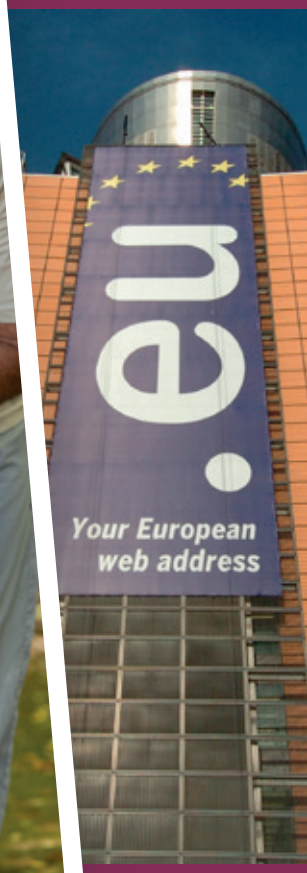
Active Senior Citizens for Europe: **A Guide to the EU**



NOVEMBER 2012

AGE Platform Europe

European Year for **Active Ageing** and **Solidarity between Generations** 2012

Foreword Viviane Reding, Vice-President European Commission, responsible for Justice, Fundamental Rights and Citizenship

Senior citizens represent an important and ever growing part of our European society, our economy, our culture, and our lives. Irrespective of the current difficult economic context, this poses manifold questions as to how one can best ensure that these citizens are socially included and can fully enjoy all their rights.

The European Commission has been dealing with these challenges in various ways. The 2012 European Year for Active Ageing is marking our strong political commitment to promoting rights and social inclusion of Europe's elderly population.

On the legal side we are seeing important developments. Over the last years, there has been a gradual increase of cases concerning age discrimination in employment brought to national courts, equality bodies and to the Court of Justice of the EU. This shows that EU antidiscrimination legislation has very much contributed to raising awareness on age discrimination and the rights of senior citizens. And it will continue to do so.

Furthermore the Charter of Fundamental Rights of the EU, which enshrines the rights of the elderly, has become a point of reference commonly used in the development of EU policies. As public interest in the Charter grows, there is a need to better inform people as to when the rights of the Charter apply and how to enforce them in practice. I am pleased that this publication shares this objective, with a particular focus on senior citizens.

Although many senior citizens enjoy good health, ageing often brings limitations preventing older citizens from accessing goods and services and living independently. Ensuring accessibility for all is both a question of fundamental rights and crucial to making the most of the potential of our senior citizens in social and economic terms. Following this logic, the European Commission is exploring the possibility of drawing up a European Accessibility Act based on a "design for all" approach.

These are just a few examples where EU activities have a direct impact on older people. But to reach their full effectiveness it is essential that our citizens actively contribute to shaping them. Initiatives like this publication empower senior citizens to be part of the process by comprehensively compiling and explaining what EU policies and legislation bring to them. I am grateful to the AGE Platform Europe for helping us in this endeavour.

Foreword Marjan Sedmak, President of AGE Platform Europe

More Europe or more democracy? The question was raised in the present troubled times by a reputable German weekly magazine on its front page in July 2012. The on-going crisis has turned out to be not only economic but systemic as well.

The answer is obvious: we need both more democracy, freedom, social security and welfare in equality of rights and more Europe. The Lisbon Treaty followed these postulates, giving new competencies to the European Parliament and opening multiple platforms for dialogue with qualified representatives of civil society. This was not only an attempt to tackle the EU "democratic deficit". The change also greatly contributed to the quality of the decision making processes and their outcomes. In this time of austerity cuts, social consensus is harder to reach. Yet it is needed more than ever if we are to reach fair and balanced ways to get us out of trouble.

Of course NGOs should not decide on policies by themselves, but they are needed to inform the debate. In recent years, older citizens' groups have grown, becoming indispensable stakeholders in the dialogue on European issues.

For more than 10 years AGE Platform Europe has promoted the vision of a society for all, where everyone regardless of age, gender, ethnic origin, religion, ability or sexual orientation, can enjoy equal rights and participate fully in their communities. In line with the European Year 2012 on active ageing and intergenerational solidarity, AGE promotes active and responsible ageing, active citizenship as well as solidarity and cooperation between generations.

The purpose of this brochure is to help older citizens across the EU understand how the EU works, what issues are at stake in an ageing Europe and what they can do to take part and make Europe a better place for all of us to live, work and grow old in.

Foreword Anne-Sophie Parent, AGE Secretary-General

Our members often report the difficulties they have to explain to older citizens in their country how decisions are made at European Union level, what impact these decisions have at national or local level and, more generally, what the EU is doing which is of relevance to older people. They want to know also why older citizens should get involved in EU policy development and how they can make their voice heard in debates on EU policies that concern them.

It is to respond to our members' call that the Secretariat has drafted this publication. This collective work aims at empowering older people to become active senior citizens for Europe and help build a better future for all generations. We hope that this publication will enable them to mobilise a much wider number of older citizens to foster an age-friendlier EU better equipped to address the major challenges raised by our ageing population.

AGE members feel that it is our common duty to help turn the unprecedented demographic challenge Europe is experiencing into opportunities for all generations.

We hope that you will enjoy reading this brochure. Comments and suggestions on how it could be further improved are welcome as we will continue to update it regularly. Do not hesitate to share them with us.

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Introduction

Although older citizens have witnessed the creation of the European Union (EU) and seen it develop into an area of freedom, security and justice, few are fully aware of what the EU is doing to promote their rights and translate our shared values into concrete outcomes for citizens in all EU Member States.

