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Committee on Civil Liberties, Justice and Home Affairs

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DRAFT OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Employment and Social Affairs

on the proposal for a decision of the European Parliament and of the Council establishing a Community Programme for Employment and Social Solidarity - PROGRESS
(COM(2004)0488 – C6-0092/2004 – 2004/0158(COD))

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SHORT JUSTIFICATION

The European Union's policy on the social protection of workers is clearly in need of improvement. As a basis for moving in that direction, there should be improvements to institutions, legislation and existing practices. Our responsibility, in the context of this proposal for a decision, is to help secure and protect the political freedoms and rights of all those living and working in the European Union so that they can take part in society in a dignified manner and lead a satisfactory life.

As an improvement in social indicators is not solely the result of achieving the economic objectives set, we should take particular care over the substance of the policies we promote. Consequently, although the aim is to tackle the social problems of the people simultaneously with the economic problems, we should constantly bear in mind, once called upon to deliver our opinion as the European Parliament, that we should not lower the standards to which we aspire in terms of social protection for workers, while attempting to improve economic indicators. Essentially, if the European Union is to tackle existing social and economic problems properly, it must adopt the most progressive approach possible to resolve issues such as working conditions, the work environment, protection of workers (social security, stability, health), the promotion of integration at the work place and in society, combating discrimination and promoting gender equality.

To achieve the social objectives put forward in the proposal for a decision, it is important to define the role which workers themselves should have, as an organised body, in defending and promoting their interests. The interests of employers do not always coincide with the interests of workers and it is, therefore, a matter for the European Union itself to ensure that workers have the right to take part in social dialogue and in the programmes under discussion. It is inconceivable and certainly ineffective to engage in social dialogue and analysis of work-related issues, in a Union consisting of 25 Member States, without giving greater prominence to the role of the most essential players involved, i.e. the workers themselves. Obviously, on practical grounds but also for reasons of substance, to achieve that requires the participation of organised bodies, non-governmental organisations such as the trade unions.

In conjunction with the above, the Commission should also assess the need for measures to strengthen and take seriously into account the role of immigrants. In particular, the proposal for a decision should recognise the need to protect immigrants at the work place, whilst also stressing the need for their genuine integration into society and their social protection. Moreover, recognising that there are also problems associated with implementing social welfare and social protection measures for local workers, the provisions of the proposed decision should be extended beyond the need for social protection and the integration of immigrants, essentially to cover all workers. Another particularly important point in order to ensure at least satisfactory levels of social protection in the broad sense and good working conditions is to recognise that people who suffer various disabilities are a vulnerable group in terms of discrimination.

Securing high levels of social protection for workers and satisfactory working conditions is not an easy objective. The need to achieve economic objectives frequently means that social security provisions often take second place. Despite that, we should never overlook the fact that the targets and the economic objectives set, and provided they are met, should actually be

in the interests of the workers themselves. Consequently, the European Union should ensure that the measures taken do not result in the creation of a sterile legislative framework regulating the employment sector, but in the operation of a system which takes account of the interests of workers in all spheres of employment, provides for the necessary social welfare measures and promotes social dialogue in a way which does not exclude or ignore those classes which are directly affected.

AMENDMENTS

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 amendments in its report:

Text proposed by the Commission[1]	Amendments by Parliament
Amendment 1 Recital 5 a (new)	
	(5a) Attention should be drawn to the specific situation of immigrants in this context and to the importance of taking action to transform the undeclared- and often precarious- work of migrants into regular employment, so that they will be able to enjoy the same social protection, benefits and working conditions as declared workers.
Amendment 2 Article 5, point 4 a (new)	
	(4a) Raising awareness, disseminating information and promoting the debate among NGOs, trade unions, regional and local actors and other stakeholders, about the best means of promoting the integration of third country nationals residing legally on the territory of the Union into the official labour market and society and about the best means of ensuring the social protection of both migrant and local

[1] OJ C ... /Not yet published in OJ.

workers;

Amendment 3
Article 5, point 4 b (new)

(4b) Promoting the conclusion by the Member States of agreements with the countries of origin of immigrants so as to guarantee the transfer of their social security entitlements;

Amendment 4
Article 5, point 5

(5) Developing the capacity of key EU networks to pursue EU policy goals.	(5) Developing the capacity of key EU networks to pursue ***the relevant*** EU policy goals.

Amendment 5
Article 6, point 4 a (new)

(4a) Raising awareness, disseminating information and promoting the debate on the global question of illegal employment in order to ensure that the issues of health, security and working conditions will be dealt with and respected both for migrants and locals. The role of trade unions in maintaining and sustaining such achievements should be underlined.

Amendment 6
Article 7, point 3 a (new)

(3a) Actively supporting any concrete anti-discrimination measure aiming at removing all barriers that prevent members of any disadvantaged and disabled groups from accessing jobs and training; with a view to integrating them in the labour market and the society and ensuring, simultaneously,

	their social protection.

Amendment 7
Article 8, point 3 a (new)

	(3a) Drawing special attention to attaining equal access of genders at all levels of professional life and in all professions.

Amendment 8
Article 8, point 4

(4) Developing the capacity of key EU networks to pursue EU policy goals.	(4) Developing the capacity of key EU networks to pursue ***the relevant*** EU policy goals.