



Employment, Social Policy, Health and Consumer Affairs Council **(Employment, Social Policy and Health issues)**

Monday 7 December in Brussels

*The EPSCO Council will begin at **9.30** with employment and social policy issues and will continue at +/- **16.30** with health items. Most of the meeting will be public and may be followed by video streaming at <http://video.consilium.europa.eu/>.*

Employment and Social Policy session

*An informal meeting on equal opportunities will be held by ministers prior to the formal session. Its item is: **Balancing work, family and private life: Action to address the challenges faced by parents and caregivers.***

The Council, which will start at 9.30, will be chaired alternately by Mr Nicolas Schmit, Luxembourg Minister for Labour, Employment and the Social and Solidarity Economy, Ms Mutsch, Minister for Health and Equal Opportunities, Ms Cahen, Minister for Family Affairs and Integration, and Mr Schneider, Minister for Social Security.

*The Council will seek to adopt a general approach on the **women on company boards directive**.*

*It is expected to reach a political agreement on the recommendation on the **integration of the long-term unemployed into the labour market**.*

*The Council will take stock of the state of play as regards the **equal treatment directive**.*

*The Council will hold an exchange of views on the **strategic engagement for gender equality 2016-2019** and on the **European Semester**.*

It will be invited to adopt conclusions on:

- equality between women and men in the field of decision making;*
- the promotion of the social economy as a key driver of economic and social development in Europe;*
- social governance for an inclusive Europe.*

Over lunch, ministers will discuss the issue of improving performances in the social and employment fields within the existing governance framework.

¹ This note has been drawn up under the responsibility of the press office.

Health session

The Council will adopt conclusions on the following topics:

- *An EU strategy on the reduction of alcohol-related harm*
- *Personalised medicine for patients*
- *Dementia*
- *Lessons learned for public health from the Ebola outbreak*

Under any other business the presidency will inform the Council on the state of play of the discussions with the European Parliament on two draft regulations concerning medical devices and in vitro medical devices.

Press conferences will take place at +/- 12.00 on the employment and social policy items of the morning session, as well as health, and at +/- 13.10 on the remaining items.

Press conferences and public events by video streaming: <http://video.consilium.europa.eu>

Video coverage in broadcast quality (MPEG4) and photo gallery on: www.eucouncil.tv.

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WOMEN ON COMPANY BOARDS

The Council will seek to adopt a general approach on the women on company boards directive.

The discussions in the Working Party on Social Questions have confirmed that there is a broad consensus among member states in favour of taking measures to improve the gender balance on company boards; however, the required majority is not certain since the delegations that remain opposed to the directive stress in particular that the proposal does not comply with the principle of subsidiarity.

Meanwhile, certain other delegations otherwise positively disposed towards the proposed directive take the view that member states have very different starting-positions, some requiring more time than others to attain the quantitative objectives envisaged.

Work under the Luxembourg presidency

The presidency redrafted the text, making it more flexible. National measures are now fully recognised in the directive, and the deadlines have been extended.

The **flexibility clause (article 4b)** has been conceived in a spirit of subsidiarity. It would allow member states to pursue the aims of the directive by means of their own choosing and to suspend the directive's procedural requirements, provided that they have already taken equally effective measures or attained progress coming close to the quantitative objectives set in the directive.

Implementation calendar and sunset clause (articles 4b, 9 and 10): the suspension of the application of article 4a, provided for in article 4b, would expire on *31 December 2022* (rather than 31 December 2020) unless certain conditions were met.

If the conditions were not met, member states would be required to ensure the application of the procedural requirements contained in article 4a with effect from 30 September 2023 (rather than 30 September 2021).

Aiming to address the serious problem of women's under-representation in economic decision-making at the highest level, the proposed directive would set a quantitative objective for the proportion of the under-represented sex on the boards of listed companies of 40 % by 2020 (by 2018 in the case of public undertakings). The companies would be obliged to work towards that objective, *inter alia* by introducing procedural rules on the selection and appointment of non-executive board members.

