



COUNCIL OF
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3000th Council meeting

Employment, Social Policy, Health and Consumer Affairs

Brussels, 8 March 2010

President

Celestino CORBACHO CHAVES
Minister for Labour and Immigration of Spain
Bibiana AÍDO ALMAGRO
Minister for Equality of Spain
Cristina GARMENDIA MENDIZÁBAL
Minister of Science and Innovation of Spain

P R E S S

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 5394 / 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>

7033/10 (Presse 51)

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Main results of the Council

*The Council, holding its 3000th regular and formal meeting, agreed on a directive aiming to **protect healthcare workers against injuries and infections caused by needles and other sharp instruments**.*

*It held an exchange of views on the **preparation of the Spring European Council**, based on the Commission's EU2020 communication, a presidency background paper and contributions by the Employment Committee and the Social Protection Committee. This debate included also the Council's **preparation for the Tripartite Social Summit** which will take place on the eve of the Spring European Council.*

*The Council adopted the **joint reports 2009/2010 on employment**, as well as on **social protection and social inclusion** concerning the year 2010. Ministers were informed by the Commission of its report on **equality between women and men for 2010**.*

*Furthermore, the Council adopted conclusions on the **eradication of violence against women** in the European Union and held an exchange of views on this topic, several ministers remarking on the appropriateness of this step on the occasion of **International Women's Day**.*

*Ministers were informed and held an exchange of views on conclusions on **European researchers' mobility and careers** adopted by the Competitiveness Council on 2 March 2010.*

*During lunch, ministers had a discussion on **youth employment policies**.*

Without debate, the Council adopted the following acts:

- *a decision establishing a EUR 100 million **European microfinance facility for employment and social inclusion** and another decision on the financing of the new facility;*
- *a directive **extending workers' rights to parental leave** from three to four months for each parent;*
- *the Council's first-reading position on a draft directive aimed at **improving the social protection of self-employed workers and of "assisting spouses"**.*

The whole Council meeting was held in public and can be watched on the Council's videostreaming page: [morning](#) session, [afternoon](#) session.

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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PARTICIPANTS

The governments of the member states and the European Commission were represented as follows:

Belgium:

Ms Joëlle MILQUET

Deputy Prime Minister and Minister for Employment and Equal Opportunities, responsible for Policy on Migration and Asylum

Mr Philippe COURARD

Minister for Internal Affairs and the Civil Service (Walloon Region)

Bulgaria:

Mr Totyu MLADENOV

Minister for Labour and Social Policy

Czech Republic:

Mr Petr ŠIMERKA

Minister for Labour and Social Affairs

Mr Michael KOCÁB

Minister for Human Rights

Denmark:

Ms Inger STØJBERG

Minister for Employment and Minister for Equal Opportunities

Germany:

Ms Ursula VON DER LEYEN

Federal Minister for Family Affairs, Senior Citizens, Women and Youth

Mr Josef HECKEN

State Secretary, Ministry of Labour, Family and Social Affairs

Estonia:

Mr Hanno PEVKUR

Minister for Social Affairs

Ireland:

Mr Dara CALLEARY

Minister of State at the Department of Enterprise, Trade and Employment with special responsibility for Labour Affairs

Greece:

Mr Andreas LOVERDOS

Minister for Employment and Social Security

Spain:

Mr Celestino CORBACHO CHAVES

Minister for Labour and Immigration

Ms Bibiana AÍDO ALMAGRO

Minister for Equality

Ms Cristina GARMENDIA

Minister of Science and Innovation

Ms Inés ROJAS DE LÉON

Minister for Social, Health, Youth and Housing of Autonomous Community of Canarias

France:

Mr Martin HIRSCH

High Commissioner for active solidarity against poverty, High Commissioner for youth

Italy:

Mr Maurizio SACCONI

Minister for Labour, Health and Social Policy

Cyprus:

Ms Sotiroulla CHARALAMBOUS

Minister for Labour and Social Insurance

Latvia:

Mr Uldis AUGULIS

Minister for Welfare

Lithuania:

Ms Audronė MORKŪNIENĖ

Deputy minister for Social Security and Labour

Luxembourg:

Mr Nicolas SCHMIT

Minister with responsibility for Foreign Affairs and Immigration

Hungary:

