

# **SERVICES D'INTERET GENERAL SOCIAUX**

## **QUESTIONNAIRE**

### **European Round Table of Charitable Social Welfare Associations (ETWelfare)**

#### **Non-profit social associations: Civic Actors in a European Social Model**

For several years now the EU has witnessed an intensive debate on “services of general interest”. In this context the European Commission presented, among others, a White Paper, proposals regarding state aids (Monti Package) and the draft directive on services. Next year a communication on “social services” is to follow.

In its role as an European network of national confederations of non-profit providers of social services, the “European Round Table of Charitable Social Welfare Associations” (ETWelfare), which was established after the Maastricht Declaration N° 23 on the special significance of co-operation between the Community and organisations responsible for social establishments, would like to point out the following:

1. It is understandable that the EU, in the light of the powers and tasks it is entrusted with, has so far primarily dealt with the policy issue of services from the angle of the “European Internal Market” and the freedom of establishment and service provision incl. competition rules that are designed to enable this market.
2. On the other hand, in particular since all Member States signed the European Constitution, it has become evident that the EU sees itself as a Community of values that also aspires to develop a European social model and model of society which is based on values.
3. The Community is becoming increasingly conscious of the interdependence of the various policy areas and has to and desires to take such into account when defining its actions - which is already reflected in the fact that in the Amsterdam Treaty Article 16 ECT complements a special provision on “services of general

economic interest”, and in addition Article III-122 of the European Constitution envisages specific legislative powers for doing so.

4. Still, the main focus remains the economic development of the EU - with the inclusion of all policy areas (Lisbon Strategy) - as reflected in the recently published report of the High Level Expert Group on the mid-term review of the Lisbon Strategy (Kok Report), which is of great importance for the future action of the new Commission and which urges e.g. for the adoption of a directive on services.
5. The ETWelfare whose members in their countries see themselves not only as actors of social protection, but in particular also as advocates of those dealing with or threatened by poverty and exclusion and those who are disadvantaged, points out that during the current deliberations on “services of general interest” - with full consideration for the Member States’ competence in social policy matters and the differences in social protection culture found in the Member States - there is a need for developing and considering a vision of a European social model.
6. The ETWelfare bases its view particularly on the fact that the citizens of Europe who formed associations and are active in organisations that provide social services must be involved in this vision on the basis of the newly established principle (in the European Constitution) of “participatory democracy”, primarily via the “civil dialogue” that needs to be developed.
7. The ETWelfare presupposes that in such a vision the non-profit providers of social services and their organisations, which are entrusted with specific public missions, mobilise resources of civil society in a broad social protection with secure access for all citizens, e.g. by involving volunteers in the interest of practical social solidarity.
8. The ETWelfare is of the opinion that this task must be fulfilled by having these organisations participate in the “civil dialogue” at a local, regional, national and European level. With regard to social protection it must also have a positive impact on those people who - with full consideration given to their dignity and uniqueness - are entitled to see their individual needs recognised and that framework conditions are existent or be created that allow them to help themselves.
9. Unless there is clarity on these issues - be it in the form of a relevant interpretation of Community law by the Commission or in the context of the ECJ’s decisions - the ETWelfare thinks it better that the EU refrains from any action that might endanger such a vision.
10. In this context the ETWelfare assumes that the planned communication from the Commission on “social services” will be clear on how and with which resources

typical of their own national culture non-profit social services in the individual Member States put into practice the above mentioned mission as “civic social enterprises”.

11. The ETW considers that a survey on the organisation of health care and social services in the member states is a prerequisite of any readjustment of the legislative framework within which these services operate.
12. If the draft directive on "services in the internal market" were to be adopted, the ETW suggests excluding health care and social welfare services from the field of operation of the directive, or at least working out for these services a system of exemption from the application of some of its provisions (meaning that authorization and control systems for these services will continue in force ; and that these services will be added to the list of exceptions to the principle of the country of origin).
13. The ETW maintains that it is necessary to balance the objectives of competition with those of the general interest to better guarantee general interest services and in particular health care and social welfare general interest services, so as to make them an essential component of the European Union.

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