular to social and economic cohesion, where the structural funds have a crucial role to play.

Your rapporteur feels that some comment is called for on the objectives (which constitute the guidelines for the new framework of rules governing the funds), with particular reference to the ESF.

Following the revision of the **Lisbon Strategy**, '*Growth and Employment*' (one of the essential vehicles of that strategy) now entails modernisation of the European social model, investment in people, action to combat social exclusion and a set of priority actions such as the establishment of a European Research and Innovation Area, investment in education and training systems with a view to satisfying the requirements of a knowledge-based society and

meeting the need to create more and better jobs, and the promotion of social inclusion<sup>1</sup>.

Your rapporteur considers that this 'Union Programme' deserves attention, since the EU is beginning to act as a catalyst through the establishment of an effective framework for the marshalling of all available resources and is making its own contribution to the effort by means of existing Community policies.

Another angle from which the Commission proposals should be analysed is that of the need for **the existing texts and procedures to be simplified**.

Such simplification relates to the need for future intervention involving the structural funds to be guided towards improving the quality and the outcome of such intervention.

The process essentially entails rationalising the way in which cohesion policy is conducted, simplifying certain key aspects of the system through the adoption of rules which are clear, simple and precise from the legal point of view, reducing the number of extraneous interpretations and guidelines issued by the Commission (in addition to the implementing rules which it draws up) and reducing the complexity of - and the administrative burden imposed by - many management tools.

Similarly, an effort should be made to ensure that the entire set of rules is adopted and implemented in accordance with a suitable timetable which will enable each Member State to put in place the management and monitoring structures which will be responsible for administering the funds. And although it is true that the Commission proposals already express an intention to simplify at various levels (programming, financial management, co-financing, and so on), it is no less true that there are still many areas in which further simplification and rationalisation are called for.

To summarise, your rapporteur's overall view is that the Commission proposals contain welcome features which should be highlighted and preserved. However, it must be acknowledged that not all the lessons to be drawn from the experience acquired during the current programming period as regards procedural simplification have been taken on board.

Generally speaking, the ESF regulation satisfactorily incorporates the relationship between ESF intervention and the **European Employment Strategy (EES)**, which has been given tangible expression in each Member State's National Employment Plan.

Your rapporteur believes that emphasis should be laid on a more ambitious approach to ESF assistance, bearing in mind that the EES will be its prime focus. However, it must be ensured that the ESF will not serve merely to pursue the EES, because its scope for action is wider.

Indeed, as an EU financial instrument the ESF has a dual role to play under the current Treaty: it provides support for individuals (in particular Europe's workers) and it helps to strengthen social and economic cohesion. It may be pointed out that under the future Constitutional Treaty, that role will continue and will even be strengthened on account of the

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<sup>1</sup> See in particular paragraphs 5, 12, 24, 25, 28, 32 and 33 of the 2000 Lisbon European Council conclusions.



fact that it has been incorporated systematically<sup>1</sup>.

At this stage, attention must be drawn to the options set out in the Lisbon Strategy, since one of the political priorities identified when the strategy was drawn up was the stepping up of action to combat social exclusion<sup>2</sup>, both at EU level and within the individual Member States. The matrix for the current structural reform as proposed by the Commission is based precisely on a rehabilitation of the Lisbon Objectives and on a recasting of the relevant Community instruments.

In this connection your rapporteur considers that the social-inclusion aspect should be further strengthened in order to indicate the scope of ESF intervention. Social-inclusion issues (action to combat poverty, equality of opportunity, and so on) should not be resolved solely under the employment and labour-market policy umbrella, since there are situations which call at an earlier stage for action which is more social in nature. Hence the reference to broader intervention under the ESF (by means of support for actions which are in line with the Community's objectives) is regarded by the rapporteur as highly significant.

The greatest difficulty which the Commission proposal poses for the rapporteur is to be found in Article 3, in which the **scope of the Fund** is described. The regional differentiation in the scope of the assistance which is contained in that Article leads to the creation of a *'two-speed'* ESF. This results in indirect discrimination against certain potential beneficiaries of the Fund which is not provided for either in the current ESF regulation or in the EU Treaty.

It could be argued that this constitutes yet another means of ensuring that resources are concentrated in the convergence countries - given that the accession of a further ten Member States has widened the gap between rich and poor.

Your rapporteur draws attention to the dual nature of the ESF, which is not only an instrument of social and economic cohesion (Article 159 of the Treaty), as is the case with the ERDF. The ESF is first and foremost a social fund which provides support for people and that is the way in which it contributes to cohesion.

Your rapporteur considers that by establishing a regional differentiation in its scope, the Commission proposal discriminates against certain people on the basis of the place in which they live. Such a distinction is purely artificial, since many of the difficulties which the ESF is intended to overcome (such as deficient education systems, a lack of high-level skills and qualifications, unsatisfactory public administration, and so on) are ones encountered not only in the convergence-objective Member States but also throughout the EU.

In your rapporteur's view the Commission's concern with ensuring that ESF aid is concentrated to a greater extent on a regional basis should be dealt with by means of financial focusing. At the same time appropriate financial resources must be allocated to the ESF on the grounds that it has greater responsibilities to shoulder.

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<sup>1</sup> In this connection, see Articles 146 and 159 of the Constitutional Treaty.

<sup>2</sup> The 'Lisbon Triangle' was essentially based on greater competitiveness, with more and better jobs and greater social cohesion (see point 5).

To summarise, your rapporteur agrees with the actions listed for ESF intervention but he disagrees with the fact that those actions have been divided into two categories ('convergence objective' and 'regional competitiveness and employment objective'), for which reason he has proposed a number of amendments to the Commission proposal.

3.6.2005

## **OPINION OF THE COMMITTEE ON BUDGETS**

for the Committee on Employment and Social Affairs

on the proposal for a regulation of the European Parliament and of the Council on the European Social Fund  
(COM(2004)0493 – C6-0090/2004 – 2004/0165(COD))

Draftswoman: Nathalie Griesbeck

PA\_Leg

### **SHORT JUSTIFICATION**

On 14 July 2004 the Commission adopted a proposal for a European Parliament and Council regulation on the European Social Fund (ESF) (COM(2004)0493) - one of a set of five legislative acts to reform cohesion policy.

This proposal for a regulation is the subject of a codecision procedure within Parliament. The Committee on Budgets has decided to adopt an opinion on the proposal, pursuant to Rule 46 of Parliament's Rules of Procedure, for the Committee on Employment and Social Affairs.

### **SUBSTANCE**

The purpose of the proposal for a regulation is to lay down the tasks of the ESF in the context of the reorganisation of cohesion policy for period 2007-2013, providing a focused framework for ESF assistance throughout the Union. The links between the Community financial instrument and the Union's policy framework will be strengthened in the future programming period to make a better contribution to Lisbon strategy's employment objectives and targets. To that end, the ESF will support Member State policies which are closely in line with European Employment Strategy guidelines and recommendations and the Union's agreed objectives on social inclusion and education and training.

Under both the 'Convergence' and the 'Regional Competitiveness and Employment' objectives, the ESF will provide support with a view to anticipating and managing economic and social change. Its assistance will focus on four key areas for action endorsed by the European Council: increasing adaptability of workers and enterprises; enhancing access to employment, preventing unemployment, prolonging working lives and increasing participation in the labour market; reinforcing social inclusion by promoting the integration in work of disadvantaged people and combating discrimination; and promoting partnership for reform in the fields of employment and social inclusion.

In the least prosperous regions and Member States, the ESF will concentrate on support structural adjustment, growth and job creation. Under the 'Convergence' objective, the ESF will also support action to expand and improve investment in human capital, in particular by improving education and training systems, and action aimed at developing institutional capacity and the efficiency of public administrations, at national, regional and local level. The elimination of inequalities between women and men will be promoted through specific actions to increase women's participation and advances in employment.

The promotion of innovative activities and transnational cooperation will be fully incorporated into the scope of the ESF and mainstreamed within the national and regional operational programmes. Under both the 'Convergence' and the 'Regional Competitiveness and Employment' objectives, the ESF will give priority to funding transnational cooperation, including exchanges of experiences and best practices across the Union and joint actions.

Finally, the ESF will attach particular importance to the promotion of good governance. To this end, under the new 'Convergence' objective, social partners will be encouraged to actively participate in capacity building actions and to undertake joint activities in the policy areas where they play a decisive role.

According to the Commission proposal, the ESF would represent 20 to 25% of total cohesion funding.

## FINANCIAL IMPLICATIONS

The main financial and budgetary aspects are addressed in the proposal for a regulation laying down the general provisions<sup>1</sup>, the proposals for regulations on the individual funds essentially addressing aspects not coming under the remit of the Committee on Budgets.

Your draftswoman therefore proposes that the opinion of the Committee on Budgets should concentrate on highlighting the budgetary authority's powers and on compliance with the Financial Regulation.

According to the Commission proposal, the resources available for the Structural Funds taken as a whole for the period 2007 to 2013 will total EUR 336.194 billion at 2004 prices, which breaks down as follows:

**Table 1: Annual breakdown**

(EUR m – 2004 prices)						
2007	2008	2009	2010	2011	2012	2013
46 333	47 168	47 879	48 024	48 163	48 923	49 704

Source: COM(2004)0492, Annex, p. 85.