Mr László HERCZOG

Minister for Social Affairs and Labour

Malta:

Mr Joseph CASSAR

Minister for Health

Netherlands:

Mr Piet Hein DONNER

Minister for Social Affairs and Employment

Austria:

Mr Rudolf HUNDSTORFER

Federal minister for Labour, Social Affairs and Consumer Protection

Poland:

Ms Jolanta FEDAK

Mr Radosław MLECZKO

Minister for Labour and Social Affairs

Deputy State Secretary, Ministry of Labour and Social Policy

Portugal:

Ms Ana Paula ZACARIAS

Deputy Permanent Representative

Romania:

Mr Mihai Constantin SEITAN

Minister of labour, family and social protection

Slovenia:

Ms Anja KOPAČ MRAK

State Secretary, Ministry of Labour, Family and Social Affairs

Slovakia:

Mr Peter JAVORČÍK

Deputy Permanent Representative

Finland:

Ms Liisa HYSSÄLÄ

Ms Anni SINNEMÄKI

Minister for Social Affairs and Health

Minister for Labour

Sweden:

Mr Sven Otto LITTORIN

Mr Christer HALLERBY

Minister for Employment

State Secretary, Ministry of Integration and Gender Equality

United Kingdom:

Ms Angela EAGLE

Parliamentary Secretary to the Treasury

Commission:

Ms Viviane REDING

Mr László ANDOR

Máire GEOGHEGAN-QUINN

Vice-President

Member

Member

ITEMS DEBATED

Prevention from sharp injuries in the hospital and healthcare sector

In public deliberation, the Council agreed on a directive aimed at protecting healthcare workers against injuries caused by needles and other sharp instruments ([6635/10](#) + [6635/10 COR 1](#) + [6635/10 ADD 1](#) + [6635/10 ADD 2](#)).¹

This directive gives legal effect to a framework agreement concluded by the European social partners in the healthcare and hospital sector HOSPEM (i.e. European Hospital and Healthcare Employers' Association) and EPSU (European Federation of Public Services Unions) on 17 July 2009.

The new directive will provide for an integrated approach to risk assessment, risk prevention, training, information, awareness-raising and monitoring and for response and follow-up procedures. If a risk assessment reveals a risk of injury, the workers' exposure must be eliminated by taking measures such as implementing safe procedures for using and disposing of sharp medical instruments and disposing of contaminated waste, eliminating the unnecessary use of sharps and banning the practice of recapping.²

The directive is expected to contribute to achieving the safest possible working environment in the hospital and healthcare sector. Injuries caused by needles and other sharp instruments are one of the most common and serious risks to healthcare workers in Europe and represent a high cost for health systems and society in general. According to healthcare experts, such injuries occur more than 1 million times per year, partly causing very serious consequences and sometimes leading to serious diseases.

Member states have three years in which to transpose the new directive into national law.

¹ These and other documents for which references are given in the text can be found in the public register of the Council by typing in the corresponding number
<http://www.consilium.europa.eu/showPage.aspx?id=549&lang=en>

² The practice of recapping refers to needles without safety and protection mechanisms. Modern devices with safety mechanisms are not banned unless they pose a risk of injury.

Preparation of the European Council: European strategy for growth and jobs

The Council held an exchange of views on the European strategy for growth and jobs, with a view to prepare the Spring European Council of 25 and 26 March.

The new Commissioner for Employment and Social Affairs, László Andor, presented the Commission's communication "Europe 2020: A European strategy for smart, sustainable and inclusive growth".

Ministers in general welcomed the Commission's communication as a valuable basis for discussions with a view to the decisions to be taken on the new strategy which will follow the Lisbon strategy. Most ministers were in agreement with the Commission's suggestion that the new strategy should concentrate on a limited number of priority objectives. In particular, they welcomed the proposed EU-level target for employment according to which 75% of the population aged 20-64 should have a job by 2020. Many ministers stressed the importance of women's participation in the labour market if the EU was to meet this target and maximise economic growth.

A large number of ministers also emphasised the importance of finding the most effective ways of reducing the impact of unemployment on young people and the elderly. The importance of education, lifelong learning and vocational training was highlighted in this respect. A number of ministers also expressed the importance of job quality.

