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European Union

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REV 1

PV/CONS 35
SOC 425
EMPL 277
SAN 192
CONSOM 113

DRAFT MINUTES

Subject: **3398th** meeting of the Council of the European Union (**EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER AFFAIRS**) held in Luxembourg on 18 and 19 June 2015

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1. **Adoption of the agenda**

9748/15 OJ/CONS 35 SOC 412 EMPL 268 SAN 174 CONSOM 106

The Council adopted the above agenda. At the request of the Spanish delegation, the Council agreed to add an other business item concerning a case of diphtheria in Spain.

NON-LEGISLATIVE ACTIVITIES

(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency] for items 2 to 5)

EMPLOYMENT AND SOCIAL POLICY

2. **European Semester 2015: Contribution to the European Council (Brussels, 25-26 June)**

– Policy debate

9304/15 SOC 372 EMPL 244 ECOFIN 409 EDUC 189

The Council held a policy debate on the Country Specific Recommendations (CSRs), in the context of the European Semester. Ministers were guided by questions set out in the Presidency note (doc. 9304/15). They acknowledged that the economic situation in the EU has improved, but the recovery is not yet stable and remains uneven. This is particularly relevant in the employment and social field, where the recovery has not yet been accompanied by a clear improvement in the employment and social situation in the EU. A strengthened EMU requires increased attention to employment and social considerations in order for the stability of the Eurozone to be ensured. Ministers reiterated that employment and social policy matters must be maintained within the EPSCO decision-making remit and should not systematically become part of the MIP process.

While the focus now must be on the implementation, Member States should be given appropriate space to decide on the most relevant policy measures, according to their national context and priorities. On the process, Ministers welcomed that the preparation and organisation of the European Semester exercise has improved this year, allowing for a better preparation at national level.

a) **Draft Council Recommendations on the National Reform Programmes 2015 to each Member State and Draft explanatory note**

– Approval

9224/15 ECOFIN 376 UEM 171 SOC 339 EMPL 213 COMPET 250 ENV 332
EDUC 158 RECH 149 ENER 190 JAI 354

9229/1/15 UEM 172 ECOFIN 377 SOC 340 COMPET 251 ENV 333 EDUC 159
RECH 150 ENER 191 JAI 355 EMPL 214 REV 1

9305/1/15 UEM 201 ECOFIN 410 SOC 373 COMPET 282 ENV 370 EDUC 190
RECH 178 ENER 225 JAI 384 EMPL 245 REV 1

9306/15 UEM 202 ECOFIN 411 SOC 374 COMPET 283 ENV 371 EDUC 191
RECH 179 ENER 226 JAI 386 EMPL 246

The Council approved the employment and social policy related aspects of the recommendations (listed in doc. 9229/1/15 REV 1) and the accompanying explanatory document (doc. 9305/1/15 REV 1).

HU requested a modification to its CSR 4 and asked for a vote to be taken on it, in accordance with Article 3.2 of Protocol 36 on Transitional Provisions, that the qualified majority as defined in paragraph 3 to that article be applied. In the absence of the required support the Council did not accept the modification of this CSR.

b) **Assessment of the 2015 Country-specific Recommendations (CSRs) and the implementation of the 2014 CSRs**

– Endorsement of the opinions of the Employment Committee (EMCO) and the Social Protection Committee (SPC)

9311/15 SOC 377 EMPL 249 ECOFIN 414 EDUC 194 SAN 187

The Council endorsed the EMCO and SPC opinions contained in the above-mentioned document.

c) **Employment Performance Monitor and Benchmarks**

– Endorsement of the EMCO report

9307/15 SOC 375 EMPL 247 ECOFIN 412 EDUC 192

The Council endorsed the Monitor prepared by EMCO contained in the above-mentioned document.

3. Proposal for a Council Decision on guidelines for the employment policies of the Member States

- General approach
6144/15 SOC 70 EMPL 31 ECOFIN 97 EDUC 28 JEUN 21
+ ADD 1
9632/15 SOC 408 EMPL 265 ECOFIN 449 EDUC 206 JEUN 48

The Council reached a general approach on the Employment Guidelines (doc. 9632/15).