**Table 2: Breakdown by objective**

<sup>1</sup> COM(2004)0492.

Objective	Allocation (EUR bn)	Percentage of resources
'Convergence'	264.0	78.54%
'Regional competitiveness and employment'	57.9	17.22%
'European territorial cooperation'	13.2	3.94%
Technical assistance for the Commission	1.0	0.3%
Total	336.1	100%

Source: COM(2004)0492, Articles 16 to 18.

The total budget for the Structural Funds is equivalent to 0.41% of the gross national income of a 27 Member State European Union.

## AMENDMENTS

The Committee on Budgets calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission<sup>1</sup>

Amendments by Parliament

### Amendment 1 Recital 2

(2) Specific provisions concerning the type of activities which may be financed by the ESF under the objectives defined in Regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund] need to be laid down.

(2) Specific provisions concerning the type of activities which may be financed by the ESF under the objectives defined in Regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund] need to be laid down ***in accordance with the provisions of the Financial Regulation.***

### *Justification*

*It should be pointed out that the ESF regulation must be established and implemented in accordance with the principles and provisions set out in the Financial Regulation, including the implementing measures.*

<sup>1</sup> OJ C ..., ..., p. ....

Amendment 2  
Recital 2 a (new)

***(2a) It is necessary to abide by the overall architecture of the Funds and ensure allocation among the various objectives in accordance with the Regulation laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund.***

Amendment 3  
Recital 10

(10) The ESF should also support technical assistance, with a particular focus on encouraging mutual learning through exchanges of experiences dissemination, transfer of good practices and on highlighting *the* contribution of *the ESF* to the policy objectives and priorities of the Community in relation to employment and social inclusion.

(10) The ESF should also support technical assistance, ***in accordance with the budgetary authority's decisions***, with a particular focus on encouraging mutual learning through exchanges of experiences dissemination, transfer of good practices and on highlighting *its* contribution to the policy objectives and priorities of the Community in relation to employment and social inclusion.

*Justification*

*The annual decision on technical assistance in its entirety must be taken during the budgetary procedure.*

## PROCEDURE

<b>Title</b>	Proposal for a regulation of the European Parliament and of the Council on the European Social Fund
<b>References</b>	COM(2004)0493 – C6-0090/2004 – 2004/0165(COD)
<b>Committee responsible</b>	EMPL
<b>Commission asked for its opinion</b> Date announced in plenary	BUDG 17.11.2004
<b>Enhanced cooperation</b>	
<b>Draftsman</b> Date appointed	Nathalie Griesbeck 20.9.2004
<b>Discussed in committee</b>	23.5.2005
<b>Date amendments adopted</b>	23.5.2005
<b>Result of final vote</b>	for: 20 against: 0 abstentions: 0
<b>Members present for the final vote</b>	Gérard Deprez, Valdis Dombrovskis, Markus Ferber, Nathalie Griesbeck, Catherine Guy-Quint, Ville Itälä, Anne Elisabet Jensen, Constanze Angela Krehl, Wiesław Stefan Kuc, Zbigniew Krzysztof Kuźmiuk, Janusz Lewandowski, Vladimír Maňka, Mario Mauro, Gérard Onesta, Antonis Samaras, Esko Seppänen, László Surján, Ralf Walter
<b>Substitutes present for the final vote</b>	Lidia Joanna Geringer de Oedenberg, Robert Navarro,
<b>Substitutes under Rule 178(2) present for the final vote</b>	

8.6.2005

## OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT

for the Committee on Employment and Social Affairs

on the proposal for a regulation of the European Parliament and of the Council on the European Social Fund  
(COM(2004)0493 – C6-0090/2004 – 2004/0165(COD))

Draftswoman: Elisabeth Schroedter

PA\_Leg

### SHORT JUSTIFICATION

The European Social Fund (ESF) is, as Articles 3(j) and 146 of the EC Treaty point out, the instrument for European social and employment policy. But from the regional policy point of view the ESF cannot be seen in isolation from the aim of economic and social cohesion in Article 158 of the Treaty. In her amendments to the Commission proposal for the new ESF Regulation<sup>1</sup> the draftsman is pursuing the following aims:

1. **The ESF must be more flexible in the way it is applied.** In the Commission proposal the ESF is tied only to the European employment strategy (EES). But economic and social cohesion depends on the situation applying in the region concerned. Use of the ESF needs to be given sufficient flexibility, in addition to the reference to the national employment plan, to ensure that it can also respond to regional particularities.
2. **The ESF has an important function in helping to solve social problems in urban areas.** This goes beyond the European Regional Development Fund (ERDF)<sup>2</sup> and the option of cross-financing of the funds under Article 33 of the General Provisions<sup>3</sup>. The ESF too needs to have a local dimension.
3. **Local employment initiatives and territorial employment pacts must be taken into account.** They have particularly proved their worth in the realm of social

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<sup>1</sup> 'ESF Regulation' is used hereafter as shorthand for the proposal for a regulation of the European Parliament and of the Council on the European Social Fund (COM(2004)0492).

<sup>2</sup> COM(2004)0495, Article 8.

<sup>3</sup> 'General Provisions' is used hereafter as shorthand for the proposal for a Council regulation laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund (COM(2004)0492).



integration and the access of disadvantaged persons to employment and have received encouragement in the past (Regulation (EC) No 1784/1999, Article 2(2)(a)).

4. **There must be no confusion between participation in the partnership principle and the function of project sponsor.** Article 5 of the regulation needs to make clear, while taking due account of Article 146 of the EC Treaty, that social partners are receiving support because they need to be able to engage in the participation process. This is especially important in the ten new Member States. But when they are project sponsors this concerns measures under Article 3 of the ESF Regulation.
5. **Respect European added value!** The draftsman favours a positive approach here. European added value should be rewarded with European funds in innovative measures as well as in transnational and inter-regional measures.
6. **EQUAL should be completely incorporated into the mainstream of the ESF.** The Commission has justified the decline of Community initiatives on the grounds that it has completely incorporated their opportunities for support in the mainstream of the funds. Having investigated, the draftswoman finds that this has only happened in some cases.

## AMENDMENTS

The Committee on Regional Development calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission<sup>1</sup>

Amendments by Parliament

### Amendment 1

#### Recital 3

(3) The ESF should support the policies of Member States which are closely in line with the guidelines and recommendations made under the European Employment Strategy and the agreed objectives of the Community in relation to social inclusion and education and training, to better contribute to the implementation of the objectives and targets agreed at the Lisbon and Göteborg European Councils.

(3) The ESF should support the policies of Member States which are closely in line with the guidelines and recommendations made under the European Employment Strategy and the agreed objectives of the Community in relation to social inclusion, ***non-discrimination*** and education and training, ***in accordance with the concept of lifelong learning, including the opportunity for further training at work and with particular attention to initial training,*** to better contribute to the implementation of the objectives and targets agreed at the

<sup>1</sup> Not yet published in OJ.

*Justification*

*The concept of training is defined in different ways in the Member States, or restricted to one stage of education. It must be the aim of territorial cohesion to support lifelong learning, as the modern approach to training, in peripheral regions as elsewhere.*

*It is important for non-discrimination to be recognised as a full objective of the European Social Fund.*

*In line with the text proposed by the rapporteur: the concept of 'training' is defined differently in the various Member States or is restricted to one form of training. The territorial cohesion objective should be geared to supporting the modern 'lifelong learning' approach and this should include remote and very remote regions (Article 299(2) of the EC Treaty).*

*In line with the text proposed by the rapporteur and in accordance with Article 2 of the EC Treaty.*

Amendment 2  
Recital 3 a (new)

***(3a) Whereas fresh lessons have been drawn from the Community initiative programme EQUAL, particularly as regards: combining local, regional, national and European initiatives; access for NGOs and project leadership by NGOs; participation of target groups; identifying and then incorporating political issues; practical importance of policy development; innovation and experimentation; a bottom-up approach; a cross-border approach; access to the labour market for marginalised groups and dealing with social effects on the internal market.***

*Justification*

*The lessons to be drawn from the EQUAL programme must be recognised.*

*It is important to stress the benefits of the EQUAL programme and the lessons to be drawn from it.*

Amendment 3  
Recital 4

(4) With a view to better anticipating and

(4) With a view to better anticipating and

managing change under the regional competitiveness and employment objective, assistance by the ESF should focus, in particular, on increasing adaptability of workers and enterprises, enhancing access to **employment and participation in** the labour market, reinforcing social inclusion of people at a disadvantage and combating discrimination, and promoting partnerships for reform.

managing change under the regional competitiveness and employment objective, assistance by the ESF should focus, in particular, on increasing **the** adaptability of workers and enterprises **and entrepreneurs**, enhancing access to the labour market **with the aim of achieving full employment**, reinforcing **the** social inclusion of people at a disadvantage and **their access to employment, and** combating discrimination, **in the latter case in accordance with Article 13 of the EC Treaty and the EU's anti-discrimination guidelines based on that Article**, and promoting partnerships for reform.