The need to strengthen efforts in the fight against poverty was also stressed. In this context, some ministers welcomed the proposed EU-level (20 million less people should be at risk of poverty by 2020) as a strong signal of the EU commitment in the framework of the 2010 European year against poverty and social exclusion. Other ministers wondered if the EU target would be appropriate as it referred to relative, and not absolute, poverty. Several ministers warned that such a target could create disincentives to take up work if it was to be reached through redistributive policies.

Some ministers considered that the new EU-level targets should be supported with EU funds, such as the European Social Fund (ESF).

Many ministers agreed that strong governance mechanisms are required to closely monitor the implementation of the new strategy and that, in this regard, the EPSCO Council should play a key role.

The presidency gave a short summary of the debate which will be conveyed via the General Affairs Council on 22 March to the European Council.

The debate was based on the following documents:

- the Commission's communication on the EU 2020 strategy, adopted on 3 March ([7110/10](#));
- the presidency background paper setting out its reflections in the light of the outcome of the informal meeting of ministers for Employment and Social Security on 28 and 29 January in Barcelona ([6422/1/10 REV 1](#));
- contributions from the Employment and the Social Protection Committee ([6576/10](#)), ([6574/10](#)), presented by their respective chairmen, Bruno Coquet and Aurelio Fernández López.

The Council adopted the joint employment report 2009/2010 ([6575/10](#) + [6575/10 COR 1](#)) and the joint report on social protection and social inclusion 2010 ([6323/10](#) + [6323/10 ADD 1](#) + [6323/10 ADD 2](#)) and agreed to transmit them to the Spring European Council.

The joint employment report 2009/2010 gives an overview of the challenges which the employment policies of the member states face due to the need to adjust crisis measures within the framework of ongoing structural reforms. It draws from the reports submitted by the member states on the implementation of the employment part of their national reform programmes. The joint employment report will be submitted to the European Council which according to article 148(1) of the Treaty "considers the employment situation in the Union and adopts conclusions thereon, on the basis of a joint annual report by the Council and Commission".

The joint report on social protection and social inclusion 2010 calls for more effective social inclusion and social protection in line with the principles of access for all, adequacy and sustainability. It draws on the member states national reports on strategies for social inclusion, pensions, health care and long-term care which were submitted for the first time in an integrated form in 2006. The joint report highlights that drawing on lessons of the crisis and of ten years of the Lisbon strategy there will be a need to foster sustainable growth along with job creation and social cohesion and to systematically assess progress of social outcomes.

The Council also took note of the Commission's report entitled "Equality between women and men, 2010" ([5056/10](#)). This report focuses, in particular, on gender equality and employment as a way to stimulate economic recovery and growth; the reconciliation between work and private life; promoting social inclusion through gender equality; and preventing and combating gender-based violence. This report will be forwarded to the Spring European Council for information.

Preparation of the tripartite social summit

As part of the preparation of the Spring European Council, the Council's exchange of views also covered the preparation of the tripartite social summit to be held in Brussels on 25 March, prior to the Spring European Council.

The President of the European Council, Mr Herman van Rompuy, will also participate in the tripartite social summit as a special guest.

The presidency informed the Council that the tripartite social summit will provide the opportunity to discuss with the social partners the short-term exit strategies from the economic crisis and the EU's long-term challenges and policy responses. The participants of the tripartite social summit are also expected to discuss how the European strategy for growth and jobs could renew focus on social cohesion, education, training, lifelong learning, innovation, research and development.

The presidency stressed the need for the EU, especially in the current crisis, to be committed to work with the social partners to develop a comprehensive roadmap for recovery and a genuine strategy to achieve a long-term sustainable growth, while ensuring social cohesion, equity and upholding of the European social model.

The task of the tripartite social summit for growth and employment is to ensure that there is a continuous social dialogue between the Council, the Commission and the social partners at the highest level.

The tripartite social summit brings together the troika of heads of state and government of the current rotating presidency and the following two (i.e. this time Spain, Belgium and Hungary), accompanied by the respective Employment ministers, the President of the European Commission and the Commissioner for Employment and Social Affairs and the presidents/general secretaries of the main European employers' and trade union organisations.

The eradication of violence against women

The Council unanimously adopted a set of conclusions on the eradication of violence against women in the European Union, following an exchange of views ([6585/10](#)).

