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Committee on Civil Liberties, Justice and Home Affairs

2004/2210(INI)

31.3.2005

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Employment and Social Affairs

on social inclusion in the new Member States
(2004/2210(INI))

Draftswoman: Marie-Line Reynaud

PA_NonLeg

SHORT JUSTIFICATION

The Commission working paper is a mid-term document on the comparative situation of social inclusion in the ten new Member States. It is a synthesis of the joint memorandums on social inclusion signed by the Commissioner with responsibility for Employment and Social Affairs and by the social affairs ministers of the new Member States.

The report reviews the main challenges faced by the new Member States in combating poverty and social exclusion and in promoting greater social cohesion. It has three aims:

1. to provide a basis for the promotion of exchange and best practice among all 25 Member States;
2. to assist the new Member States in developing their policies on social inclusion and in preparing their first national action plans to combat poverty and social exclusion;
3. to highlight the issues that need closer attention in the development of the EU's social inclusion policy.

Social inclusion has become a serious challenge for most new Member States, which have had to overhaul their societies and gear them towards what we may broadly term the 'market economy'. However, this generalisation masks a wide divergence in situations, even allowing for Cyprus and Malta, which have not had to undergo this transition.

Evidence shows that the sociocultural 'heritage' of the recent past may be digested only gradually, through an ongoing process of applying the rights available to all of the many new citizens of the EU, with particular emphasis on those considered to be the most vulnerable and the most exposed, principally ethnic or cultural minorities and immigrants from third countries.

The task is, therefore, huge, because the consideration and analysis of any progress made in providing the most vulnerable citizens of the EU in the new Member States with access to fundamental rights in terms of social inclusion and the fight against discrimination of all kinds is proving to be the weakest link in an unbroken chain of often binding commitments that the Member States have undertaken to enforce.

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Calls on the Commission to:
 - (a) reconsider the appropriateness of using the open method of coordination, which, with regard to examining access to fundamental rights and the fight against all forms of discrimination, does not appear to be entirely suitable for achieving the assigned objective;
 - (b) implement the new strategy for fighting social exclusion using appropriate financial means, with a view to bringing the citizens and residents of the new Member States closer to the European project;
 - (c) reorient the measures set out in its communication in terms of an approach based on an across-the-board synthesis, recentring it more closely on failure to respect civil liberties, access to fundamental rights and the fight against all forms of discrimination, and to recommend suitable control mechanisms that will facilitate the task of preparing any sanctions that may be needed;
 - (d) highlight more clearly the problems relating to access to the law and justice in the new Member States, with a more detailed analysis of migration patterns, distinguishing between immigration of third-country nationals and the situation of other ethnic or cultural minorities (Roma, German-speaking communities, etc);
 - (e) review the existing division of responsibilities among the Union, the Member States and the regions with regard to social inclusion, and propose means of institutionalising the 'best practice' approach;
 - (f) promote mechanisms for interaction with the Member States in order to produce texts with a view to ensuring real access to the legal system for vulnerable groups and minorities (legal aid, information centres, provision of advice free of charge, etc), and to encourage Member States to devise common, harmonised strategies on social inclusion at local level;
 - (g) streamline and simplify the emergency procedures, with a view to achieving the objective of reducing poverty and exclusion in the Member States in general;
 - (h) define and construct a common tableau or 'red line' which could serve as a shared basis for access to the law and unification of approaches to the law in this field within the Union;
2. Points out that in several Member States there are still unresolved issues as regards the fact that citizenship and/or the right of residence continue to be denied to stateless and other affected persons.

PROCEDURE

Title	Social inclusion in the new Member States		
Procedure number	2004/2210(INI)		
Committee responsible	EMPL		
Committee asked for its opinion Date announced in plenary	CULT 18.11.2004	LIBE 18.11.2004	FEMM 18.11.2004
Enhanced cooperation			
Drafts(wo)man Date appointed	Marie-Line Reynaud 25.11.2004		
Discussed in committee	1.2.2005	31.3.2005	
Date suggestions adopted	31.3.2005		
Result of final vote	for:	39	
	against:		
	abstentions:	1	
Members present for the final vote	Edit Bauer, Johannes Blokland, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Rosa Díez González, Antoine Duquesne, Patrick Gaubert, Elly de Groen-Kouwenhoven, Adeline Hazan, Lívia Járóka, Ewa Klamt, Magda Kósáné Kovács, Ole Krarup, Wolfgang Kreissl-Dörfler, Stavros Lambrinidis, Romano Maria La Russa, Sarah Ludford, Jaime Mayor Oreja, Hartmut Nassauer, Martine Roure, Inger Segelström, Ioannis Varvitsiotis, Manfred Weber, Tatjana Ždanoka		
Substitutes present for the final vote	Frederika Brepoels, Panayiotis Demetriou, Gérard Deprez, Camiel Eurlings, Giovanni Claudio Fava, Ignasi Guardans Cambó, Jeanine Hennis-Plasschaert, Sophia in 't Veld, Vincent Peillon, Marie-Line Reynaud, Bogusław Sonik		
Substitutes under Rule 178(2) present for the final vote			