The general approach will be reconsidered once all the opinions required under Article 148(2) of the Treaty have been received.

4. Youth employment

- a) **Draft Council conclusions on European Court of Auditors' Special Report No 3/2015 "EU Youth Guarantee: first steps taken but implementation risk ahead"**
 - Adoption
9300/15 FIN 390 SOC 369 EMPL 242 ECOFIN 407 EDUC 187 JEUN 43
REGIO 42

The Council adopted the conclusions as set out in doc. 9300/15. The final version of the conclusions is to be found in doc. 10104/15.

- b) **State of play on the implementation of EU actions**
 - Presentation by the Commission
9301/15 SOC 370 EMPL 243 ECOFIN 408 EDUC 188 JEUN 44

The Council took note of the information provided by the Commission (doc. 9301/15).

5. Draft Council conclusions on equal income opportunities for women and men: Closing the gender gap in pensions

- Adoption
9302/15 SOC 371 GENDER 7 PENS 4
+ REV 1 (lv)

The Council adopted the conclusions as set out in doc. 9302/15. The final version of the conclusions is to be found in doc. 10081/15.

LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

6. **Proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures [First reading]**

(Legal basis proposed by the Commission: Article 157(3) TFEU)

Interinstitutional file: 2012/0299 (COD)

– Progress report

16433/12 SOC 943 ECOFIN 708 DRS 130 CODEC 2724

9020/1/15 SOC 331 GENDER 6 ECOFIN 367 DRS 40 CODEC 741 REV 1

+ REV 1 COR 1 (el)

The Council took note of the Presidency's Progress Report (9020/1/15 REV 1+ REV 1 COR 1).

7. **Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation**

Interinstitutional file: 2008/0140 (CNS)

– Progress report

11531/08 SOC 411 JAI 368 MI 246

9011/1/15 SOC 330 ANTIDISCRIM 6 JAI 338 MI 326 FREMP 114 REV 1

The Council took note of the Presidency's Progress Report (9011/1/15).

8. **Any other business**

a) **Current legislative proposals**

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

– Information from the Presidency

The Presidency informed the Council on the results and state of play of various files discussed under the Latvian Presidency.

b) Report on the implementation of the EU Framework on National Roma Integration Strategies 2015

- Information from the Commission
9551/15 SOC 392 EMPL 254 ANTIDISCRIM 7 JAI 418 EDUC 200 FREMP 132
COHOM 54 GENDER 8

The Council took note of the information provided by the Commission as set out in doc 9551/15.

c) Report on the Functioning of the Transitional Arrangements on Free Movement of Workers from Croatia and accompanying Commission Staff Working Document

- Information from the Commission
9631/15 SOC 407 MI 377 EDUC 205 ECOFIN 448 JEUN 47 JAI 428 ETS 4

The Council took note of the information provided by the Commission as set out in doc. 9631/15

d) Outcome of the conferences organised by the Latvian Presidency

- Information from the Presidency
9308/15 SOC 376 EMPL 248

The Council took note of the information provided by the Presidency.

e) Work programme of the incoming Presidency

- Information from the Luxembourg delegation

The Council took note of the information provided by the incoming Presidency on its work programme.

LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

9. Proposal for a Regulation of the European Parliament and of the Council on medical devices and amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 [First reading]

(Legal basis proposed by the Commission: Articles 114 and 168(4)(c) TFEU)

Interinstitutional file: 2012/0266 (COD)

and

Proposal for a Regulation of the European Parliament and of the Council on in vitro diagnostic medical devices [First reading]

(Legal basis proposed by the Commission: Articles 114 and 168(4)(c) TFEU)

Interinstitutional file: 2012/0267 (COD)

– Partial general approach (●)