By adopting the conclusions, ministers called, inter alia, for:

- the promotion of the introduction of a free Europe-wide telephone number that could be used in member states to offer information and assistance to victims;
- consideration of the possibility of standardising national legislation on combating violence against women, based on the results of a forthcoming feasibility study; and
- the establishment of a European observatory on violence against women, building on existing institutional structures, with a view to collecting high-quality statistics to support policies.

During the debate, ministers agreed that violence against women had no place in a civilised society and must be made a thing of the past. They stressed the need of better statistics, better coordination and the exchange of good practices.

Many ministers highlighted the importance of prevention measures, including awareness-raising campaigns, the protection of victims, including children, and of efficient sanctions against perpetrators. Underlining the importance of consistency between the Europe's internal and external actions, many ministers also argued in favour of continuing to address the problem of violence against women in the external policies of the EU.

While underlining the diversity of the situations in the different member states, ministers also recognised the they faced similar challenges, including the widespread problem of domestic violence, and stressed that issues such as human trafficking also involved a cross-border dimension. It was therefore vitally important for the member states and the Commission to work together. Ministers also stressed the importance of addressing problems such as female genital mutilation, forced marriages and so-called honour crimes.

Eradicating gender-based violence and trafficking is one of the priorities in the Commission's roadmap for equality between women and men (2006-2010). Violence against women is also one of the critical areas of concern identified in the Beijing platform for action. The Commission also included "Dignity, Integrity and an End to Gender-Based Violence" among the principles listed in its recent "Women's Charter".

European researchers' mobility and careers

The Council held an exchange of views on the mobility and careers of researchers, based on conclusions adopted by the Competitiveness Council on 2 March ([6362/2/10](#)).

The conclusions were presented to the EPSCO-Council by a delegation of ministers for Research (from the trio presidencies Spain, Belgium and Hungary, as well as from Luxembourg and Portugal). The conclusions are aimed at contributing to design and implement actions for promoting mobility, better working conditions and improved careers of researchers, with special emphasis on the social security aspects.

Several ministers stressed during the debate the need to eliminate the obstacles to the researchers' mobility and to ensure them decent employment conditions by improving social security rights, including the portability of pension rights. Ministers also highlighted the relative small share of women in the European research community, reminding that the lack of social security rights meant that young women did not enjoy of maternity leave.

The presidency concluded the debate by urging the Commission to table concrete initiatives in order to improve the working conditions of European researchers and facilitate their mobility.

Youth employment policies

During lunch, ministers had a discussion on youth employment policies. The discussion was based on a presidency background paper ([6842/10](#)) and the following questions:

- what, in your view, are the most effective ways of reducing the impact of unemployment on young people, and what can be done to ensure that they do not continue to be the group worst affected by labour market segmentation, with repercussions on job quality and on their ability to remain in work?
- to what extent and in what way should youth employment policies and action to combat unemployment as part of the strategy on growth and jobs be seen in the light of quantified reduction targets? Should specific indicators be set for young people?

Any other business

Work programme of the Employment Committee 2010

The Council took note of the work programme of the Employment Committee 2010.

Work programme of the Social Protection Committee 2010

The Council took note of the work programme of the Social Protection Committee 2010.

Simplification and future perspectives of the European Social Fund

During lunch, Italy presented a note to the Council on the European Social Fund (ESF) ([6968/10](#)) with some ideas on the simplification and future prospects. Italy drew the attention in particular on the fact that on the one hand an important part of the ESF is regularly used in favour of young people who are particularly hit by the crisis, but that on the other hand the utilisation rate of the ESF is currently decreasing.

Presidency Conferences

The presidency informed the Council about the outcome of the following conferences:

- (a) European Forum Beijing + 15 (Cadiz, 4 and 5 February 2010) ([6888/10](#))
- (b) European Women in Power Summit (Cadiz, 3 February 2010) ([6889/10](#))

OTHER ITEMS APPROVED

SOCIAL POLICY

Extension of parental leave*

The Council adopted a directive extending workers' rights to parental leave from three to four months for each parent ([16945/09](#) + [5922/1/10 REV 1](#)).

The new directive seeks to better match professional and family life and to promote gender equality on the labour market. It implements the revised framework agreement on parental leave concluded by the social partners at European level.