Companies which have not reached the 40 % target would be required to continue to apply the procedural rules, as well as to explain what measures they had taken and intended to take in order to reach it. For member states that choose to apply the objective to both executive and non-executive directors, a lower target (33 %) would apply.

[Presidency report](#)

[Commission proposal](#)

INTEGRATION OF THE LONG-TERM UNEMPLOYED INTO THE LABOUR MARKET

The Council is expected to reach a political agreement on the recommendation on the integration of the long-term unemployed into the labour market ([14361/15](#)).

During the examination of the text by the relevant Council working party, the member states were all in agreement that long-term unemployment is a problem that needs to be addressed urgently, and that the recommendation is an appropriate framework to support their actions.

Modelled on the youth initiative (Youth Guarantee), the proposed recommendation is targeted towards a group that was hit especially hard by the economic crisis: long-term jobseekers aged over 30, and those aged between [25 and 30] who do not benefit from the Youth Guarantee.

The proposal for a recommendation was adopted by the Commission on 17 September ([12081/15](#)), and presented to the EPSCO Council on 5 October.

EQUALITY OF TREATMENT

The Council will take stock of the state of play as regards the equal treatment directive ([13877/1/15 REV 1](#)).

The directive aims to extend the protection against discrimination on the grounds of religion or belief, disability, age or sexual orientation to areas outside employment. Complementing existing EC legislation in this area, the directive would prohibit discrimination on the above-mentioned grounds in the following areas: social protection, including social security and healthcare; education; and access to goods and services, including housing.

A very large majority of delegations have welcomed the proposal in principle, many endorsing the fact that it aims to complete the existing legal framework by addressing all four grounds of discrimination through a horizontal approach.

While emphasising the importance of the fight against discrimination, certain delegations have, in the past, questioned the need for the Commission's proposal, which they have seen as infringing on national competence for certain issues and as conflicting with the principles of subsidiarity and proportionality.

Other delegations continue to question the inclusion of social protection and education within the scope. Certain other delegations have also requested clarifications and expressed concerns relating, in particular, to the lack of legal certainty, the division of competences, and the practical, financial and legal impact of the proposal.

Work under the Luxembourg presidency

The Working Party on Social Questions continued its examination of the text, focusing on the provisions concerning access to goods and services for persons with disabilities, and on the compatibility between these provisions and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The presidency's drafting suggestions were supported in general by the Commission and broadly welcomed by delegations as a step in the right direction.

STRATEGIC ENGAGEMENT FOR GENDER EQUALITY 2016-2019

The Council will hold an exchange of views on the future of the strategy on gender equality, based on a presidency note ([14251/1/15 REV 1](#)).

The strategy on gender equality for 2010-2015 expires at the end of this year. Last summer, 22 member states wrote to the Commission, inviting it to adopt a new, independent EU strategy for equality between women and men for 2016-2020. The strategic engagement for gender equality 2016-2019 will be published by the Commission at the beginning of December.

On 21 September 2010 the Commission outlined five priority areas: equal economic independence; equal pay for equal work and work of equal value; equality in decision-making; dignity, integrity and an end to gender-based violence; and gender equality in external actions.

A sixth area covered horizontal issues relating to gender roles, legislation, and the governance and tools of gender equality.

EUROPEAN SEMESTER 2016

The Council will hold an exchange of views on the European Semester based on presidency note ([14221/15](#)).

In this context, the EPSCO Council will also approve the employment and social aspects of the draft recommendation on the euro area. The recommendation will be adopted next year, after the economic aspects have been approved by the ECOFIN Council and it has been endorsed by the European Council.

The 2016 European Semester opened with the Commission's presentation of the package of documents on 26 November. The package contains the Annual Growth Survey, the Joint Employment Report and the Alert Mechanism Report, and this time it also included the draft euro area recommendation, which had hitherto been adopted at the same time as the country-specific recommendations.

The **annual growth survey 2016** maintains and updates the existing priorities, taking account of the progress made and new challenges. This year's priorities are re-launching investment, pursuing structural reforms to modernise our economies and responsible fiscal policies. This year's package places a strong emphasis on social and employment performance and the importance of social investment.