#### *Justification*

*Social inclusion must also include back-up measures to enable disadvantaged people to gain access to employment.*

*'Combating discrimination' should be closely tied to Article 13 of the EC Treaty.*

#### Amendment 4 Recital 4 a (new)

***(4a) It is a principle of ESF support that action should in every case contribute to an improvement for the person concerned, as regards the quality of their workplace and work situation, qualifications, sustainable inclusion, social security, pension entitlement and safeguarding their livelihood (no worsening of the situation).***

#### *Justification*

*The idea is to ensure that the ESF is used only for improvements in the field of employment and enhances the image of regions affected by a marked deviation from the norm.*

#### Amendment 5 Recital 5

(5) In addition to these priorities, in the least developed regions and Member States, under the convergence objective and with a view to increasing economic growth, employment

(5) In addition to these priorities, in the least developed regions and Member States, under the convergence objective and with a view to increasing economic growth, employment

opportunities for women and men **and** quality and productivity at work, it is necessary to expand and improve investment in human capital and to improve institutional, administrative and judicial capacity, in particular to prepare and implement reforms and enforce the acquis.

opportunities for women and men, quality and productivity at work, **encouragement for economically inactive persons to re-enter the labour market**, it is necessary to expand and improve investment in human capital and to improve institutional, administrative and judicial capacity, in particular to prepare and implement reforms and enforce the acquis.

*Justification*

*Need to refer to economically inactive persons.*

Amendment 6  
Recital 5 a (new)

***(5a) Measures taken in the context of the 'regional competitiveness and employment' and/or 'convergence' objective should take account of Article 299(2) of the EC Treaty.***

*Justification*

*In line with Article 299(2) of the EC Treaty.*

Amendment 7  
Recital 6

(6) The promotion of innovative activities and trans-national co-operation is a fundamental dimension which should be integrated in the scope of the ESF.

(6) The promotion of innovative activities and trans-national ***and/or interregional and/or cross-border*** co-operation is a fundamental dimension which should be integrated in the scope of the ESF. ***For such activities, the ESF share should be raised to 85%. Coordination measures in the framework of transnational, cross-border and interregional cooperation should be 100% funded by the ESF.***

*Justification*

*This amendment covers all possible cooperation and sets out the share of participation, the latter being in line with the text and justifications submitted by the rapporteur, namely: the European added value obtained from these activities should be rewarded with a suitably high level of support. Coordination spending should be 100% supported, because it is in fact the equivalent of 'technical aid'.*

Amendment 8  
Recital 7

(7) It is necessary to ensure the coherence of the action of the ESF with the policies provided for under the European Employment Strategy and to concentrate ESF support on the implementation of the guidelines and recommendations on employment.

(7) It is necessary to ensure the coherence of the action of the ESF with the policies provided for under the European Employment Strategy and to concentrate ESF support on the implementation of the guidelines and recommendations on employment. ***The ESF may also support activities that go beyond the national employment plan if they are necessary because of regional and local particularities and if as a result the Lisbon employment objectives, social inclusion and social cohesion can be better achieved.***

*Justification*

*For regional policy reasons, structural funds need to be flexible so that they can respond to local or regional particularities; see Parliament's resolution on the Third Cohesion Report (P5\_TA(2004)0368, paragraph 36).*

Amendment 9  
Recital 7 a (new)

***(7a) Use of the ESF should also contribute to ensuring that the effects of synergy are brought about by its being combined with support from the other funds, as part of an integrated general strategy for sustainable regional development.***

*Justification*

*Consistent with the approach in Amendments 5 and 15 and their justifications.*

Amendment 10  
Recital 7 b (new)

***(7b) ESF activities should be backed up by national measures under the national employment plan. Such measures may also be State aids under the headings of 'adaptability' and 'social inclusion'.***

*Justification*

*The aim here is to refer to the need for State aids as an indispensable back-up for structural policy measures.*

Amendment 11  
Recital 9

(9) The Member States and the Commission must ensure that the implementation of the priorities financed by the ESF under the Convergence and Regional Competitiveness and Employment Objectives contribute to the promotion of equality and elimination of inequalities between women and men; a gender mainstreaming approach should be combined with specific action to increase sustainable participation and progress of women in employment.

(9) The Member States and the Commission must ensure that the implementation of the priorities financed by the ESF under the Convergence and Regional Competitiveness and Employment Objectives contribute to the promotion of equality and elimination of inequalities between women and men; ***in the context of the implementation of the Treaty objectives***, a gender mainstreaming approach should be combined with specific action to increase *the* sustainable participation and progress of women in employment; ***This action should, irrespective of the employment policy guidelines of the EES, be an independent focus of the operational programmes, as well as measures to the removal of barriers and to ensuring social inclusion for people with disabilities.***

*Justification*

*Parliament's resolution on equality of opportunity between men and women and the Structural Funds (P5\_TA(2003)0093, paragraph 2.*

Amendment 12  
Article 2, paragraph 1

1. The ESF shall strengthen economic ***and*** social cohesion by supporting Member States' policies aiming to achieve full employment, improve ***quality and productivity*** at work and promote social inclusion and the reduction of regional employment disparities.

1. The ESF shall strengthen economic, social ***and territorial*** cohesion by supporting Member States' policies aiming to achieve full employment, improve ***employment opportunities and quality*** at work ***in all its aspects***, promote social inclusion, ***including improving disadvantaged people's access to employment, promote non-discrimination and equality between men and women***, and the reduction of regional ***and local*** employment disparities.

In *particular*, the ESF shall support action in line with the guidelines and recommendations adopted under the European Employment Strategy.

In *accordance with Article 4(1) of this Regulation*, the ESF shall support action in line with the guidelines and recommendations adopted under the European Employment Strategy *and national action plans for social inclusion and relevant instruments*.

*Justification*

*See also Parliament's resolution on the Third Cohesion Report (P5\_TA(2004)0368, paragraph 2.*

Amendment 13  
Article 2, paragraph 2

2. In carrying out the tasks referred to in paragraph 1, the ESF shall support the priorities of the Community as regards the need to reinforce social cohesion, strengthen competitiveness and promote environmentally sound economic growth. In particular, it shall take into account the objectives of the Community in the fields of social inclusion, education and training and equality between women and men.

2. In carrying out the tasks referred to in paragraph 1, the ESF shall support the priorities of the Community as regards the need to reinforce social cohesion, strengthen competitiveness and promote environmentally sound economic growth. In particular, it shall *promote the participation of economically inactive people in the labour market and* take into account the objectives of the Community in the fields *combating discrimination in terms of* social inclusion, *in particular for disadvantaged groups such as people with disabilities,* education and training and equality between women and men.

*The ESF shall ensure that the principles developed by the EQUAL programme are taken into consideration, in particular by: combining local, regional, national and European initiatives; access for NGOs and project leadership by NGOs; participation of target groups; identifying and then incorporating political issues; practical importance of policy development; innovation and experimentation; a bottom-up approach; a cross-border approach; access to the labour market for marginalised groups and dealing with social effects on the internal market.*

### *Justification*

*The addition is needed to ensure that the scope of EQUAL is completely incorporated in the mainstream of the ESF Regulation.*

#### Amendment 14

Article 3, paragraph 1, point (a), introductory part

(a) increasing adaptability of workers and enterprises, in particular by promoting:

(a) increasing adaptability **and geographical and professional mobility** of workers, and **adaptability of enterprises and entrepreneurs**, in particular by promoting:

#### Amendment 15

Article 3, paragraph 1, point (a) (i)

(i) increased investment in human resources by enterprises, especially SMEs, and workers, through the development and implementation of lifelong learning systems and strategies which ensure improved access to training of low skilled and older workers, transparency of qualifications and competences, dissemination of ICT and management skills and the promotion of entrepreneurship and innovation;

(i) **lifelong learning and** increased investment in human resources by enterprises, especially SMEs, and workers, through **the promotion of responsibility-taking and business start-ups**, the development and implementation of lifelong learning systems and strategies which ensure improved access to **in-house** training of **all** low skilled and older workers, transparency of qualifications and competences, dissemination of ICT and management skills and the promotion of entrepreneurship and innovation;

### *Justification*

*Private initiatives to encourage business start-ups would help to achieve the employment objectives.*

*In accordance with the Lisbon Strategy, lifelong learning should be set out as a priority and not only as an instrument.*

#### Amendment 16

Article 3, paragraph 1, point (a) (ii)

(ii) **the anticipation and positive management of economic change, notably through the design and dissemination of innovative and more productive forms of work organisation, including better health and safety**, the identification of future occupational and skills requirements, and the

(ii) **the quality of work in all its aspects, in addition to the question of training and acquisition of new skills, in particular by promoting improvements in working conditions (including hygiene and safety, health aspects and work patterns), by providing specific support for SME and**



development of specific employment, training and support services to workers in the context of company and sector restructuring.

