

Health and Social Services Committee

HSS(2)-03-06 (p1)

Date: 16 February 2006

Venue: Committee rooms 3&4, National Assembly for Wales

Title: EU policy and legislative priorities for 2006

Purpose of Paper

1. This paper invites Members to agree which European Union policy and legislative issues the Health and Social Services Committee should prioritise and focus on in its forward work programme for 2006. The Welsh Assembly Government has provided a summary of the European Commission's Legislative and Work Programme 2006 (hereafter, 'Work Programme') and its implications for the Welsh Assembly Government. An extract relating to Health and Social Affairs priorities is attached at Annex A.

Background

2. This Committee is invited to select priorities for the coming year from the European Commission's Forward Work Programme. Each of the Subject Committees, the Equal Opportunities Committee and European and External Affairs Committee are being invited to do the same, with the European and External Affairs Committee maintaining a strategic overview of the process.

3. The European Commission's Work Programme was published on 25 October 2005. It lists all priority items that the Commission will propose in 2006, under the Commission's four key aims: prosperity, solidarity, security and Europe as a world partner. The Commission has published a further non-priority list of items, some of which may be of interest to the Committee. These documents can be accessed on the Commission's website:

http://www.europa.eu.int/comm/atwork/programmes/index_en.htm

4. A summary of the programme is provided in the Welsh Assembly Government statement on the Work Programme at Annex A which was presented to the European and External Affairs Committee at its meeting on 18 January 2006. This included an analysis of the implications of the Health and Social Affairs work programme for the Welsh Assembly Government.

Suggested Priorities for 2006

5. Members' Research and Committee Services has sifted the work programme for items relevant to this

Committee's remit. These are mainly identified on the basis of the Commission's 2006 political priorities and are proposed in view of their impact and relevance to Wales and taking into account this Committee's previous interests. A detailed list of the proposals can be found in Annex B.

6. The following therefore are suggestions for Committee priorities for 2006, taking into account the Welsh Assembly Government's statement:

- Organ Donation and Transplantation: a non-legislative communication to establish the necessary measures for setting high standards of quality and safety of organs.
- Health and Safety at Work: a new community strategy that builds on the current strategy with the aim of reducing occupational accidents.
- Alcohol-related Harm: although remitted to the Social Justice and Regeneration Committee, this Committee may wish to focus on aspects of this strategy which seek harm reduction to health.

8. In addition, there are a number of on-going items carried forward from 2005:

- The Services Directive
- The Revision of the Working Time Directive
- Pandemic Flu Preparedness
- Paediatric Medicines
- Green Paper on a Mental Health Strategy
- Green Paper on Nutrition

Members may also be interested in receiving updates on the Austrian Presidency which wishes to focus on diabetes and women's health issues in terms of Health. A list of the Presidency's priorities is available from their website at: http://www.eu2006.at/en/Policy_Areas/Employment_Social_Policy_Health_and_Consumer_Affairs/Health.html

9. The protocol on how Assembly Committees can scrutinise and influence EU issues, as agreed by the Panel of Chairs, is attached as Annex C.

Action for Committee

10. The Committee is invited to discuss and agree its priorities from the Commission's work programme for 2006, as suggested in paragraphs 7 and 8, taking into account the Welsh Assembly Government's Statement at Annex A.

Members Research and Committee Services

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Annex A: Welsh Assembly Government paper for the European and External Affairs Committee (18 January 2006)

Title: European Commission Legislative and Work Programme 2006: the implications for the Welsh Assembly Government

Introduction

The Commission work programme for 2006 feels lighter, in terms of potential impact on Wales, than its programme for 2005. Some of the most important issues for the Assembly Government during 2006 will be "carry-overs" from the 05 programme. Specifically these will include the Working Time Directive, the chemical registration REACH Directive and the Directive for a single market in Services.

Structural Funds will be at the forefront of the Assembly's work. With the budgetary arrangements in place, the Assembly Government will be heavily occupied negotiating programmes with partners in Wales and with the Commission in Brussels.

2006 will be the year of preparation for the start of the new programme on 01/01/07. Beyond the Structural Funds, a new generation of programmes in areas like rural development, innovation, research and education will open up. Wales has benefited from all of these in the past and demand should remain high. 2006 is also a critical year for the Lisbon strategy for growth and jobs which reaches a key implementation stage.