The purpose of this brochure is to help senior citizens across the Union understand better what the Treaty of Lisbon and the Charter of Fundamental Rights of the EU bring to older people in terms of citizenship, non-discrimination and equality between women and men, fundamental rights, employment, social protection, health safety and economic interest of consumers, human health protection and protection against violence and elder abuse. It will also present what the EU plans to do to protect and promote the rights of persons with disabilities and of older people, as an outcome of the ratification by the European Union of the United Nations Convention on the Rights of Persons with Disabilities in 2011.

The publication is launched in the framework of the **European Year 2012 of Active Ageing and Solidarity between Generations** and provides an overview of the EU legal and political framework that supports older people and an update on the EU decision making process. It can be used together with a previous publication published by AGE "Introduction to the European Union institutions and EU policy processes of relevance to older people" (3rd edition, 2010)" as training material to raise awareness among older citizens on how the EU functions, how decisions are made, how citizens, including older people, can enjoy their rights and seek redress when these are not respected and how they can get involved and influence the EU policy making process.

We hope that this brochure will prove to be a useful tool to facilitate a wider understanding of the new EU legislative and policy framework and to explain how older citizens can get actively involved in a constructive civil dialogue through citizens' groups and organisations to influence the outcomes of EU policy making.

Our aim is also to help older citizens get more activitely involved in the **European Year 2013 on Citizenship** and the **upcoming elections of the European Parliament in 2014**.

Throughout the publication, some specific information is provided and highlighted in coloured text boxes as follows:

GET INVOLVED

Specific notes and suggestions on how older people can get involved and influence EU policy making processes.

GOOD TO KNOW

Remarks, tips and points of clarification.

Relevant information on AGE's work and initiatives

A list of acronyms is available in the annexes at the end of the publication.

1. EU legal framework and political context

The European Union is based on the rule of law, i.e. since its creation all actions taken by the EU are founded on treaties that have been approved voluntarily and democratically by all EU Member States. The Treaties of the European Union set out the EU objectives, the rules that apply to EU institutions, how decisions are made and the relationship between the EU and its Member States. The EU Treaties constitute the legal base under which EU institutions can adopt legislation. Member States have to transpose all new EU legislation into their own national legislation and implement it within the set deadline. If a policy area is not cited in a treaty, the European Commission – which is the sole EU institution to have the right to initiate new legislation – cannot propose a law in that area because it has no legal base.

A key principle prevails that applies to all EU action: the **principle of subsidiarity** which ensures that decisions are taken as closely as possible to the citizen and that constant checks are made to verify that action at Union level is justified in light of the possibilities available at national, regional or local level. Specifically, it is the principle whereby the Union does not take action (except in the areas that fall within its exclusive competence), unless it is more effective than action taken at national, regional or local level. It is closely bound up with the **principle of proportionality**, which requires that any action by the Union should not go beyond what is necessary to achieve the objectives of the Treaties.

The complete texts of treaties, legislation, case law and legislative proposals can be viewed at: www.eur-lex.europa.eu/en/index.htm.

GOOD TO KNOW

There are legal limits to what the European Union can do to respond to its citizens' requests and it is important for citizens to understand clearly in which areas EU action is possible and what can only be tackled at national or local level. This publication can help older people across the EU understand better what is and can be done at EU level to respond to their needs and concerns. It also explains how they can help influence policies that have an impact on their lives in relevant policy areas where competences rest either exclusively at Union level or are shared between the Union and Member States.

EU Primary law: EU treaties and the Charter of Fundamental Rights

The EU treaties constitute the primary law that prevails over all other sources of law in the EU. They can be amended when needed to make the EU more efficient and transparent, to prepare for enlargement to welcome new Member States, to introduce new areas of cooperation, to address emerging common challenges, such as demographic shifts, the financial and economic crisis, climate change and the fight against cross-border crime, etc., but also to adopt new instruments to address common challenges more adequately.

The latest revision was introduced by the **Treaty of Lisbon**, which equipped the EU with new tools to make the EU more democratic, more efficient and better able to address global problems, such as climate change, enabling the Union to speak with one voice. After the entry into force of the Lisbon Treaty on 1 December 2009, amending several EU treaties, in particular the **Treaty on European Union (TEU)** and the **Treaty on the Functioning of the European Union (TFEU)**, a consolidated text integrating all modifications introduced by the Treaty of Lisbon was published. This consolidated text is the legal framework that governs EU actions today.

The consequences of the Lisbon Treaty on the functioning and policies of the European Union are numerous and are discussed throughout this document. More details on the changes introduced by the Treaty of Lisbon are available in all languages on the Treaty of Lisbon website, and on the Lisbon Treaty at a Glance webpage (see useful links at the end of this section) A summary of the main EU Treaties and links to the consolidated version can be found in the annexes (EU Treaties at a glance). Below we only highlight the most pertinent provisions of the EU treaties, including the main developments brought by the Lisbon Treaty linked with older people's rights and the enhancement of citizen's participation in the drafting of EU policies.

MOST RELEVANT ANTI-DISCRIMINATION AND EQUALITY PROVISIONS OF THE EU TREATIES

For many years the focus of EU action in the field of non-discrimination was on preventing discrimination on the grounds of nationality and gender. In 1997, the Amsterdam Treaty gave the EU new competence for combating discrimination based on sex, racial or ethnic origin, religion or belief, age or sexual orientation. Ever since the EU has concrete powers for positive action in the area of non-discrimination but unanimity among the Member States is necessary. The requirement of unanimity means that a single country can block the adoption of new equality legislation. The consolidated text of EU treaties includes the following provisions:

- **Social scope of the EU**[1]**:** The Union shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child.
- **Fundamental EU values**[2]**:** The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.
- **EU competences on anti-discrimination**[3]**:** In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.
- **Council procedure for action on equality**[4]**:** The Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

PROMOTION OF DIALOGUE BETWEEN CIVIL SOCIETY AND THE EU INSTITUTIONS

The Lisbon Treaty has amended article 11 of the Treaty of the European Union recognising the importance of civil dialogue[5]. According to this provision the EU should consult civil society associations before launching a European policy-making process.