***micro-enterprises and their representative organisations at national, regional and local level in applying existing legislation, the identification of future occupational and skills requirements, incentives to comply with labour standards, and the development of specific employment, training and support services to workers in the context of company and sector restructuring, and in the event of closure or relocation of companies.***

*Justification*

*Given the volume and complexity of legislation in force, the specific needs of SMEs as regards applying that legislation must be taken into account.*

Amendment 17

Article 3, paragraph 1, point (b), introductory part

(b) enhancing access to employment of job seekers and inactive people, preventing unemployment, prolonging working lives and increasing participation in the labour market of women and migrants, in particular by promoting:

(b) enhancing access to employment of job seekers and inactive people, preventing unemployment, ***searching for solutions to long-term unemployment and the cross-border integration of labour markets, possibly*** prolonging working lives and increasing participation in the labour market of women and ***legal*** migrants, in particular by promoting:

Amendment 18

Article 3, paragraph 1, point (b) (i)

(i) the modernisation and strengthening of labour market institutions, in particular employment services;

(i) the modernisation, strengthening ***and greater integration at Community level*** of labour market institutions, in particular employment services;

*Justification*

*The prolonging of working lives should only be considered as a possible measure, among other options, for strengthening the workforce in the EU. Greater integration of labour market institutions will contribute to a better distribution of workforce surpluses in various Member States while there are shortages in other Member States, thus helping to bring bottlenecks to an end with regard to qualifications. In line with Article 299(2).*

Amendment 19  
Article 3, paragraph 1, point (b) (ii)

(ii) the implementation of active and preventive measures ensuring early identification of needs and personalised support, job search and mobility, self-employment and business creation;

(ii) the implementation of active and preventive measures ensuring early identification of needs and personalised support, job search and mobility, self-employment and business creation;  
***specific measures to promote young people's access to the labour market, in particular through the establishment of occupational traineeships and entrepreneurship incentives ; the use of the social economy and the intermediate labour market model on a pathway to full employment; childcare and transport support as mechanisms to encourage inactive people and the unemployed to work;***

*Justification*

*Need for a reference to economically inactive people.*

Amendment 20  
Article 3, paragraph 1, point (b) (iii)

(iii) specific action to ***increase sustainable participation and progress of women in employment***, to reduce gender-based segregation in the labour market including by ***addressing the roots of the gender pay gaps***, and to reconcile work and ***private*** life including by facilitating access to childcare and care for dependent persons;

(iii) specific action to ***ensure equal access of women to the labour market***, to reduce gender-based segregation in the labour market including by ***applying the rule of the same pay for the same work***, and to reconcile work and ***family*** life including by facilitating access to childcare and care for dependent persons;

*Justification*

*The role of the public authorities should not be to achieve higher employment of women by applying artificial measures but rather to ensure equality of opportunity for women searching for a job. It is more precise to speak about the rule of the same pay for the same work than about the gender pay gaps. There is no reason why the ESF should reconcile work and private life. On the contrary the ESF should promote greater compatibility of work and family life as both of them are activities that have an important social dimension.*

Amendment 21  
Article 3, paragraph 1, point (b) (iv)

(iv) specific action to strengthen the social integration of migrants and increase their participation in employment, including guidance and language training and validation of competences acquired abroad.

(iv) specific action to strengthen the social integration of **legal** migrants and increase their participation in employment, including guidance and language training and validation of competences acquired abroad.

*Justification*

*This amendment is intended to clarify the status of migrants.*

Amendment 22

Article 3, paragraph 1, point (b) (iv a) (new)

***(iva) Special measures to offset the special constraints relating to the special characteristics of the outermost regions, in accordance with Article 299(2).***

*Justification*

*See justification to Amendment 45.*

Amendment 23

Article 3, paragraph 1, point (b)(iv b) (new)

***(ivb) mental health support where appropriate to economically inactive people.***

*Justification*

*It is essential that the ESF regulation is flexible enough to take account of national, regional and local labour needs.*

Amendment 24

Article 3, paragraph 1, point (c), introductory part

(c) reinforcing social inclusion of people at a disadvantage and combating discrimination, ***in particular*** by promoting:

(c) reinforcing social inclusion of people at a disadvantage and combating ***all kinds of*** discrimination, ***for example*** by promoting:

*Justification*

*This amendment is designed to clarify the concept of discrimination.*

Amendment 25

Article 3, paragraph 1, point (c) (i)

(i) pathways to integration in employment for disadvantaged people, people experiencing social exclusion, early school leavers, minorities and people with disabilities, through employability measures, including in the field of the social economy, accompanying actions and relevant social support and care services;

(i) pathways to integration in employment **and society** for disadvantaged people **and improving their access to employment, for** people experiencing social exclusion, early school leavers, **former detainees**, minorities, **asylum-seekers** and people with disabilities, through employability **and social and community integration** measures, including in the field of the social economy, accompanying actions and relevant social support and care services;

*Justification*

*EQUAL had a separate section on asylum-seekers (see EQUAL guidelines, OJ C 127, 5.5.2000, p. 2, point 19)*

*Needs to ensure that the ESF provides effective assistance to the most excluded groups.*

Amendment 26

Article 3, paragraph 1, point (c) (ii)

(ii) diversity in the workplace and the combat against discrimination in accessing the labour market through awareness-raising and the involvement of local communities and enterprises.

(ii) diversity in the workplace and the combat against discrimination in accessing the labour market through awareness-raising and the involvement of local communities and enterprises **and local development initiatives, such as urban social projects.**

*Justification*

*Incorporates the local dimension.*

Amendment 27

Article 3, paragraph 1, point (c)(ii a) (new)

**(iia) Neighbourhood Ownership, Leadership and Democracy - to equip individuals, and voluntary and community groups, with the skills to enhance their participation in community life as well as connecting disadvantaged individuals to employment or other opportunities in the labour market;**

### *Justification*

*It is essential that the ESF regulation be flexible enough to account of national, regional and local labour needs. As much as possible should be done to encourage the participation of voluntary organisations in the ESF. Employers should be supported and trained so as to allow for the full involvement of disabled workers in the workplace.*

### Amendment 28

Article 3, paragraph 1, point (c) (ii b) (new)

***(iib) Specific actions to raise awareness among employers of the requirements for reasonable accommodation under the Equal Treatment Directive in Employment and Occupation 2000/78/EC, and to inform and assist employers to make their working environments accessible for disabled persons and to train employers in equal opportunities recruitment, disability awareness and non-discrimination.***

### Amendment 29

Article 3, paragraph 1, point (c) (ii c) (new)

***(iic) actions to facilitate the re-entry into the labour market of disadvantaged groups such as disabled persons or carers of dependants.***

### Amendment 30

Article 3, paragraph 1, point (d)

(d) mobilising for ***reforms in the fields of*** employment and inclusion, in particular by promoting the development of partnerships and pacts through networking of relevant stakeholders at national, regional and local level.

(d) mobilising for ***reforms that push for full*** employment, ***the quality of work*** and inclusion, in particular by promoting ***business start-ups***, the development of partnerships and pacts through networking of relevant stakeholders at ***transnational***, national, regional and local level, ***such as social partners and non-governmental organisations, especially those in the fields of social inclusion and equal opportunities for men and women, local employment initiatives and territorial employment pacts, in order to increase employment and skills opportunities and outcomes.***

### *Justification*

*Part 1 should be seen in conjunction with the amendments to Article 5. The general aim is strict separation between the function of social partners and NGOs as partners in connection with the funds' participation principle, and their participation in projects that the ESF is funding. Part 2 takes up Regulation (EC) No 1784/1999, Article 2(2)(a).*

#### Amendment 31

Article 3, paragraph 2, point (a), introductory part

(a) Expanding and improving investment in human capital, ***in particular*** by promoting:

(a) Expanding and improving investment in human capital, ***for example*** by promoting:

#### Amendment 32

Article 3, paragraph 2, point (a) (i)

(i) the implementation of reforms in education and training systems, especially with a view to raising their responsiveness to the needs of a knowledge-based society, improving the labour market relevance of initial education and training and continually updating of skills of teaching and other personnel;

(i) the implementation of reforms in education and training systems ***designed to prepare individuals to work independently and promote responsibility-taking and business start-ups***, especially with a view to raising their responsiveness to the needs of a knowledge-based society, improving the labour market relevance of initial education and training and continually updating of skills of teaching and other personnel;

### *Justification*

*This amendment is designed to promote responsibility-taking and business start-up so as to extend and improve investment in human capital.*

#### Amendment 33

Article 3, paragraph 2, point (a) (iii)

(iii) the development of human potential in research and innovation, notably through post-graduate studies and training ***of researchers*** and related networking activities between universities, research centres and enterprises.