The **joint employment report** analyses the employment and social situation in the EU and the policies implemented to address it. The report notes that the employment and social situation is gradually improving but that differences between member states persist.

The **alert mechanism report** marks the beginning of the macroeconomic imbalance procedure. Since imbalances may hinder the performance of national economies, the euro area or the European Union as a whole, this report aims to identify the member states that warrant in-depth reviews to determine whether or not they are affected by imbalances.

EQUALITY BETWEEN WOMEN AND MEN IN THE FIELD OF DECISION-MAKING

The Council is expected to adopt conclusions on equality between women and men in the field of decision-making ([14325/15](#)).

These conclusions are part of the implementation of the Beijing Platform for Action which aims to empower women to take action.

They are based on a report prepared by the European Institute for Gender Equality in the area of decision-making.

With the aim of monitoring the implementation of the 12 critical areas for action identified in the Beijing Platform for Action, successive presidencies have worked on the collection and analysis of data and drawn up indicators for certain critical areas of concern.

The Luxembourg presidency has stressed the question of decision-making in politics, the economy, and social life as well as in research institutions and universities, the media and sports organisations.

SOCIAL ECONOMY

The Council is expected to adopt conclusions on the promotion of the social economy as a key driver of economic and social development in Europe ([13766/15](#)).

The social economy is an important pillar, notably in terms of employment and social cohesion across Europe. It is a sector which has weathered the economic crisis better than others.

The social economy unites a large and rich variety of organisational forms. They are shaped by diverse national and welfare contexts but have shared values, characteristics and goals.

The social economy combines sustainable economic activities with positive social impact, while matching goods and services to needs. It contributes to several key EU objectives, such as the achievement of smart, sustainable and inclusive growth, high-quality employment, social cohesion, social innovation, local and regional development and environmental protection.

SOCIAL GOVERNANCE

The Council is expected to adopt conclusions on social governance for an inclusive Europe ([14129/15](#)).

The presidency attaches great importance to the consideration of social aspects in economic governance. The conclusions are therefore in line with the Luxembourg presidency's priority of strengthening the social dimension of the EU.

The starting point for the conclusions was the Five Presidents' Report, which primarily concerns the consolidation of the economic and monetary union. Discussions at the informal EPSCO meeting in July in Luxembourg provided further input for the preparation of the Council conclusions.

The conclusions also form part of the vision for a 'social triple-A rating' for Europe declared by the President of the European Commission.

ANY OTHER BUSINESS

(a) Legislative proposals: The presidency will inform the Council about the following (current) legislative proposals: regulation on a European Network of Employment Services, workers' access to mobility services and the further integration of labour markets (EURES); decision on a European Platform to enhance cooperation in the prevention and deterrence of undeclared work;

The Commission will inform the Council about the European Accessibility Act.

(b) The Commission will inform the Council about the European Pact for Youth launched at the Enterprise 2020 Summit which took place in Brussels on 16 and 17 November 2015.

(c) The Commission will inform the Council about the list of measures to promote the equal treatment of lesbian, gay, bisexual and transgender people.

(d) The presidency will inform the Council about the conferences/initiatives organised during its mandate.

(e) The Netherlands delegation will inform the Council about the work programme of the incoming presidency.

Health

EU strategy on reduction of alcohol-related harm

The Council will adopt conclusions on "An EU strategy on the reduction of alcohol-related harm". In its [draft conclusions](#) the Council invites the Commission to adopt by the end of 2016 a comprehensive EU strategy dedicated to the reduction of alcohol-related harm. This strategy should tackle health, social and economic consequences of the harmful use of alcohol and focus on initiatives with a cross-border dimension. The draft conclusions also invite member states and the Commission to focus on the prevention of risky drinking behaviour among young people. They are also invited to consider the possibility of introducing mandatory labelling of ingredients and nutrition declaration, in particular of the energy value, of alcohol beverages. These considerations should build on a Commission report still to be adopted.

In its draft conclusions the Council notes with concern that according to the WHO harmful use of alcohol is among the world's leading risk factors of disease and disability, and that the European Union is the region with the highest alcohol consumption in the world. The draft conclusions also refer to the OECD according to which regular and heavy drinking is on the rise in some member states, especially among young people and women.