Consulting all relevant stakeholders prior to any policy proposal is foreseen by the European Commission during the **Impact Assessment procedure**. At this stage, different options and their impact to society are examined by the Commission and civil society should be involved in this process. Besides, citizens and their representative organisations can participate in public consultations regarding EU initiatives that concern them directly.

1 Art. 3§3 TEU
2 Art. 2 TEU
3 Art. 10 TFEU
4 Art.19§1 TFEU
5 Art. 11 TFEU

EUROPEAN CITIZENS' INITIATIVE

In addition, the Lisbon Treaty introduces the European citizens' initiative (ECI)[6], which enables one million citizens who are nationals of a significant number of Member States to call directly on the European Commission to bring forward an initiative of interest to them in an area of EU competence, for example environment, consumer protection, transport or public health. The rules and procedure for this new instrument are defined by a regulation[7] of the European Parliament and of the Council on the citizens' initiative. The ECI is a major step for **participatory democracy** as it enables European citizens and civil society organisations to directly influence the political agenda of the EU. A website is dedicated to the ECI including step-by-step instructions on the procedure, the policy areas on which an ECI can be submitted and other practical information. More information can be found in part II.

GOOD TO KNOW

The European citizens' Initiative should not be confused with the right to petition, which is addressed to the European Parliament. A petition usually focuses on infringements of existing European law, while the European citizens' initiative process will enable citizens to put a new issue on the table and to ask the European Commission to come up with a new initiative to be taken at EU level.

FORMALISATION OF SOCIAL DIALOGUE

With regard to social matters, the Treaty on the Functioning of the European Union[8] provides that the Union as a whole is committed to promoting Social Dialogue and institutionalises the **Tripartite Social Summit**, a consultation process between the European Social Partners and the EU institutions. This way, participation of the social partners in the implementation of the Union's economic and social policies is strengthened. The European Commission regularly updates the list of organisations that fulfill the criteria for social partners and are thus consulted. The main European social partners include the European Trade Union Confederation (ETUC), Business Europe, The European Association of Craft, Small and Medium-sized Enterprises (UAPME) and the European Centre of Employers and Enterprises providing Public services (EEP).