(iii) the development of human potential in research and innovation, notably through post-graduate studies and training ***and researcher mobility incentives within the framework of the establishment of the European Research Area***, and related networking activities between universities, research centres and enterprises ***in the form of public-private partnerships or other types of cooperation between the various economic and social players.***

*Justification*

*In line with the Bologna Process and the Lisbon Strategy.*

Amendment 34

Article 3, paragraph 2, point (a) (iii a) (new)

***(iiia) Adapting the workplace environment by giving consideration to issues of work/life balance.***

Amendment 35

Article 3, paragraph 2, point (b), introductory part

(b) Strengthening institutional capacity and the efficiency of public administrations and public services at national, regional and local level to embrace reforms and good governance especially in the economic, employment, social, environmental and judicial fields, ***in particular*** by promoting:

(b) Strengthening institutional capacity and the efficiency ***and modernisation*** of public administrations and public services, ***the social partners, civil society and non-governmental organisations*** at national, regional and local level to embrace reforms and good governance especially in the economic, employment, social, environmental and judicial fields, ***for example*** by promoting:

*Justification*

*Institutional capacity must be strengthened to ensure that the Structural Funds operate in full unison and not solely for government partners.*

Amendment 36

Article 3, paragraph 2, point (b) (i)

(i) good policy and programme design, monitoring and evaluation, through studies, statistics and expertise, support to interdepartmental coordination and dialogue between relevant public and private bodies;

(i) good policy and programme design, monitoring and evaluation, through studies, ***aimed above all at political leaders and regional and local authorities***, statistics and expertise, support to interdepartmental coordination and dialogue between relevant public and private bodies;

*Justification*

*In order to strengthen institutional capacity, efforts are needed above all to strengthen the ability of political leaders and regional and local authorities in this area.*

Amendment 37  
Article 3, paragraph 2, point (b) (ii)

(ii) capacity building in the delivery of policies and programmes, including with regard to the enforcement of legislation, especially through managerial and staff training and specific support to key services, inspectorates and socio-economic actors including social partners and relevant non-governmental organisations.

(ii) capacity building in the delivery of policies and programmes, including with regard to the enforcement of legislation, especially through **ongoing** managerial and staff training and specific support to key services, inspectorates and socio-economic actors including social partners and relevant non-governmental organisations **and representative professional organisations**.

*Justification*

*The general priorities set by the ESF can only be achieved via a policy of active support for back-up networks.*

Amendment 38  
Article 3, paragraph 3

3. In implementing the objectives and priorities referred to in paragraphs 1 and 2, the ESF shall support the promotion and mainstreaming of innovative activities as well as **trans-national and inter-regional** cooperation in particular through sharing of information, experiences, results and good practices, and through developing complementary approaches and coordinated or joint action.

3. In implementing the objectives and priorities referred to in paragraphs 1 and 2, the ESF shall support the promotion and mainstreaming of innovative activities **as a separate item** as well as **cooperation between EU Member States at national and regional level**, in particular through sharing of information, experiences, results and good practices, and through developing complementary approaches and coordinated or joint action.

*Justification*

*Needed for technical reasons as the draftsman is providing for a higher EU contribution.*

*An objective of the ESF must be to support cooperation between EU Member States at national and regional level. The term 'trans-national', which is used in the proposal for a regulation, is imprecise and misleading.*

Amendment 39  
Article 4, paragraph 1

1. The Member States and managing authorities shall ensure that the action supported by the ESF is consistent with and

1. The Member States and managing authorities shall ensure that the action supported by the ESF is consistent with and



underpins the implementation of the European Employment Strategy. In particular, they shall ensure that the action set out in the strategic frame of reference and in the operational programmes promote the objectives, priorities and targets of the Strategy in each Member State and concentrate support in particular on the implementation of the employment recommendations made under Article 128(4) of the Treaty as well as of the relevant objectives of the Community in the field of social inclusion.

underpins the implementation of the European Employment Strategy. In particular, they shall ensure that the action set out in the strategic frame of reference and in the operational programmes promote the objectives, priorities and targets of the Strategy in each Member State and concentrate support in particular on the implementation of the employment recommendations made under Article 128(4) of the Treaty as well as of the relevant objectives of the Community in the field of social inclusion. ***The ESF may also support measures that go beyond the national employment plan if they are necessary because of regional and local particularities and if as a result the Lisbon employment objectives, social inclusion and social cohesion can be better achieved.***

Amendment 40  
Article 4, paragraph 2

2. Within operational programmes, resources shall be directed towards the most important needs and focus on those policy areas to which ESF support can bring about a significant effect in view of the attainment of the objectives of the programme. To maximise the efficiency of ESF support, operational programmes shall take particular account of the regions and localities facing most serious problems, including deprived urban and declining rural and fisheries dependent areas.

2. Within operational programmes, resources shall be directed towards the most important needs and focus on those policy areas to which ESF support can bring about a significant effect in view of the attainment of the objectives of the programme. To maximise the efficiency of ESF support, operational programmes shall take particular account of the regions and localities facing most serious problems, including deprived urban and declining rural and fisheries dependent areas ***and areas with permanent constraints.***

*Justification*

*Article 4(2) does not define the term 'significant effect', and greater legal clarity is needed. In line with the Treaty provisions on areas suffering from permanent constraints.*

Amendment 41  
Article 5, paragraph 2

2. The Member States and the managing authority of each operational programme shall ensure the involvement of the social partners and adequate consultation of non-governmental stakeholders, at the appropriate territorial level, in the programming, implementation and monitoring of ESF support.

2. The Member States and the managing authority of each operational programme shall ensure the involvement **and adequate access** of the social partners and adequate consultation **and participation** of non-governmental stakeholders, at the appropriate territorial level, in the programming, implementation and monitoring of ESF support.

*Justification*

*NGOs must not only be consulted but also fully involved in the process of framing the ESF.*

Amendment 42

Article 5, paragraph 3, subparagraph 1

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners to the activities funded under Article 2 of this Regulation.

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners **and organisations representative of enterprises at national, regional and local level** to the activities funded under Article 2 of this Regulation.

*Justification*

*This addition should be included in the interests of completeness.*

Amendment 43

Article 5, paragraph 4

4. The managing authority of each operational programme shall encourage adequate participation and access of non-governmental organisations to the funded activities, notably in the domain of social inclusion and equality between women and men.

4. The managing authority of each operational programme shall encourage adequate participation and access of non-governmental organisations to the funded activities, notably in the domain of social inclusion, **in particular for disadvantaged groups such as people with disabilities**, and equality **of opportunity** between women and men.

Amendment 44

Article 5, paragraph 5 a (new)

**5a. For sections of the programmes for innovative measures under Article 3(3), a**

***fund may be set up for smaller activities in which local operators participate, for a limited percentage of the funding from the programmes, and allocated in the form of block grants. Small activities shall be those up to EUR 300 000.***

*Justification*

*This makes use of an established procedure under Article 42 of the Interreg Regulation (OJ C 143, 23.5.2000, p. 8) that is designed to cut red tape for innovative measures.*

Amendment 45  
Article 6

The Member States and the managing authorities shall ensure that operational programmes include a description on how ***gender equality*** is promoted in the programming, implementation and monitoring including any specific indicators, and in the evaluation.

The Member States and the managing authorities shall ensure that operational programmes include a description on how ***non-discrimination in all the forms referred to in Article 13 of the Treaty*** is promoted in the programming, implementation and monitoring including any specific indicators, and in the evaluation.

*Justification*

*All forms of discrimination must be covered, not only equality between men and women.*

Amendment 46  
Article 7

In the framework of each operational programme, Member States and managing authorities shall pay particular attention to the promotion and mainstreaming of innovative activities. After consulting the Monitoring Committee referred to in Article 47 of Regulation (EC) N° [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], the managing authority shall choose the themes for the funding of innovation and shall define the appropriate modalities of implementation.

In the framework of each operational programme, Member States and managing authorities shall pay particular attention to the promotion and mainstreaming of innovative activities ***as a separate item, especially those which promote closer cooperation between different public, social and economic players.*** After consulting the Monitoring Committee referred to in Article 47 of Regulation (EC) N° [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], the managing authority shall choose the themes for the funding of innovation and shall define the

appropriate modalities of implementation.  
***Innovative activities should take up at least a 1 % share of the operational programme. For such activities the EU co-financing share shall rise to at least 85 %.***

Amendment 47  
Article 8, paragraph 1

1. The Member States and managing authorities ***shall ensure that programming of trans-national and inter-regional co-operation activities takes the form of*** a specific priority axis within an operational programme or a specific operational programme.

1. The Member States and managing authorities ***may set up*** a specific priority axis within an operational programme or a specific operational programme ***when programming for trans-national and inter-regional cooperation activities. For such activities the ESF share shall rise to 85 %; coordination measures within the framework of trans-national and inter-regional cooperation shall be 100 % funded by the ESF.***

*Justification*

*The aim of inserting 'may' is to obtain greater flexibility.*

Amendment 48  
Article 9

The Commission shall promote in particular exchanges of experiences, awareness raising activities, seminars, networking and peer reviews to identify and disseminate good practices and encourage mutual learning with the aim of enhancing the policy dimension and contribution of the ESF to the objectives of the Community in relation to employment and social inclusion.

The Commission shall promote in particular ***development forums and the creation of territorial employment pacts when preparing programme planning***, exchanges of experiences, awareness raising activities, seminars, networking and peer reviews to identify and disseminate good practices and encourage mutual learning with the aim of enhancing the policy dimension and contribution of the ESF to the objectives of the Community in relation to employment and social inclusion.