Personalised medicine for patients

The Council will adopt conclusions on personalised medicine. The [draft conclusions](#) invite the member states to support access to clinically effective and financially sustainable personalised medicine by developing patient-centred policies. Member states and the Commission are invited to take action to facilitate the uptake of personalised medicine into clinical practice. This could be done through continuing professional development, data collection and sharing, the adjustment of Health Technology Assessment to the specific nature of personalised medicine or early authorisation of innovative medicinal products.

Personalised medicine is widely understood as being a medical model that uses characterisation of individuals' phenotypes and genotypes for tailoring the right therapeutic strategy for the right person at the right time, and/or to determine the predisposition to disease and/or to deliver timely and targeted prevention.

The draft conclusions build on the results of a high-level conference on "Making Access to Personalised Medicine a Reality for Patients" organised by the Luxembourg presidency on 8 July 2015. The conference addressed obstacles to the integration of personalised medicine into EU healthcare systems, identified best practices and their added value and outlined the potential benefit of personalised medicine for public health.

Living with dementia: improving care policies and practices

The Council will adopt conclusions on "Supporting people living with dementia: improving care policies and practices". In the [draft conclusions](#) the Council invites the member states to address dementia as a priority and provide appropriate treatment and assistance to people living with dementia, their families and caregivers, while ensuring the financial sustainability of healthcare systems. The conclusions highlight the role of prevention, early diagnosis and post-diagnostic support in contributing to the reduction of the burden of dementia in an ageing society. Member states and the Commission are invited to facilitate the sharing of good practices and to take forward the discussions at EU level on several issues. These include ways of ensuring that prevention, diagnosis, treatment and care are coordinated within countries; the pooling of existing knowledge about ongoing activities; the promotion of the empowerment and rights of people living with dementia to ensure healthy ageing in dignity; the promotion of dementia-friendly communities and the use of eHealth.

In its draft conclusions the Council also notes with concern that 47.5 million people worldwide are currently living with dementia, out of which an estimated number of 6.4 million live in the European Union.

Lessons learned from the Ebola outbreak

The Council will adopt conclusions on "Lessons learned for Public Health from the Ebola outbreak in West Africa - Health Security in the European Union". The [draft conclusions](#) focus on the preparedness and response planning by EU member states for serious cross-border health threats and their cooperation in order to strengthen health security in the European Union in case of possible future outbreaks. The Council recognizes that while preparedness and response planning as well as its implementation remain primarily a matter of national competence, it is necessary to work together with a view to maintain capacities in-between crises and to coordinate national measures at EU level in line with decision 1082/2013/EU on serious cross-border health threats.

To this end, the member states and the Commission are invited to take forward discussions on several issues, notably within the Health Security Committee. These include the improvement of cross-sectoral cooperation; the strengthening of risk-assessment and risk-management of serious cross-border threats to health; the protection and training of healthcare professionals; the definition of EU medical evacuation capacities; the delivery of medical and public health assistance as part of the European Emergency Response Capacity; the strengthening of EU preparedness and response planning as part of enhanced global health security; the improvement of risk and crisis communication.

The draft conclusions also welcome that the EU and its member states mobilised €2 billion in addressing the Ebola crisis.

The draft conclusions build on the outcome of the conference "Lessons learned for Public Health from the Ebola outbreak in West Africa" which was co-organised by the Commission and the Luxembourg presidency on 12-14 October 2015 in Luxembourg.

Any other business

- ***Medical devices and in vitro diagnostic medical devices***

The presidency will inform ministers on the state of play of the discussions with the European Parliament on two draft regulations concerning medical devices and in vitro diagnostic medical devices.

- ***Trans fatty acids***

The Commission will present its [report on trans fatty acids](#).

- ***Conferences***

The presidency will inform the Council about the outcome of conferences held during its term of office.

- ***Work programme of the incoming presidency***

The Netherlands delegation will inform ministers on its work programme in the field of health and consumer affairs as the incoming Presidency of the Council of the EU.