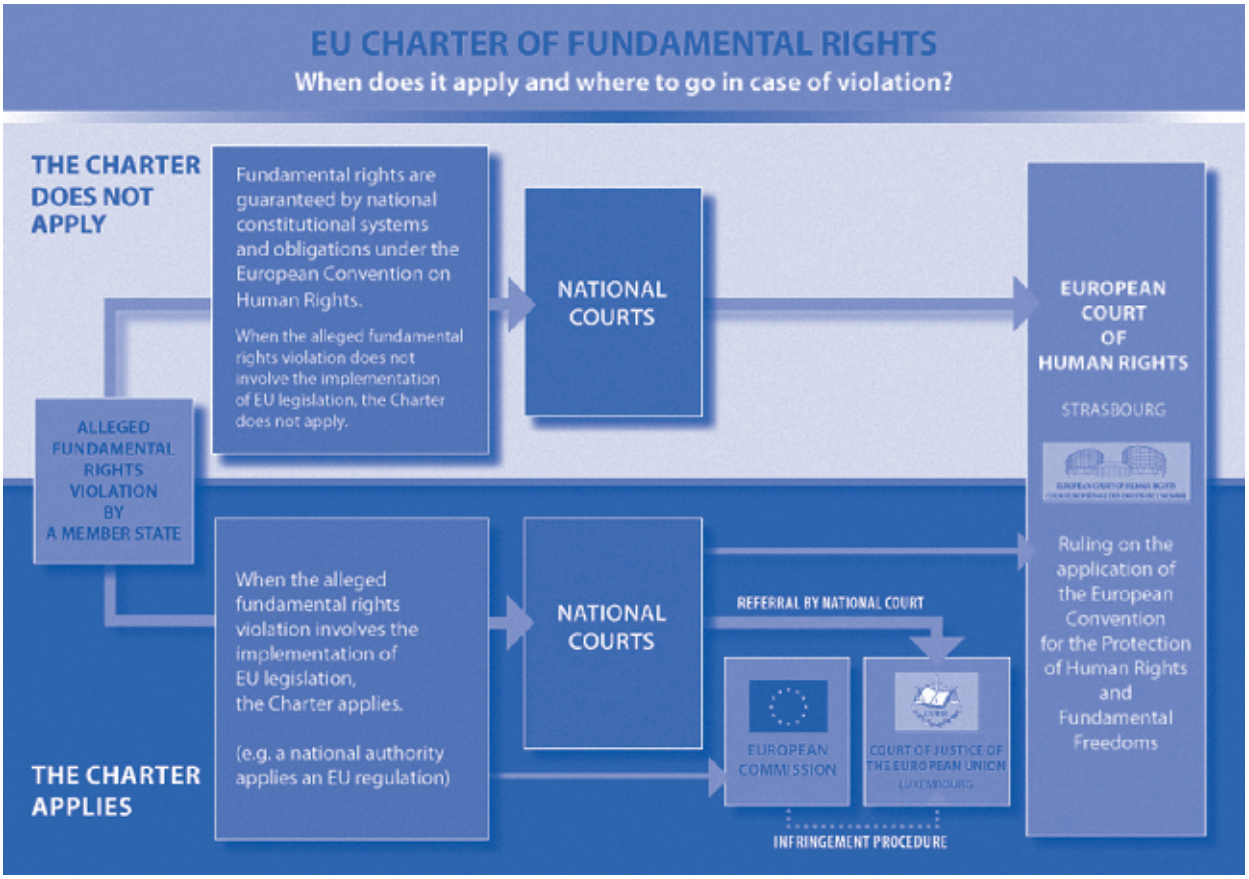
INCORPORATION OF THE EUROPEAN CHARTER OF FUNDAMENTAL RIGHTS INTO EU PRIMARY LAW

The Treaty of Lisbon[9] introduces a new focus on human rights enshrining the binding force of the Charter of Fundamental Rights and conferring to the provisions of the Charter the same legal value as the treaties. While the Charter proclaims a number of rights relevant to older people, such as the rights to non-discrimination, social security, health care and education, it only applies to the legal order of the EU. In addition, although many of the rights set out in the Charter require positive action to be enforced, for instance the rights to decent housing, preventive health care and education, the Charter does not give to the EU new competences to act in these areas.

The Charter is above all a *compass* for all EU policies, meaning that it ensures that fundamental rights are taken into account in the EU political processes. The EU institutions cannot take any action that violates the rights included in the Charter. However Member States only have to comply with the Charter when implementing EU law, notably when they are applying EU regulations or decisions or implementing EU directives. When national laws are in question the respective country's constitutional system applies.

Upon their request, a Protocol[10] was adopted to clarify the applicability of the Charter to Poland and to the United Kingdom. This however does not exempt them from the obligation to comply with the Charter[11].

6 Art. 11§4 TFEU
7 Regulation (EU) No. 211/2011
8 Art. 152 TFEU
9 Art. 6 TFEU
10 www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:0156:0157:EN:PDF
11 as reminded by the ECJ in joined cases C-411/10 and C-493/10



GOOD TO KNOW

Article 3 ('the right to integrity of the person'), Article 21 ('non-discrimination') and Article 25 ('the rights of the elderly') of the Charter are especially important for older people. AGE has issued two documents explaining how the provisions of the Charter apply to older people. These can be found under the anti-discrimination section on AGE website.

Example where the Charter was applicable: an EU Directive on gender equality [12] allows Member States to permit insurance companies to apply proportionate differences in individuals' premiums and benefits where the use of sex is a determining factor in the assessment of risk. Following a claim made by Test Achats, a Belgian consumer organization, the European Court of Justice (ECJ) ruled that the exception clause in article 5.2 is incompatible with Articles 21 and 23 of the Charter and is invalid with effect from 21 December 2012. This ECJ ruling gives considerable weight to the Charter of fundamental rights of the EU.

More information on the impact of this judgment can be found in part II.

The Charter however cannot be used for example to claim the right to property because there is no EU law to guarantee such right and, although the

12 Article 5.2 of the EU Directive 2004/113/EC

Charter includes an article that acknowledges the right to property, only national courts are competent. In such cases citizens can refer to the European Court of Human Rights of the Council of Europe, after they have exhausted all legal remedies at the national level.

For more information on the Council of Europe and the European Court of Human Rights you may refer to part III.

ATTRIBUTING LEGAL PERSONALITY TO THE EU WHICH PERMITS ACCESSION TO INTERNATIONAL INSTRUMENTS

The Lisbon Treaty introduces a single legal personality for the Union that enables the EU to conclude international agreements and join international organisations. The EU is now able to speak and take action as a single entity.

The **United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)** is the first international human rights convention ratified by the EU. This Convention is intended as a human rights instrument with an explicit social development dimension. Since 22 January 2011 the EU is bound by the UNCRPD to the extent of its competences, meaning that the Union is required to take concrete action to safeguard the rights of persons with disabilities in all its actions. This is an important tool that will allow the EU to make progress on different issues to promote equal opportunities for persons with disabilities such as accessibility, inclusion and support to independent living. As of August 2012, 22 EU Member States have ratified the Convention, and 18 have ratified the Optional Protocol. The full list of parties to the UNCRPD can be found on the UN website (see useful links). The parties bound by the UNCRPD (i.e. the EU and the Member States who have ratified it) have to submit periodic reports on how they take action towards the fulfillment of the rights enshrined in the UNCRPD.

The Treaty of Lisbon also includes a legal obligation for the accession of the EU to the **European Convention on Human Rights (ECHR)**. The ECHR offers protection of fundamental civil and political rights and provides for an enforcement machinery through the European Court of Human Rights, which is an organ of the Council of Europe and based in Strasbourg. Individuals who deem their rights have been violated in one country can bring their case to the Strasbourg court after exhaustion of domestic remedies. Whereas all EU member states are parties to the European Convention on Human Rights (ECHR), the EU itself is currently not. Even though the EU is founded on the respect for fundamental rights, the observance of which is ensured by the Court of Justice of the European Union, the ECHR and its judicial mechanism do not formally apply to EU acts. On the other hand, all Member States of the EU, as parties to the Convention, have an obligation to respect the ECHR even when they are applying or implementing EU law. This divergence will be rectified when the EU, as such, becomes a party to the Convention.

When this is done, the EU's legal system will be put under independent external control and legal gaps will be addressed by giving European citizens the same protection vis-à-vis acts of the EU as they presently enjoy from acts of Member States. The process of EU's accession to the ECHR and its modalities are currently discussed and when they are finalised, EU citizens will be able to bring an action against the EU in front of the European Court of Human Rights if they feel that one of the rights enshrined in the ECHR has been violated by an EU action.