*Justification*

*These forums and employment pacts are important instruments for systematic planning of the synergy effects of structural fund intervention.*

Amendment 49  
Article 10, title

*Annual* and final reports

*Progress* and *implementation* reports

*Justification*

*Annual reports are a bureaucratic instrument that is also considered unsuitable for ascertaining progress.*

Amendment 50  
Article 10, introductory part

The *annual* and final implementation reports referred to in **Article 49** of regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall contain a **synthesis** of the implementation of:

The **reports to be submitted every two years** and final implementation reports referred to in **Article 66** of Regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall contain a **summary and assessment** of the implementation of:

*Justification*

*Experience shows that the submission of annual reports is counterproductive because it involves unnecessary bureaucracy.*

Amendment 51  
Article 10, point (a a) (new)

**(aa) mainstreaming of all discriminated groups including actions to secure social integration, accessibility and employment of disabled persons;**

*Justification*

*These reports should demonstrate the mainstreaming of all discriminated groups in society and not focus solely on gender.*

Amendment 52  
Article 10, point (b)

(b) action to strengthen social integration

(b) action to strengthen social integration

and employment of migrants;

and employment of *legal* migrants;

*Justification*

*This amendment is designed to clarify the status of migrants.*

Amendment 53  
Article 10, point (d a) (new)

***(da) Action to strengthen cooperation between the public and private sectors;***

Amendment 54  
Article 10, point (d b) (new)

***(db) Action to promote the involvement of social players and their integration in local, regional, national and transnational networks;***

Amendment 55  
Article 10, point (e)

(e) trans-national and inter-regional co-operation activities.

(e) trans-national, ***cross-border*** and inter-regional co-operation activities.

Amendment 56  
Article 10, point (e a) (new)

***(ea) measures to encourage self-employment and business start-ups.***

*Justification*

*The aim of this amendment is to include in the implementation reports a summary of the measures designed to promote private enterprise and encourage the setting up of SMEs.*

Amendment 57  
Article 10, point (e b) (new)

***(eb) Coordination of ESF funds with measures under national employment plans, the European Employment Strategy and the Lisbon Strategy.***

*Justification*

*Need for effective links between all these measures.*

Amendment 58  
Article 10, point (e c) (new)

***(ec) addressing social exclusion actions  
and assessment of inactivity rates;***

Amendment 59  
Article 10, paragraph 1 a (new)

***1a. The Commission shall define clearly  
what it means by 'irregularity' for reporting  
purposes by the Member States;***

## PROCEDURE

<b>Title</b>	Proposal for a regulation of the European Parliament and of the Council on the European Social Fund
<b>References</b>	COM(2004)0493 - C6-0090/2004 - 2004/0165(COD)
<b>Committee responsible</b>	EMPL
<b>Committee asked for its opinion</b> Date announced in plenary	REGI 17.11.2004
<b>Enhanced cooperation</b>	-
<b>Draftsman</b> Date appointed	Elisabeth Schroedter 6.10.2004
<b>Discussed in committee</b>	30.3.2005
<b>Date amendments adopted</b>	6.6.2005
<b>Result of final vote</b>	for: 37 against: 3 abstentions: 0
<b>Members present for the final vote</b>	Alfonso Andria, Stavros Arnautakis, Elspeth Attwooll, Jean Marie Beaupuy, Adam Jerzy Bielan, Jana Bobošíková, Graham Booth, Bairbre de Brún, Gerardo Galeote Quecedo, Iratxe García Pérez, Eugenijus Gentvilas, Ambroise Guellec, Gábor Harangozó, Konstantinos Hatzidakis, Carlos José Iturgaiz Angulo, Mieczysław Edmund Janowski, Tunne Kelam, Miloš Koterec, Yiannakis Matsis, Miroslav Mikolášik, Lambert van Nistelrooij, Markus Pieper, Francisca Pleguezuelos Aguilar, Elisabeth Schroedter, Alyn Smith, Grażyna Staniszevska, Catherine Stihler, Margie Sudre, Kyriacos Triantaphyllides, Vladimír Železný
<b>Substitutes present for the final vote</b>	Thijs Berman, Jan Březina, Ole Christensen, Mojca Drčar Murko, Emanuel Jardim Fernandes, Eluned Morgan, Mirosław Mariusz Piotrowski, László Surján, Thomas Ulmer
<b>Substitutes under Rule 178(2) present for the final vote</b>	Jean Lambert



3.5.2005

## **OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY**

for the Committee on Employment and Social Affairs

on the proposal for a regulation of the European Parliament and of the Council on the European Social Fund  
(COM(2004)0493 – C6-0090/2004 – 2004/0165(COD))

Draftswoman: Marie Panayotopoulos-Cassiotou

PA\_Leg

### **SHORT JUSTIFICATION**

As part of the new financial perspective for the 2007-2013 period put forward by the Commission, the proposal for a regulation on the European Social Fund (ESF) reaffirms the role the Fund has been playing since 1999, namely supporting the European Employment Strategy. The draftswoman welcomes the proposal for a regulation on the ESF, which allows for closer links between the ESF, the European Employment Strategy and the Union's objectives in terms of social inclusion, education and training and promoting equality between women and men. The achievement of these objectives is an essential corollary to the Lisbon Strategy.

Through simplified and more targeted spending, under the goals of 'convergence' and 'regional competitiveness and employment', the ESF supports greater adaptation of employees and companies, improved access for job seekers and the inactive, the prevention of unemployment, the extension of working life, greater participation in the labour market by women and migrants, better social inclusion for the disadvantaged, the fight against discrimination and the promotion of partnerships for reforms targeting employment and social inclusion.

However, investment in human capital and for the purpose of strengthening institutional capacity and the efficiency of public administrations and public services is referred to under the convergence objective only. The rapporteur therefore proposes greater flexibility in this regard and calls on the Committee on Employment and Social Affairs, as the committee responsible, to look at this issue.

The specific mention in the proposal for a regulation on the ESF of the need to promote equality between men and women, not only through gender mainstreaming but also by means of specific action to increase sustainable participation and progress by women in employment

in accordance with the provisions of the EC Treaty, is to be welcomed.

The fight against all forms of discrimination and the promotion of gender equality should apply to professional training as well as to access to and participation and progression in employment.

Raising the population's awareness of the fight to tackle discrimination and, in particular, the promotion of equality between men and women is essential if mentalities are to evolve and real change is to take place. It is necessary, therefore, for the ESF to finance awareness and information campaigns.

The financial plans for the specific actions and gender mainstreaming measures should be included in the operational programmes, in line with the request made by the Committee on Women's Rights and Gender Equality in the own-initiative report by María Antonia Avilés Perea on objectives of equality of opportunity between men and women in the use of the Structural Funds (A5-0059/2003). This would make it possible not only to improve the management of the Funds but also to assess to what extent women really benefit from the actions financed.

In view of the important role played by the exchange of experiences and best practices and the promotion of innovative activities to improve the situation for women, the inclusion of these elements in the new regulation on the ESF is greatly welcomed.

It is also very positive that the new regulation on the ESF provides for the consultation of non-governmental actors in the programming, implementation and follow-up of operational programmes.

Worryingly absent, however, are measures to publicise the actions financed under the proposal for a regulation on the ESF in order to make them more transparent and more accessible to those concerned. Measures of this kind should be incorporated into the proposal for a regulation. Simple and rapid access to the financed actions must also be ensured.

## AMENDMENTS

The Committee on Women's Rights and Gender Equality calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following amendments in its report:

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Text proposed by the Commission<sup>1</sup>

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Amendments by Parliament

Amendment 1  
Recital 3

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<sup>1</sup> OJ C ... /Not yet published in OJ.

(3) The ESF should support the policies of Member States which are closely in line with the guidelines and recommendations made under the European Employment Strategy and the agreed objectives of the Community in relation to social inclusion and education and training, to better contribute to the implementation of the objectives and targets agreed at the Lisbon and Goteborg European Councils.

(3) The ESF should support the policies of Member States which are closely in line with the guidelines and recommendations made under the European Employment Strategy and the agreed objectives of the Community in relation to social inclusion, education and training **and the promotion of equality between women and men**, to better contribute to the implementation of the objectives and targets agreed at the Lisbon and Goteborg European Councils.

#### *Justification*

*According to Article 2 of the EC Treaty, equality between women and men is an objective of the EU as well as of the European Employment Strategy and the Lisbon Strategy. Article 2 of the proposal for a regulation, which relates to the mission of the European Social Fund, also mentions equality between women and men as one of the Community's objectives. Given the importance of this principle, and in order to ensure consistency, this objective should be included in recital 3.*

#### Amendment 2 Recital 4

(4) With a view to better anticipating and managing change under the regional competitiveness and employment **objective**, assistance by the ESF should focus, in particular, on increasing adaptability of workers and enterprises, enhancing access to employment and participation in the labour market, reinforcing social inclusion of people at a disadvantage and combating discrimination, and promoting partnerships for reform.

(4) With a view to better anticipating and managing change under the **convergence and regional competitiveness and employment objectives**, assistance by the ESF should focus, in particular, on increasing adaptability of workers and enterprises, enhancing access to employment and participation in the labour market, reinforcing social inclusion of people at a disadvantage and combating discrimination, and promoting partnerships for reform.