In the context of Wales' Presidency of the Regions with Legislative Powers (REGLEG) during 2006, the Commission's ambitions for "Delivery and Better Regulation" will be particularly important. A reduced legislative burden, in itself, indicates part of the Commission's response to improving regulation. The Commission has committed itself to the "rigorous application" of better regulation discipline through simplification, modernisation, consultation, and a careful evaluation of the impact of policies. Our role, with partners, is to assist the Commission in this work and to help hold them to account against commitments.

The Commission Preamble

The present Commission set out some key strategic aims at the start of its mandate - prosperity, solidarity, security and Europe as a world partner – and its programme for 2006 is designed to reflect these themes. In the absence of a ratified Constitution the Commission has launched a communication programme – "Plan D for democracy, dialogue and debate" – to help stimulate debate on Europe's future. The precise format of this effort and the extent of Member States' involvement will vary.

Prosperity: the Commission will report to the spring European Council on progress towards Lisbon through the 25 national reform programmes adopted by Member States. A European Institute of Technology is proposed and work will continue to launch the new framework programme for research from 2007. 2006 is designated the European Year of Mobility for Workers. Emphasis is placed on finalising the internal market for energy and work will continue to explore new technological solutions

such as clean coal and renewable energies. The single market will be simplified in general but strengthened specifically on postal services, public procurement and banking. The potential for enlargement of the eurozone will be examined in the light of macroeconomic conditions.

Solidarity: the Commission will set out ideas on coping with the problem of demographic ageing; alongside this will be thoughts on the effective management of migration flows. There will be further discussions on climate change and proposed measures such as bringing the aviation sector into the emissions trading scheme. The sustainable management of natural resources will extend to reform of the wine, fruit and vegetables and the bananas sectors – this will bring the current process of agricultural reform into its final phase following the agreement on sugar reform. Soaring oil prices have under-lined the importance of competitive and secure energy supplies for Europe. Energy efficiency and renewable sources will be promoted and the potential of biofuels further explored. A new maritime strategy will pioneer an integrated approach to developing the maritime economy supported by excellence in marine science and technology.

Security: the cross-border nature of terrorism calls for better co-ordination between law enforcement authorities; the same applies for organised crime. A number of initiatives are planned in relation to confronting health risks, specifically in the fields of food safety and transport.

Europe as a world partner: enlargement preparations will continue for Bulgaria and Romania as well as accession talks with Turkey and Croatia. Further accession requests may be dealt with and neighbourhood action plans progressed, particularly in developing integrated energy markets. Major development commitments were made in 2005; the Union must deliver on these in 2006. The consequences of the Doha round of negotiations in Hong Kong will be followed up. The Union will contribute to an efficient multilateral approach to sustainable development worldwide.

Delivery and Better Regulation: Impact assessments are now standard for legislative and policy defining proposals. As a result of following Better Regulation principles, the Commission withdrew 68 proposals in 2005 and is committed to testing all proposals against subsidiarity and proportionality (in plain English, acting only when necessary and "in the lightest form consistent with achieving its objectives"). The Commission's approach to value for money is thus defined: "The EU Budget should only be used when it can offer better value for money than spending at national level." The Commission is committed to simplifying legislation and will focus on the automotive, construction and waste sectors during the first phase.

Below is a more detailed summary of the Commission's plans for Health and Social Affairs Policy.

Health & Social Affairs Policy

The main aims include the streamlining of the open methods of co-ordination in the social area, and the launch of co-operation on health and long-term care, to reinforce the support the EU provides to Member States in their efforts to modernise social protection systems and tackle social exclusion.

The Commission will set out ideas about how the EU can contribute to tackling the problem of Europe's demographic ageing; consideration of current labour law, including policies on gender equality and health and safety at work.

With regard to civil justice the programme covers areas such as divorce and matrimonial property regimes and enforcing compensation, the rights of the child in areas like family reunification, parental responsibilities and human trafficking. Enhancing health and confronting risks also important elements in the programme.