EU Budget and EU funding

The budget of the European Union represents around 1.1% of the total gross national income (GNI) of the 27 EU Member States. The overall budget for 2012 amounts to EUR 129.1 billion in payments (to cover expenditure arising from commitments entered into during the current financial year or preceding years) and EUR 147.2 billion (+3.8 %) in commitments (Total cost of the legal obligations entered into for operations to be carried out over more than one financial year).

The EU budget is funded almost exclusively (99%) from the EU's own resources, supplemented by other sources of revenue. There are three kinds of own resources:

- customs duties on imports from outside the EU and sugar levies (EU Member States keep 25% to cover the cost of collection),
- value added tax (VAT) – A standard percentage is levied on the harmonised VAT base of each EU country, and a rule prevents less prosperous countries having to pay a disproportionate amount,
- a standard percentage is levied on the Gross National Income of each EU country.

Other sources of revenue are e.g. taxes on EU staff salaries, contributions from non-EU countries to certain programmes, fines on companies for breaching competition laws.

THE MULTIANNUAL FINANCIAL FRAMEWORK (MFF)

The Multiannual Financial Framework is part of the European Union's functioning since 1988. Initially covering 5 year periods, since 2000 it establishes the EU budget to implement the Union's political priorities for the following 7 years. By specifying the spending limits for each category of expenditure, the MFF imposes budgetary discipline and ensures that the Union's expenditure develops in an orderly manner within the limits of its own resources and in line with Union's policy objectives. The MFF is proposed by the European Commission and negotiated with the European Parliament and the Council until all 3 institutions come to an agreement. It is then broken down in more detailed annual budgets that have to be approved annually. The MFF considerably facilitates agreement on the yearly budget between the European Parliament and the Council.

Since beginning 2011, the next Multiannual Financial Framework (2014-2020) is being discussed and negotiated. The European Commission proposed first an overall budget structure and then each EU programme is detailed in a specific proposal. In particular, the European Commission published last autumn 2011 the proposals for:

- The EU programme for social change and innovation, mainly dedicated at employment and social issues;
- The Rights and Citizenship Programme, covering among other issues older people's rights.

GET INVOLVED

Older people's organisations have the possibility to influence the future EU Budget by lobbying their national governments and their MEPs (members of the European Parliament). This is particularly important when the future MFF is being discussed and the budgets for the future EU programmes are being negotiated.

EU NGOs such as AGE are also consulted by the European Parliament through hearings on the content and envelop of the future programmes that are relevant to the group of citizens they represent. EU NGOs join forces to coordinate their positions and lobby more effectively the European Parliament and Member States to influence the outcome of their negotiation on the future MFF.

THE FINANCIAL PROCEDURE

Based on the Multiannual Financial Framework in force and the budget guidelines for the coming year, the European Commission prepares in the summer the draft budget for the following year, and submits it to the Council and Parliament. The budgetary authority, comprised of the Council and the Parliament, amends and adopts jointly the draft budget.

GOOD TO KNOW

Relevant EU fundings for older people

Together with the Committee of the Regions and the European Commission, AGE has issued a publication on the relevant EU programmes that can support actions targeting older people. The brochure "How to promote active ageing in Europe, EU support to local and regional actors" (2010) is available in three languages (English, French and German) among AGE's publications at: www.age-platform.eu/en/age-publications-and-other-resources/age-publications

The Europe 2020 Strategy

Europe 2020 is the EU's growth strategy for the current decade. It succeeds the Lisbon Strategy (2000-2010) and its goal is to establish a social market economy that is "competitive, innovative, sustainable and inclusive". It seeks to promote the sustainability of the European economic model in three ways:

- Economic sustainability, so called "Smart Growth": In a context of globalisation with emerging economies, the European economy must base its comparative advantage on competitiveness, innovation and knowledge;
- Social sustainability, so called "Inclusive Growth": Europe 2020 aims to place special emphasis on employment, increasing levels of participation, training and employability. It seeks also to achieve full labour equality between men and women and to reduce poverty;
- Environmental sustainability, so called "Sustainable Growth": It aims at ensuring that the European economy makes a transition towards a low-carbon economic model in order to fight against climate change and create new sources of economic growth.

EUROPE 2020 FIVE MAIN OBJECTIVES AND TARGETS

Employment: 75% of the 20-64 year-olds to be employed

Research, Development and Innovation: 3% of the EU's GDP (public and private combined) to be invested in research & development/innovation

Climate change/Energy

- greenhouse gas emissions 20% lower than 1990 (or even 30%, if the conditions are right)
- 20% of energy from renewables
- 20% increase in energy efficiency

Education

- reducing school drop-out rates to below 10%
- at least 40% of 30-34-year-olds completing third level education

Poverty/social exclusion: at least **20 million fewer people in or at risk of poverty and social exclusion**.

In the light of these targets, EU Member States have to set their national targets, taking into account their relative starting positions and national circumstances. They do so according to their national decision-making procedures, in a dialogue with the Commission in order to check consistency with the EU headline targets.

EUROPE 2020 SEVEN FLAGSHIP INITIATIVES

The European Commission launched seven flagship initiatives to help achieve the above objectives and targets (for more information on the relevant flagships, see part II):

To support Smart Growth:

- **Digital Agenda for Europe** (i.e. Information and communication technology)
- **Innovation Union** (i.e. Research and Development)
- **Youth on the move** (i.e. education, training, job and entrepreneurship for young people)

To support Sustainable growth:

- **Resource efficient Europe** (to promote better use of natural resources)
- An **industrial policy for the globalisation era**

To support Inclusive Growth:

- An **Agenda for new skills and new jobs** (i.e. employment policies)
- **European platform against poverty** (covering social inclusion, fight against poverty, pension and health and long-term care reforms)

The European Semester

The current crisis has revealed a clear need for stronger economic governance and coordination at EU level. Until now, discussions between the EU and Member States on economic priorities and structural reforms were taking place through different processes. Reports were issued separately and decisions spread across the year with no clear synergies or linkages. This is why the Commission proposed to create a comprehensive policy coordination process, the so-called 'European Semester'. This new governance architecture was approved by the Member States in September 2010.