#### *Justification*

*The aims mentioned apply to both the convergence and the regional competitiveness and employment objectives, as stated under Article 3.*

#### Amendment 3 Recital 7

(7) It is necessary to ensure the coherence of

(7) It is necessary to ensure the coherence of

the action of the ESF with the policies provided for under the European Employment Strategy and to concentrate ESF support on the implementation of the guidelines and recommendations on employment.

the action of the ESF with ***the programmes and*** the policies provided for under the European Employment Strategy, ***particularly the PROGRESS programme, and with the national action plans for employment and social inclusion,*** and to concentrate ESF support on the implementation of the guidelines and recommendations on employment.

#### *Justification*

*The Structural Funds are intended to complement action by the Member States, meaning that it is necessary to coordinate ESF measures with the national action plans for employment and for social inclusion (recital 13 of Regulation 1784/1999 on the ESF). Coherence between ESF measures and the PROGRESS programme must be ensured, since the latter is concerned with employment and social solidarity. Article 15 of the proposal for a decision on the PROGRESS programme (COM(2004)0488) explicitly provides for the coordination of the programme's actions and the ESF.*

#### Amendment 4 Recital 8

(8) An efficient and effective implementation of the action supported by the ESF relies on good governance and partnership between all relevant territorial and socio-economic actors and in particular the social partners and other stakeholders including at regional and local level.

(8) An efficient and effective implementation of the action supported by the ESF relies on good governance and partnership between all relevant territorial and socio-economic actors and in particular the social partners and other stakeholders including at regional and local level. ***In this context, the participation of women's professional and non-governmental organisations should be strengthened, particularly in the regions.***

#### *Justification*

*There is a need for a specific ratio of participation by women's organisations since, in many Member States, women's organisations are under-represented in consultations with the social partners.*

#### Amendment 5 Recital 9

(9) The Member States and the Commission must ensure that the implementation of the priorities financed by the ESF under the Convergence and Regional Competitiveness and Employment Objectives contribute to the promotion of equality and elimination of inequalities between women and men; a gender mainstreaming approach should be combined with specific action to increase sustainable participation and *progress* of women in employment.

(9) The Member States and the Commission must ensure that the implementation of the priorities financed by the ESF under the Convergence and Regional Competitiveness and Employment Objectives contribute to the promotion of equality and elimination of inequalities between women and men; a gender mainstreaming approach should be combined with specific action *to improve access to employment and the quality of jobs, and* to increase sustainable participation and *promotion* of women in employment, *bearing in mind at all times the need to reconcile family life and work.*

#### *Justification*

*In order to improve women's participation in the labour market, it is first necessary to provide specific measures to make it easier for them to gain access to employment. Article 2(e) of Regulation (EC) No 1784/1999 on the European Social Fund states moreover that 'the Fund shall support...specific measures to improve women's access to and participation in the labour market'.*

#### Amendment 6

##### Article 3, paragraph 1, point (a) (ii)

(ii) the anticipation and positive management of economic change, notably through the design and dissemination of innovative and more productive forms of work organisation, including better health and safety, the identification of future occupational and skills requirements, and the development of specific employment, training and support services to workers in the context of company and sector restructuring.

(ii) the anticipation and positive management of economic change, notably through the design and dissemination of innovative and more productive forms of work organisation, including *better working conditions, more flexible working hours, better health and safety for workers, in particular pregnant women, women in their first year of motherhood and people with disabilities*, the identification of future occupational and skills requirements, *a sufficient supply of voluntary part-time work* and the development of specific employment, training and support services to workers in the context of company and sector restructuring.

*Justification*

*The improvement in the quality of work provided for under the Lisbon Strategy and supported by the ESF also requires an improvement in working conditions and working hours, particularly in terms of offering greater flexibility in order to take into account developments in the labour market and to make it possible to reconcile family and professional life.*

Amendment 7

Article 3, paragraph 1, point (b), introductory part

(b) enhancing access to employment of job seekers and inactive people, preventing unemployment, prolonging working lives and increasing participation in the labour market of women and migrants, in particular by promoting:

(b) enhancing access to employment of job seekers, ***including young people, especially young women***, and inactive people, preventing unemployment, prolonging working lives and increasing participation in the labour market ***and the promotion*** of women and migrants, in particular by promoting:

*Justification*

*Statistics show the number of young unemployed to be continually rising and unemployment affects young women in particular. Support from the ESF is essential in helping Member States to tackle the problem.*

Amendment 8

Article 3, paragraph 1, point (b) (ii a) (new)

***(ii a) specific actions to improve access to and participation in employment, as well as progress in employment by young people, especially young women;***

*Justification*

*See justification for Amendment 7.*

Amendment 9

Article 3, paragraph 1, point (b) (iii)

(iii) specific action to increase sustainable participation and progress of women in employment, to ***reduce gender-based segregation*** in the labour market including

(iii) specific action to ***improve access to employment and*** increase sustainable participation and progress of women in employment, to ***eliminate direct and***

by addressing the roots of the gender pay gaps, and to reconcile work and private life including by facilitating access to childcare and care for dependent persons;

***indirect gender-based segregation*** in the labour market including by addressing the roots of the gender pay gaps, and to reconcile work and private life including by facilitating access to childcare and care for dependent persons; ***special attention should be given to women wishing to re-enter the job market after maternity or parental leave, and women made redundant who only have a few years left to qualify for pension rights;***

#### *Justification*

*Measures are needed to facilitate women's access to and participation in employment. Article 2(e) of Regulation 1784/1999 on the ESF states that 'the Fund shall support...specific measures to improve women's access to and participation in the labour market'.*

#### Amendment 10

##### Article 3, paragraph 1, point (b) (iv)

(iv) specific action to strengthen the social integration of migrants and increase their participation in employment, including guidance and language training and validation of competences acquired abroad.

(iv) specific action to strengthen the social integration of migrants, ***improve their access to*** and increase their participation in employment ***and their promotion***, including guidance and language training and validation of competences acquired abroad.

#### *Justification*

*It should be possible for people who have migrated to the European Union not only to be able to gain access to the labour market and participate in it on a long-term basis but also to be able to progress professionally.*

#### Amendment 11

##### Article 3, paragraph 1, point (c) (i)

(i) pathways to integration in employment for disadvantaged people, people experiencing social exclusion, early school leavers, minorities and people with disabilities, through employability measures, including in the field of the social economy, accompanying actions and relevant social support and care services;

*Does not affect English version.*

*Justification*

*(Does not affect English version)*

Amendment 12

Article 3, paragraph 1, point (c) (ii)

(ii) diversity in the workplace and the combat against discrimination in accessing the labour market through awareness-raising and the involvement of local communities and enterprises.

(ii) diversity in the workplace and the combat against discrimination in accessing **and participating in** the labour market **and vocational training** through awareness-raising and the involvement of local communities and enterprises.

*Justification*

*Discrimination against the disadvantaged does not affect only access to, but also participation and progress in, employment and vocational training.*

Amendment 13

Article 3, paragraph 3 a (new)

**3a. The ESF shall support information and awareness-raising measures targeting the public implemented by the Member States with the aim of fighting discrimination and promoting equal treatment and opportunities for women and men in the workplace and society.**

*Justification*

*The fight against discrimination and unequal treatment and opportunities for women and men (new terminology to be used) must take the form of raising public awareness in such a way that attitudes gradually change, leading ultimately to genuine equality in the labour market.*

Amendment 14

Article 3, paragraph 4

4. In implementing the social inclusion priority referred to in **paragraph 2** (c) (i), the financing by the ESF of actions within the scope of the Regulation (EC) N° [...] [ERDF] may amount to a maximum of 10% of the priority axis concerned.

4. In implementing the social inclusion priority referred to in **paragraph 1** (c) (i), the financing by the ESF of actions within the scope of the Regulation (EC) N° [...] [ERDF] may amount to a maximum of 10% of the priority axis concerned.



### *Justification*

*A mistake was made with the paragraph number. Article 3, paragraph 1, point (c) (i), and not paragraph 2, point (c) (i), refers to social inclusion.*

#### Amendment 15 Article 4, paragraph 1

1. The Member States and managing authorities shall ensure that the action supported by the ESF is consistent with and underpins the implementation of the European Employment Strategy. In particular, they shall ensure that the action set out in the strategic frame of reference and in the operational programmes promote the objectives, priorities and targets of the Strategy in each Member State and concentrate support in particular on the implementation of the employment recommendations made under Article 128(4) of the Treaty as well as of the relevant objectives of the Community in the field of social inclusion.

1. The Member States and managing authorities shall ensure that the action supported by the ESF is consistent with and underpins the implementation of the European Employment Strategy. In particular, they shall ensure that the action set out in the strategic frame of reference and in the operational programmes promote the objectives, priorities and targets of the Strategy in each Member State and concentrate support in particular on the implementation of the employment recommendations made under Article 128(4) of the Treaty as well as of the relevant objectives of the Community in the field of social inclusion ***of vulnerable social groups.***

### *Justification*

*Support for vulnerable social groups is one of the most important objectives.*

#### Amendment 16 Article 4, paragraph 2

2. Within operational programmes, resources shall be directed towards the most important needs and focus on those policy areas to which ESF support can bring about a significant effect in view of the attainment of the objectives of the programme. To maximise the efficiency of ESF support, operational programmes shall take particular account of the regions and localities facing most serious problems, including deprived urban and declining rural and fisheries dependent areas.