Dossiers of interest:

· Communication on Gender Equality	Non-legislative	To set out a road map on gender equality
· Communication on Health and Safety at Work strategy 2007-12	Non-legislative	Develop current strategy to increase quality of work and productivity
· Green Paper on the evolution of labour law	Non- legislative	Encourage debate on labour law to help identify major issues
· Communication on the demographic future of Europe	Non-legislative	Bring together the results of the Green Paper on Ageing and pilots to set out further action
· Proposal on the applicable law and jurisdiction in divorce matters	Legislative / Regulation	To establish Community rules in this field
· Green Paper on the property rights of married/unmarried couples	Non-legislative	Consultation on legal and practical issues
· Communication on implementing children's rights	Non-legislative	Framework / Action Plan to implement children's rights, in line with UN Convention of the Rights of the Child
· Green Paper on drugs and civil society	Non-legislative	Working with civil society to take forward the EU Drugs Action Plan 2005-2008
· Communication on tackling alcohol-related problems	Non-legislative	To reduce the health and social harm due to alcohol consumption
· Communication on organ donation and transplantation	Non-legislative	Measures to ensure high standards/ quality/safety.

Produced by:

Annex B: Members Research and Committee Services' list of relevant proposals expected from the European Commission during 2006

B1 Suggested priorities for HSS

From the EC Work Programme

	Title	Brief Description
1	<p>Organ Donation and Transplantation</p> <p>Commission communication on organ donation and transplantation in the EU</p> <p>Non-legislative</p> <p>2005/SANCO/006</p>	<p>Organ transplantation is currently a common technique used in medicine. Transplants are in many cases the only treatments to end stage organ failures. This process is not risk free to the donor and the recipient. the Commission, under article 152 of the Amsterdam Treaty, has the right to establish the necessary measures for setting high standards of quality and safety of organs. Organ transplantation is a very complex area that only could be addressed successfully taking into account all the elements.</p> <p>Estimated date of adoption: December 2006</p>
2	<p>Health and Safety at Work</p> <p>Communication from the Commission on a new Community strategy on health and safety at work 2007-2012</p> <p>Non-legislative</p> <p>2006/EMPL/002</p>	<p>The new community strategy on health and safety at work for the period 2007-2012 will build on the current strategy, COM (2002)118 final and on the evaluation of its results. It will do this by combining a variety of instruments: up-dating and simplifying legislation, social dialogue, progressive measures, development of new instruments to help the implementation of legislation, economic incentives and on building partnerships between all players in this policy area. The objectives will be increased productivity and quality of work, in line with the Lisbon strategy, through a reduction of occupational accidents and absenteeism due to poor health.</p> <p>Estimated date of adoption: November 2006</p>

3	<p>Alcohol-related Harm</p> <p>Commission Communication on an alcohol policy.</p> <p>Non-legislative</p> <p>2005/SANCO/032</p>	<p>Council Conclusions of 5 June 2001 on Community strategy to reduce alcohol-related harm invites the Commission to come forward with measures in this respect. The Council reiterated the invitation on 2 June 2004. The main policy objective is to reduce the health and social harm due to alcohol consumption and contribute to higher productivity and a sustainable economic development in the EU in line with the objectives set out in the Lisbon Strategy.</p> <p>Estimated date of adoption: Quarter 1, 2006</p>
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B2 Other proposals that may be of interest to the Committee

Other actions expected to be adopted within the Work Programme

4	<p>Food Safety</p> <p>White paper on "Better Training for safer food"</p> <p>Non-legislative</p> <p>2005/SANCO/024</p>	<p>The heart of the problem is a lack of a harmonised approach to the design and developments of national control systems. The WP on Food Safety placed particular emphasis on this and clearly indicates the need to address the issues with appropriate actions to achieve a high standard of consumer protection across the EU. The EP and the Council, on 29 April 2004, adopted Regulation (EC) No. 882/2004 on official controls that identified training as a key issue. Article 51 of the Regulation empowers the Commission to develop training programmes for staff of competent authorities of the Member States, which may be open to participants of third countries, in particular developing countries. This action will develop a White Paper on a Community training strategy in the area covered by Regulation (EC) No. 882/2004.</p> <p>Estimated date of adoption: Semester 1, 2006</p>
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5	<p>Education and culture</p> <p>Recommendation for a European Qualifications Framework</p> <p>Non-legislative.</p>	<p>The main policy objective is to establish – on a voluntary basis – a European reference framework that will facilitate transparency, transfer and recognition of qualifications in Europe. A set of common reference levels will facilitate the comparison of education and training provisions and be supported by principles for quality assurance, validation, guidance, key competences etc. The EQF will support the comparability and thus eventually also the recognition of qualifications, provide a framework for development of qualifications at sector level and support the lifelong learning of individual citizens.</p> <p>The immediate policy objective is to create a "co-operation mechanism" between European qualification authorities and other stakeholders.</p> <p>Estimated date of adoption: 1st semester 2006</p>
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List of actions expected to be adopted outside the Work Programme (non-priority)