The European Semester is an **annual cycle of economic and fiscal policy coordination** and Europe 2020's governance tool to deliver smart, sustainable and inclusive growth by the end of the decade. Through this process, the Commission evaluates whether and to what extent the commitments undertaken by the Member States allow the EU to meet its headline targets for 2020 in essential areas such as employment rates, research and development, education - and the fight against poverty. It should also support the implementation of the Stability and Growth Pact, (amended with the entry into force of the so-called Six-Pack in December 2011) and of the Macroeconomic Imbalances Procedure, and the Euro Plus Pact.

ANNUAL GROWTH SURVEY (AGS)

In January each year, the European Commission issues the Annual Growth Survey. It includes both a review of progress achieved and a forecast integrating the three main strands of surveillance: fiscal, macroeconomic and thematic (structural and growth-enhancing reforms).

SPRING EUROPEAN COUNCIL

The Spring European Council – based on the Annual Growth Survey, takes stock of:

- the overall macroeconomic situation
- progress towards the five EU-level targets
- progress under the flagship initiatives

It provides policy orientations covering fiscal, macroeconomic structural reform and growth enhancing areas, and advises on linkages between them.

STABILITY AND CONVERGENCE PROGRAMMES AND NATIONAL REFORM PROGRAMMES (NRPs)

The Member States then present their medium-term budgetary strategies in their Stability and Convergence Programmes and set out actions to be undertaken (in areas such as employment, research, innovation, energy or social inclusion) in their National Reform Programmes. In April these two documents are sent to the Commission for assessment.

COUNTRY-SPECIFIC RECOMMENDATIONS

They are prepared by the Commission through its assessment of the implementation of last year's policy recommendations, combined with detailed analysis of the National Reform Programmes and Stability/Convergence Programmes that Member States submit in April. Once these recommendations are endorsed at the June European Council and formally adopted by the Council of Ministers in July, they are meant to help Member States to prepare and adopt their national economic policies and budgets for the following year.

NATIONAL SOCIAL REPORTS (NSRs)

National Social Reports replace the previous National Action Plans on Social Inclusion and National Strategy Reports on Social Protection. The NSRs should be, in principle, submitted by national governments to the Commission together with their National Reform Programmes (NRPs) in April and, in terms of content, be coherent and complementary to MRPs. The NSRs are meant to play an important role in the European Semester as they underpin the achievement of the social objectives of the Europe 2020 strategy. They also feed into the annual Social Report prepared by the Social Protection Committee (SPC) to inform

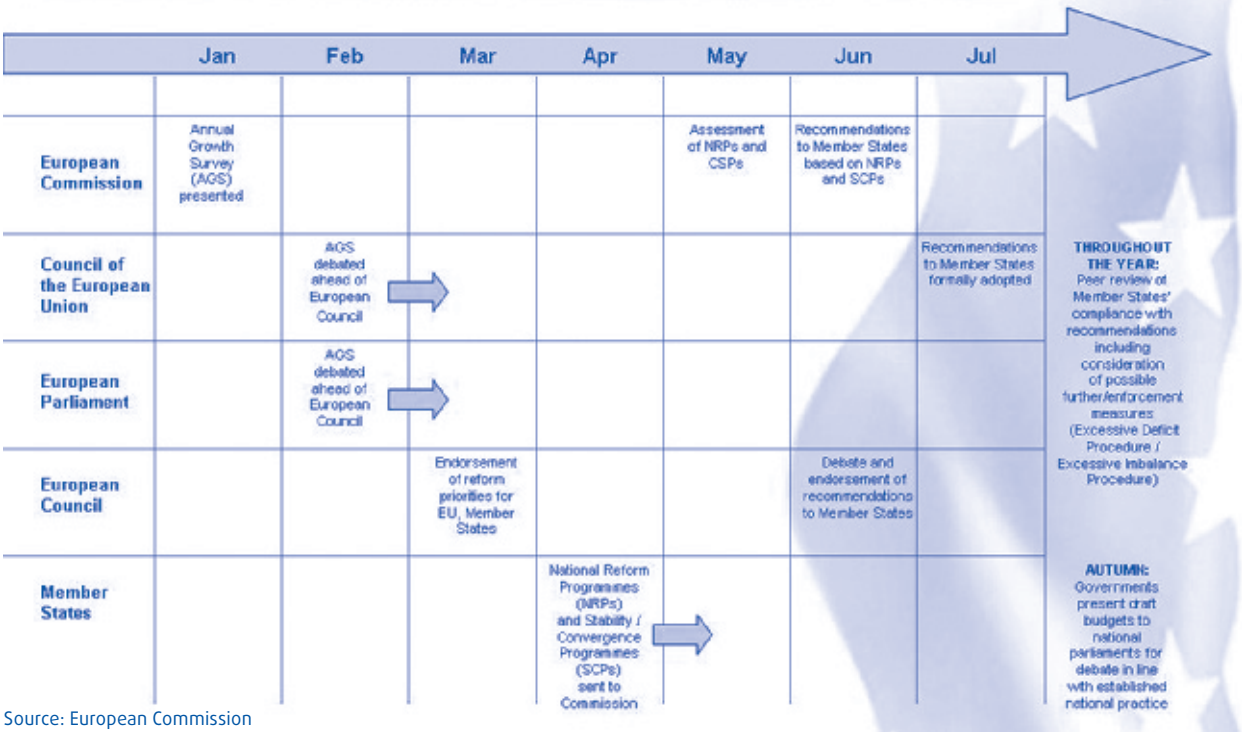
national and European stakeholders about progress in social policies at national level. To do so, the NSRs should in particular cover the three strands of the Social Open Method of Coordination on social inclusion, pensions and healthcare and long-term care (see the next paragraph on Social OMC).