2. Within operational programmes, resources shall be directed towards the most important needs and focus on those policy areas to which ESF support can bring about a significant effect in view of the attainment of the objectives of the programme. To maximise the efficiency of ESF support, operational programmes shall take particular account of the regions and localities facing most serious problems, including deprived urban and declining rural areas, ***island, mountainous and remote regions, regions with a low population density or a demographic handicap*** and fisheries-

dependent areas.

Amendment 17  
Article 4, paragraph 2 a (new)

***2a. The operational programmes shall contain a financial plan for specific actions, including actions to promote social cohesion and equality between women and men.***

*Justification*

*Incorporating a financial plan for the various measures and specific actions, including those intended to promote equality between women and men, into the operational programmes will make it possible to monitor the use of funds and assess the effectiveness of assistance in individual cases.*

Amendment 18  
Article 4, paragraph 4

4. The quantified objectives and indicators selected to monitor the implementation of the national strategic frame of reference defined in Article 18 of regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall be those used in the implementation of the European Employment Strategy and in the context of the agreed objectives of the Community in the fields of social inclusion and education and training. The monitoring indicators of operational programmes should be coherent with these quantified objectives.

4. The quantified objectives and indicators selected to monitor the implementation of the national strategic frame of reference defined in Article 18 of regulation (EC) No [...] [laying down general provisions on the Structural Funds and the Cohesion Fund], shall be those used in the implementation of the European Employment Strategy and in the context of the agreed objectives of the Community in the fields of social inclusion, education and training ***and equality between women and men***. The monitoring indicators of operational programmes should be coherent with these quantified objectives.

*Justification*

*Equality between women and men is one of the Community's objectives and should be taken into account by the ESF.*

Amendment 19

Article 4, paragraph 5

5. Evaluations undertaken in relation to the action of the ESF shall also assess the contribution of the action supported by the ESF to the implementation of the European Employment Strategy and to the objectives of the Community in the fields of social inclusion and education and training in the Member State concerned.

5. Evaluations undertaken in relation to the action of the ESF shall also assess the contribution of the action supported by the ESF to the implementation of the European Employment Strategy and to the objectives of the Community in the fields of social inclusion, ***the promotion of equality between women and men*** and education and training in the Member State concerned.

*Justification*

*It is important to evaluate the extent to which actions financed by the ESF contribute to the promotion of equality between women and men in the Member States.*

Amendment 20

Article 5, paragraph 2

2. The Member States and the managing authority of each operational programme shall ensure the involvement of the social partners and adequate consultation of non-governmental stakeholders, at the appropriate territorial level, in the programming, implementation and monitoring of ESF support

2. The Member States and the managing authority of each operational programme shall ensure the involvement of the social partners and adequate consultation of non-governmental stakeholders, ***including non-governmental women's organisations***, at the appropriate territorial level, in the programming, implementation, monitoring ***and evaluation*** of ESF support.

*Justification*

*See justification to Amendment 2.*

Amendment 21

Article 5, paragraph 2 a (new)

***2a. The Member States shall take the necessary measures to inform the population and the relevant stakeholders about the operational programmes and the activities eligible for financing by the ESF.***

*Justification*

*Informing the population and the relevant stakeholders will make it possible to ensure the*

*transparency of assistance under the Fund and increase the number of project proposals and participation in the activities financed, and help resolve the problem of underuse of appropriations.*

Amendment 22  
Article 5, paragraph 3

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners to the activities funded under **Article 2** of this Regulation.

Under the "Convergence" Objective, at least 2% of the ESF resources shall be allocated to capacity-building and activities jointly undertaken by the social partners, in particular as regards adaptability of workers and enterprises referred to in **Article 2** (1) (a).

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners to the activities funded under **Article 3** of this Regulation.

Under the "Convergence" Objective, at least 2% of the ESF resources shall be allocated to capacity-building and activities jointly undertaken by the social partners, in particular as regards adaptability of workers and enterprises referred to in **Article 3** (1) (a).

*Justification*

*The number of article referred to is incorrect.*

Amendment 23  
Article 5, paragraph 4

4. The managing authority of each operational programme shall encourage adequate participation and access of non-governmental organisations to the funded activities, notably in the domain of social inclusion and equality between women and men.

4. The managing authority of each operational programme shall encourage adequate participation and **ensure simple and rapid** access of **the** non-governmental organisations **concerned** to the funded activities, notably in the domain of social inclusion and equality between women and men.

*Justification*

*NGOs often encounter difficulties in gaining access to the activities financed by the Structural Funds, particularly as a result of frequently long deadlines and the complexity of the procedure. Furthermore, recital 14 of Regulation (EC) No 1784/1999 on the ESF states that 'arrangements may be introduced whereby local groups, including non-governmental organisations, may gain simple and rapid access to Fund support'.*

Amendment 24  
Article 6

The Member States and the managing authorities shall ensure that operational programmes include a ***description on*** how gender equality is promoted in the programming, implementation and monitoring including any ***specific*** indicators, ***and in the evaluation.***

The Member States and the managing authorities shall ensure that operational programmes include a ***detailed analysis of*** how gender equality is promoted in the programming, implementation, monitoring ***and evaluation,*** including ***specific objectives with clear time lines and any statistics and qualitative and quantitative*** indicators ***broken down by sex.***

***The Member States shall guarantee the balanced representation of women and men in the bodies responsible for decision-making, selection and monitoring at local, regional and national level.***

***The Member States and the managing authorities shall ensure that gender budgeting is implemented at all stages of the operational programmes.***

*Justification*

*The systematic use of statistics and qualitative and quantitative indicators broken down by sex is essential for the monitoring and evaluation of the effectiveness of assistance under the Fund with regard to the objective of equal opportunities. The balanced representation of women and men in the above-mentioned bodies is necessary for the correct use of financing in the area of gender equality (see Article 35 of Regulation 1260/1999 laying down general provisions on the Structural Funds on balanced participation in monitoring committees).*

Amendment 25  
Article 10, point (c)

(c) action to strengthen social integration and employment of minorities;

(c) action to strengthen social integration and employment of minorities, ***the disadvantaged and people with disabilities;***

*Justification*

*The annual and final implementation reports should contain a synthesis of actions to support other groups in society, particularly the disadvantaged and people with disabilities, as well as national minorities. The synthesis should cover the actions implemented to strengthen social integration and employment for all the members of the population mentioned under Article 3(1)(c).*



## PROCEDURE

<b>Title</b>	Proposal for a regulation of the European Parliament and of the Council on the European Social Fund					
<b>References</b>	COM(2004)0493 - C6-0090/2004 - 2004/0165(COD)					
<b>Legal basis</b>	Articles 251(2) and 148 EC					
<b>Basis in Rules of Procedure</b>	Rule 51					
<b>Date submitted to Parliament</b>	15.7.2004					
<b>Committee responsible</b> Date announced in plenary	EMPL 17.11.2004					
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	BUDG 17.11.2004	CONT 17.11.2004	ITRE 17.11.2004	REGI 17.11.2004	LIBE 17.11.2004	FEMM 17.11.2004
<b>Not delivering opinion(s)</b> Date of decision	CONT 23.3.2005	ITRE 7.10.2004	LIBE 6.6.2005			
<b>Enhanced cooperation</b> Date announced in plenary	-					
<b>Rapporteur(s)</b> Date appointed	José Albino Silva Peneda 10.11.2004					
<b>Previous rapporteur(s)</b>	-					
<b>Simplified procedure</b> Date of decision	-					
<b>Legal basis disputed</b> Date of JURI opinion	-					
<b>Financial endowment amended</b> Date of BUDG opinion	-					
<b>European Economic and Social Committee consulted</b> Date of decision in plenary	-					
<b>Committee of the Regions consulted</b> Date of decision in plenary	-					
<b>Discussed in committee</b>	19.4.2005	24.5.2005	14.6.2005			
<b>Date adopted</b>	15.6.2005					
<b>Result of final vote</b>	for:		38			
	against:		1			
	abstentions:		0			
<b>Members present for the final vote</b>	Jan Andersson, Jean-Luc Bennahmias, Philip Bushill-Matthews, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Luigi Cocilovo, Jean Louis Cottigny, Proinsias De Rossa, Harald Ettl, Richard Falbr, Carlo Fatuzzo, Joel Hasse Ferreira, Stephen Hughes, Karin Jöns, Jan Jerzy Kulakowski, Jean Lambert, Raymond Langendries, Bernard Lehideux, Elizabeth Lynne, Thomas Mann, Mario Mantovani, Ana Mato Adrover, Maria Matsouka, Mary Lou McDonald, Ria Oomen-Ruijten, Csaba Óry, Siiri Oviir, Jacek Protasiewicz, José Albino Silva Peneda, Jean Spautz, Anne Van Lancker, Gabriele Zimmer.					
<b>Substitutes present for the final vote</b>	Mihael Brejc, Françoise Castex, Elisabeth Schroedter, Marc					

	Tarabella, Patrizia Toia, Anja Weisgerber.	
<b>Substitutes under Rule 178(2) present for the final vote</b>		
<b>Date tabled – A5</b>	22.6.2005	A6-0216/2005
<b>Comments</b>		