6	<p>Healthcare Associated Infections (HCAIs)</p> <p>European Community Treaty Article 152(4). To set up a network for the epidemiological surveillance and control of communicable diseases in the Community.</p> <p>Non-legislative</p> <p>Decision 2119/98/EC</p>	<p>HCAIs affect an estimated one in ten (10%) hospital patients. These infections lead to increase in length of stay, illness, mortality and costs. The problem receives increasing media- and political attention. Infections caused by these pathogens are often difficult to treat due to antimicrobial resistance. For antimicrobial resistance a Council Recommendation (2002/77/EC) is in place. In its report to Council on the implementation of 2002/77/EC by MS the Commission concludes that it may be appropriate to formulate initiatives in the area of infection control and patient safety. The SARS-outbreak (in particular in Toronto) showed how critical infection control is. It is probably that the HCAI-problem will increase further, due to:</p> <ul style="list-style-type: none"> “ increased patient mobility & healthcare workers “ ageing society “ advances in medical treatment & technology “ rising public expectations
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Annex C Protocol for committee scrutiny and action on EU policy

This protocol was agreed by the Panel of Chairs in April 2005.

The key to influencing proposals is to engage with the right players at the right time. This is a suggested general approach to European issues, Committees may wish to consider some or all of the following in order to maximise their effectiveness:

1. Inviting the Welsh Assembly Government to explain the impact of a proposal on Wales, to give its response to the proposal and explain how it is making its views known to the UK government and Commission.
2. Inviting a Commission representative, UK government officials or MEPs for a direct exchange of views.
3. Inviting Welsh or UK organisations to the committee or expert witnesses to give their views on any particular issue, (e.g. business representatives, ASPBs, Welsh Local Government Association, social and environmental NGOs, universities).
4. EU proposals may sometimes cut across several committees remit and will therefore require co-ordination of views and perspectives. In such a case, it may be appropriate for one committee to take the lead.
5. Having agreed its position on an issue, Committees may wish to promote this to the key institutions in the decision-making process, and other relevant players, as follows:
 6. The European Parliament: for example, by communicating this to Wales MEPs and inviting them to pursue the issue in the European Parliament. Channels open to MEPs to do so include:
 - influencing relevant EP committee rapporteurs;
 - tabling amendments;
 - tabling questions to the Commission and representatives of the Council of Ministers;
 - influencing the position of their EP political grouping.
 7. The European Commission:
 - by responding to Commission consultations;
 - inviting the Commission to Committee meetings or engaging in dialogue with the Commission through other opportunities, such as European conferences;

- write to the relevant Commissioner responsible for the policy to promote the Committee's view.

8. In addition to scrutinising the WAG's position, the Committee may wish to write to the relevant UK government Minister to make its view known.

9. Other potential players include:

- the European committees of the Houses of Parliament, for example, submitting evidence to House of Lords' enquiries;
- Assembly Members of the Committee of the Regions may table amendments to the CoR's reports;
- European associations on which the Assembly is represented and other networks of like-minded regions and organisations. Forming a pan-European coalition on an issue is important for having a wider impact and takes the debate beyond national boundaries.

10. Monitoring the progress of the proposal through the decision-making process, either through updates from the Welsh Assembly Government in particular on the outcome of Council meetings (Minister's report, for example), or through European update briefings from the Members' Research Service.

11. In the interest of transparency, the Committee Chair should request that WAG systematically brief committees on the outcome of Council of Ministers meetings which are relevant to the committee's remit.

12. It may be necessary for the committee to re-assess its view in light of the evolving negotiations and to issue a further response at a later stage.