However, by August 2012 only 14 Member States had submitted their NSR and they did not cover the three strands of the social OMC. It is still unclear how seriously these reports will be taken by national governments in the future. The NRPs are **voluntary** and there are no sanctions foreseen in case a member state submits its report with a delay or does not produce any.

GET INVOLVED

AGE involves its members by preparing a common contribution to the Annual Growth Survey, and encourages them to influence the drafting of the NRPs and NSRs in their countries. Older people's organisations can indeed contact their relevant ministries (employment, social and economic affairs) to take actively part in the drafting, implementation, assessment and redefinition of their country's policy priorities and ensure that their concerns are taken on board. In the autumn, based on our members' assessment, AGE prepares a joint analysis and identifies points of common concern to be raised at European level in view of influencing the European Semester of the following year.

The European Semester: Who does what and when?



Source: European Commission

THE SOCIAL OPEN METHOD OF COORDINATION

The Open Method of Coordination (OMC) is a **voluntary process for political cooperation** based on agreeing common objectives and common indicators, which show how progress towards these goals can be measured. It is applied in policy areas where the European Union has limited competences according to the EU Treaties but where Member States feel there is an added value in working together at the European level.

The social OMC or OMC on social protection and social inclusion covers three specific policy strands:

- Eradication of poverty and social exclusion;
- Adequate and sustainable pensions;
- Accessible, high quality and sustainable health and long-term care.

The Social OMC also aims to develop a mutual learning process by presenting and promoting specific policies, programmes or institutional arrangements, considered as good practices from individual countries. One of the key tools in this respect is the Peer Review seminars on social protection and social inclusion which encourage the dissemination of good practices across Member States by assessing the effectiveness of key policies or institutions.

Civil society interest groups such as older people's organisations are supposed to be consulted by their national government in every phase of the OMC process – from the development of national policies to the monitoring of Member State implementation. National governments should also consult these groups when preparing their reports to the European Commission. Unfortunately the reality is quite different in many Member States as these reports are drafted by civil servants without consultation of civil society.

GET INVOLVED

Older people's organisations should establish contact with the civil servants responsible for drafting national strategies on social protection and social inclusion. For instance, the Ministry of Social Affairs (for the social inclusion strand), the Ministry of Pensions or Finances (for the pensions strand) and the Ministry of Health or Social Affairs (for the health and long-term care strand).

When the National Social Report (NSR) is released, seniors' organisations must also make their own analysis of national policies. They must develop their own assessment of progress made and draw recommendations on areas where improvement is needed.

AGE Platform Europe

You can send your organisation's feedback on their involvement in the drafting of the NSR to AGE, which will forward it to the European Commission. This exercise is done with the help of AGE Expert Groups on Social Protection, Social Inclusion and Health. Each year AGE informs its members when the NSRs are posted on the Commission's website and encourages them to analyse these reports and provide feedback. AGE then sends the compiled contributions to the Commission, which uses this information to draft its Country-Specific Recommendations.

Useful links and references

- EUR-Lex – portal on EU law: www.eur-lex.europa.eu/en/treaties/index.htm
- Directorate General Justice of the European Commission: www.ec.europa.eu/justice/mission/index_en.htm
- Website of the European Commission on the Lisbon Treaty: www.europa.eu/lisbon_treaty/glance/index_en.htm
- Webpage of the European Commission on the Impact Assessment Procedure: www.ec.europa.eu/governance/impact/index_en.htm
- Website of the European Commission on the European Citizens' Initiative: www.ec.europa.eu/citizens-initiative/public/welcome
- Brochure "Consulting European Social Partners: Understanding how it works": http://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=6152&type=2&furtherPubs=no
- e-Justice portal (can help citizens understand which the competent court for their case is): https://e-justice.europa.eu/content_fundamental_rights-176-en.do
- EU Budget: www.ec.europa.eu/budget/explained/myths/myths_en.cfm
- Webpage of the European Commission on the UNCRPD: www.ec.europa.eu/justice/discrimination/disabilities/convention/index_en.htm

GOOD TO KNOW

As part of the EY2012, the European Commission has published a brochure entitled ***'The EU Contribution to Active Ageing and Solidarity between Generations'*** which provides a comprehensive overview of the EU legislation, funds, research programmes and coordinated strategies in support of active ageing. The publication, available in all EU languages, can be downloaded in English following this link: www.ec.europa.eu/social/BlobServlet?docId=8710&langId=en.

- Webpage of the European Disability Forum (EDF) on the UNCRPD: www.edf-feph.org/Page_Generale.asp?DocID=13854&thebloc=30214
- UN website on the UNCRPD: www.un.org/disabilities/default.asp?id=150
- Website of the Council of Europe (including details of EU's accession to the ECHR, as well as the full text of the Convention and its protocol): www.coe.int/lportal/web/coe-portal/what-we-do/human-rights/eu-accession-to-the-convention
- Multiannual Financial Framework (MFF) 2014-2020: www.ec.europa.eu/budget/reform
- Europe 2020: www.ec.europa.eu/europe2020/index_en.htm
- European Semester: www.ec.europa.eu/europe2020/reaching-the-goals/monitoring-progress/index_en.htm
- Social Open Method of Coordination: www.ec.europa.eu/social/main.jsp?catId=750&langId=en

II. EU action to promote older people's rights

Based on the EU Treaties, the EU decision makers adopt policy priorities and launch processes to implement them. Part II provides an overview the most relevant for older people.

