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Committee on Regional Development

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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))

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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 Regulation¹ 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)² and the option of cross-financing of the funds under Article 33 of the General Provisions³. 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 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 draftsman finds that this has only happened in some cases.

¹ '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).

² COM(2004)0495, Article 8.

³ '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).

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 Commission¹

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 Lisbon and Göteborg European Councils ***and Articles 2 and 299(2) of the EC Treaty.***

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)

¹ Not yet published in OJ.

(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 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 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 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, 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.

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

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 ***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

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.

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

(i) ***lifelong learning and*** increased investment in human resources by enterprises, especially SMEs, and workers, through ***the promotion of responsibility-***

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;

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

(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 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

(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

initial education and training and continually updating of skills of teaching and other personnel;

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,

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.

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 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. ***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

3. The managing authorities of each operational programme shall encourage adequate participation and access of social partners **and organisations representative of**

Article 2 of this Regulation.

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,

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,

and in the evaluation.

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 fora 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 fora 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 ***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],

the implementation of:

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 and employment of migrants;

(b) action to strengthen social integration 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

Title	Proposal for a regulation of the European Parliament and of the Council on the European Social Fund
References	COM(2004)0493 - C6-0090/2004 - 2004/0165(COD)
Committee responsible	EMPL
Committee asked for its opinion Date announced in plenary	REGI 17.11.2004
Enhanced cooperation	-
Draftsman Date appointed	Elisabeth Schroedter 6.10.2004
Discussed in committee	30.3.2005
Date amendments adopted	6.6.2005
Result of final vote	for: 37 against: 3 abstentions: 0
Members present for the final vote	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
Substitutes present for the final vote	Thijs Berman, Jan Březina, Ole Christensen, Mojca Drčar Murko, Emanuel Jardim Fernandes, Eluned Morgan, Mirosław Mariusz Piotrowski, László Surján, Thomas Ulmer
Substitutes under Rule 178(2) present for the final vote	Jean Lambert