For more details, see [6641//10](#).

Social protection of self-employed workers and assisting spouses*

The Council adopted its first-reading position on a draft directive aimed at improving the social protection of self-employed workers and of "assisting spouses". Germany, Hungary and the United Kingdom abstained ([17279/09](#) + [17279/09 COR 1](#) + [17279/09 ADD 1](#) + [17279/09 ADD 1 COR 1](#) + [6324/10 ADD 1](#)).

The draft directive is aimed at improving the social protection of self-employed workers, with a view to removing disincentives to female entrepreneurship. It also seeks to improve the social protection of "assisting spouses", who often work in the self-employed sector without enjoying the corresponding rights.

For more details, see [7024/10](#).

European microfinance facility*

The Council adopted a decision establishing a EUR 100 million European microfinance facility for employment and social inclusion ([4/10](#) + [6778/10](#) + [6778/10 COR 1](#) + [6778/10 ADD 1](#)), following a first-reading agreement with the European Parliament. The Council also adopted a decision ([3/10](#) + [6779/10](#) + [6779/10 COR 2](#) + [6779/10 ADD 1](#)) on the financing of the new facility. Germany voted against the two decisions.

The two acts form part of the EU's response to the crisis. They are aimed at giving the unemployed the chance of a new start and opening the way to entrepreneurship for persons who find it difficult or impossible to gain access to the conventional credit market, through microcredits of up to EUR 25 000.

For more details, see [6868/10](#).

EMPLOYMENT POLICY

Mobilisation of the European Globalisation Adjustment Fund - Germany and Lithuania

The Council adopted three decisions mobilising a total amount of EUR 7.58 million under the European Globalisation Adjustment Fund (EGF), providing support for workers made redundant in the automotive manufacturing sector in Germany as well as in the buildings construction sector and the refrigerators manufacturing sector in Lithuania ([6110/10](#) + [6111/10](#) + [6112/10](#)). An amount of EUR 6.20 million is earmarked for former workers of the German Karmann car manufacturing group and EUR 1.38 million for workers made redundant in Lithuania (EUR 1.12 million for former workers of the buildings construction sector and EUR 258 163 for former workers of the refrigerator manufacturer AB Snaižė and two of its suppliers. The support measures must be cofinanced by the member states and include, inter alia, training, professional orientation, job-search and assistance for entrepreneurship.

COMMON FOREIGN AND SECURITY POLICY

Tribunal for the former Yugoslavia – Support to implementation of the mandate

The Council adopted a decision extending until 16 March 2011 the measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) (6534/10).

The decision renews, for one year, the measures adopted in March 2004 under common position 2004/293/CFSP in order to prevent the entry into, or transit through the territory of the EU member states, to individuals who are engaged in activities which help persons to evade justice for crimes for which the ICTY has indicted them or are otherwise acting in a manner which could obstruct the ICTY's effective implementation of its mandate.

These measures were last renewed by common position 2009/164/CFSP until 16 March 2010.

GENERAL AFFAIRS

Court of Justice, General Court, Civil Service Tribunal - rules of procedure

The Council approved the amendments to the rules of procedure of the Court of Justice, the General Court and the Civil Service Tribunal following the entry into force of the Treaty of Lisbon ([6308/10](#) + [6309/10](#) + [6310/10](#)).

AGRICULTURE

Food law - regulatory procedure

The Council decided not to oppose the adoption by the Commission of one decision and three regulations in the field of food law. This Council's decision concerns the following acts:

- Commission decision on the non-inclusion of 2,4,4'-trichloro-2'-hydroxydiphenyl ether in the EU list of additives which may be used in the manufacture of plastic materials and articles intended to come into contact with foodstuffs under directive 2002/72;
- Commission regulation on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk and to children's development and health;
- Commission regulation refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health;
- Commission regulation amending annex V to regulation 1333/2008 of the European Parliament and of the Council with regard to the labelling requirement for beverages with more than 1.2% by volume of alcohol and containing certain food colours.

Under the regulatory procedure with scrutiny, the Council can oppose an act which exceeds the implementing powers of the Commission, is not compatible with the aim or content of the basic instrument or does not respect subsidiarity or proportionality if the regulatory committee previously supported the envisaged measures.
