

Implementing the Community Lisbon programme: social services of general interest in the European Union

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The European Parliament adopted a resolution based on the own-initiative report drafted by Joel Hasse **FERREIRA** (PES, PT) in response to the Commission communication on implementing the Community Lisbon programme as regards social services of general interest (SSGIs) in the EU. Parliament pointed out that there was an urgent need to clarify concepts such as 'public service', 'service of general interest', 'service of general economic interest' and 'social service of general interest', and the legal framework within which SSGIs operate. There was a particular need to clarify the principle of 'general interest' and the rules on competition and aid from public funds.

Parliament welcomed the Commission initiative, but felt that the Commission communication on SSGIs did not provide sufficient clarification about the classification and definition of SSGIs, and deferred any decision on the legal framework which should apply to them. SSGIs were an appropriate means of strengthening the social dimension of the Lisbon Strategy, attaining the objectives of the social agenda and addressing challenges such as globalisation, industrial change, technological progress, demographic change, migration and changing social and employment patterns.

Parliament considered that the organisational criteria which, according to the Commission communication on SSGIs, were the distinguishing features of SSGIs, could not be accepted except on a provisional and indicative basis, pending the emergence of more definitive conclusions from the consultation process which the Commission had undertaken to conduct with Member States and SSGI service providers and users. It would be a mistake to adopt an approach to SSGIs which juxtaposed the rules on competition, State aid and the internal market on the one hand, and concepts of public service, general interest and social cohesion on the other. On the contrary, it was necessary to reconcile them by promoting positive synergies between the economic and social aspects. However, in the case of SSGIs, the rules on competition, State aid and the internal market must be compatible with public service requirements, and not vice versa.

In the case of SSGIs, two contrasting factors must be reconciled: on the one hand, the principle of subsidiarity which upholds the Member State authorities' freedom to organise SSGIs as they see fit, and, on the other, the joint responsibility of the Community to ensure that the rules to which SSGIs were subject uphold human rights and the dignity of the individual. In view of the particular characteristics of SSGIs, which relate to their general-interest mission and the inability of the market to fulfil certain requirements in the field of social services, priority should be given to the defence of the general interest. Parliament noted, with concern, recent attempts to apply to certain SSGIs rules appropriate to other services including services of general economic interest, without taking into account the factors which distinguish SSGIs from other services.

The Commission and Member States were called upon to protect the patterns of employment frequently found in the SSGI sector, including female employment, flexible working hours, part-time working and use of the voluntary sector, while taking care not to encourage fraud and job insecurity or to cause any deterioration in employment conditions of workers. It also wanted the Commission, Member States and SSGI service providers to develop vocational training initiatives to help staff deal with the stress,

working hours (shift and night work) and dangerous or demanding nature associated with certain activities in this sector. The Commission was asked to include in its report, questions relating to gender mainstreaming.

Parliament went on to call for the following:

- the establishment of public-private partnerships to provide such services, while taking care to promote the general interest and ensure the provision of efficient and high-quality services;
- the involvement of social partners to a greater extent in developing approaches in accordance with the customs of each Member State;
- Member States must ensure that any transfer of powers to regional and local authorities for the purpose of delivering SSGIs was accompanied by adequate budgetary resources.

Lastly, Parliament recommended the convocation of a forum, under the auspices of Parliament, which would bring together European social organisations and representatives of the Council and the Commission to guide the way this process was handled.