14493/12 PHARM 71 SAN 215 MI 597 COMPET 600 CODEC 2305

14499/12 PHARM 72 SAN 216 MI 598 COMPET 599 CODEC 2312

9773/15 PHARM 28 SAN 178 MI 393 COMPET 306 CODEC 860

9769/15 PHARM 26 SAN 176 MI 391 COMPET 304 CODEC 858

+ ADD 1

9770/15 PHARM 27 SAN 177 MI 392 COMPET 305 CODEC 859

+ ADD 1

The Council

– reached a Partial General Approach (excluding recitals) as set out in doc. 9769/15 + ADD 1 for the draft Regulation on medical devices,

– agreed on a language derogation for the draft Regulation on in vitro diagnostic medical devices and reached a Partial General Approach (excluding recitals) as set out in doc. 9770/15 + ADD 1 for that draft Regulation,

and

– instructed its preparatory bodies to examine the recitals and check the enacting terms for technical inconsistencies with a view to preparing complete General Approaches for the two draft Regulations.

10. Any other business

- a) A new framework for the EU alcohol policy**
– Information from the Slovenian delegation
9286/15 SAN 160

The Council took note of the information given by the Slovenian delegation under this item and of interventions by 20 delegations in support of this point.

- b) The importance of the health dimension in the European Agenda on Migration**
– Information from the Cyprus, Greek, Italian and Maltese delegations
9479/15 SAN 165 MIGR 31 SOC 382 DEVGEN 88

The Council took note of the information presented by the Cyprus, Greek, Italian and Maltese delegations and of interventions by other delegations.

- c) A case of diphtheria in Spain**
– Information from the Spanish delegation

The Council took note of the information provided by the Spanish delegation.

- d) Work programme of the incoming Presidency**
– Information from the Luxembourg delegation

The Council took note of the information provided by the incoming Presidency on its work programme.

STATEMENTS FOR THE COUNCIL MINUTES**Ad "B" item 2: European Semester 2015: Contribution to the European Council meeting (Brussels, 25-26 June 2015)****a) Draft Council Recommendations on the National Reform Programmes 2015 to each Member State and Draft explanatory note****UNILATERAL STATEMENT BY HUNGARY**

"Hungary needs to express its disagreement with some of the statements and with two requested actions of the country-specific recommendations for Hungary. The main concerns are related to the recommendations on numerically defined fiscal adjustment and on budgetary reallocations in case of the public works scheme.

Hungary expresses its concerns about the Commission's macroeconomic assessment since it does not recognise fully the improvement of Hungary's underlying economic fundamentals (such as robust GDP growth, recovery of business investments and growing employment in the corporate sector etc.).

Hungary confirms to be continuously committed to pursuing the economic policy based on fiscal stability and sustainable growth, which seems to have brought encouraging results as Hungary produced the second largest growth among EU member states in 2014, and in the same time were able to reduce public debt and keep budget deficit persistently well under 3 per cent.

While confirming the determination of the Hungarian Government to fully respect the rules of the SGP, it considers the insertion of any concrete figures for specific fiscal adjustment unwarranted. Hungary recalls that the recommended figures do not correspond either with the statement contained in the preamble nor with the track record regarding Commission's forecasts on macroeconomic figures, including forecasted growth in Hungary¹.

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GDP growth, %	2013	2014
factual	1,5	3,6
COM spring ⁽¹⁾ and winter ⁽²⁾ forecast	0,2 ⁽¹⁾ 0,7 ⁽²⁾	2,3 ⁽¹⁾ 3,2 ⁽²⁾

Hungary cannot agree with the recommendation on budgetary reallocation regarding the public work scheme. The Commission's assessment of the public work scheme does not recognise its important role as a social policy tool and inclusive regional development policy measure and gives the impression that active labour market policies in Hungary are non-existent. In order to improve transition from public work to the primary labour market the Hungarian Government is determined to improve, however, targeting of public work scheme and strengthen active labour market policies to assist job-seekers in finding a new job.

Hungary will be able to accept those country-specific recommendations which are well founded, based on correct and balanced assessment and real data, determine the policy objectives and leaves room to select at national level the appropriate policy means to meet the agreed objectives."