Active Citizenship and the voice of older people in policy-making

As demonstrated by the latest eurobarometer on public opinion in the European Union, trust in the EU has fallen since autumn 2011 and now stands at its lowest ever level. The European Union and its various bodies suffer from a lack of democracy and seem inaccessible to the ordinary citizen because their method of operating is so complex. This is even more the case since the crisis started in 2008. In September 2012 only 31% of citizens said they trust the European Union compared to 57% in September 2007.

CIVIL DIALOGUE AND PARTICIPATORY DEMOCRACY

To bridge the gap between the EU and its citizens, a new article 11 on participatory democracy was introduced in the Lisbon Treaty. This article recognises the importance of civil dialogue and enhances the possibility for civil society associations to participate in the European policy-making process. It introduces an obligation to consult civil society organisations in the policy-making process: the institutions shall *"give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action", "maintain an open, transparent and regular dialogue with representative associations and civil society", and "carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent".*

GOOD TO KNOW

Civil dialogue is not to be confused with social dialogue. They are two different concepts. Civil dialogue has a generic nature and refers to public policy at large whilst social dialogue embraces the specific macro-economic sphere and is structured around clear objectives and standard actors: public authorities, employers and workers.

AGE has issued a '**Guide for Civil Dialogue on Promoting Older People's Social Inclusion**' which presents both older people's organisations and public authorities' respective tasks and duties to make civil dialogue on ageing a reality: www.age-platform.eu/en/action-name-02

EUROPEAN CITIZENSHIP INITIATIVE

One of the innovations contained in the Lisbon Treaty in order to strengthen participatory democracy and citizens'involvement in the EU decision-making process is the European Citizenship Initiative (ECI), applicable from April 2012. This new instrument allows at least one million citizens from at least one

quarter of EU Member States to invite the European Commission to bring forward legislative proposals in areas where the Commission has the power to do so.

Once the signatures have been collected and verified by the Member States, the citizens' initiative has to be submitted to the Commission. From that moment, the Commission will have three months to examine the request made by the citizens. Meanwhile, the organisers will be received at the Commission and they will also have the opportunity to present their initiative at a public hearing organised at the European Parliament. The Commission will then set out in a public document its conclusions on the initiative and the action, if any, it intends to take and will explain its reasoning.

GOOD TO KNOW

The practical arrangements, conditions and procedure of the ECI have been determined in a new regulation, proposed by the European Commission, and adopted by the European Parliament and the Council (see useful links below).

USEFUL LINKS AND RESOURCES

- More information on the ECI: www.ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/eci_work_en.pdf
- ECI general website: www.ec.europa.eu/citizens-initiative/public/welcome
- Regulations of the EP and the Council on the ECI: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:065:0001:0022:EN:PDF

Anti-discrimination

EU anti-discrimination law establishes a consistent set of rights and obligations across all EU countries, including procedures to help victims of discrimination. Thanks to this legislation, citizens are entitled to:

- **legal protection** against direct and indirect discrimination on the grounds of race or ethnic origin in education, social security, health care and access to goods and services;
- **equal treatment** in employment and training irrespective of racial or ethnic origin, religion or belief, sexual orientation, disability or age;
- **take action** to combat discrimination on the above grounds;
- **receive help from a national organisation** promoting equal treatment and assisting victims of racial discrimination;
- **make a complaint** through a judicial or administrative (conciliation) procedure, and expect appropriate penalties for those who discriminate.

PROMOTING EQUALITY IN EMPLOYMENT

The Employment Equality Directive adopted in 2000 (see section on Employment) is the first EU instrument that seeks to combat age discrimination. It sets out a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation but unfortunately the protection is limited to the fields of employment and occupation.

According to Article 6 of this directive, prohibition of age discrimination is not absolute and Member States can identify areas where differential treatment on the ground of age can be justified. As a result, some Member States have defined specific exemptions while others adopt a loose interpretation which allows many unjustified cases of age discrimination to be accepted on the basis of stereotypes and general assumptions. As the European Network of Experts in the non-discrimination field explained: *"This creates an inherent vulnerability at the heart of the prohibition of age discrimination and means that a careful balance has to be struck in order to ensure that the prohibition is meaningful".*

Thus, the role of case law in this regard is an important tool to specify the conditions of justification. Although this implies a case-by-case examination, some common criteria seem to arise through the application of the Directive by the Court of Justice of the European Union:

- The principle of non-discrimination on the ground of age is a general principle of EU law which is given expression in Directive 2000/78 and must be given full effect by national courts[13]
- Depriving a worker of a severance allowance on the ground that he may draw old age pension is age discrimination – this measure was applied both to those who will receive the pension and to those who are eligible but will continue working[14]
- Age limit that is a genuine and determining occupational requirement can be justified[15]
- Compulsory retirement age can be justified based on issues like avoiding disputes about employees ability to work above a certain age; ensuring a balance between the generations; efficient planning of the departure and recruitment of staff and encouraging the recruitment and promotion of young people[16]

GET INVOLVED

It is crucial that older people's associations monitor the implementation of the Employment Directive in their country by checking regularly that their national legislation and case law defend the spirit of the directive and do not serve to 'legalise' age discrimination.

13 Mangold v. Helm, C – 144/04
14 Ingeniorforeningen i Danemark v. Region Syddanmark, C-499/08
15 Colin Wolf v. Stadt Frankfurt am Main, C-229/08
16 Gerhard Fuchs (C-159/10), Peter Köhler (C-160/10) v. Land Hessen

EU ACTION TO FIGHT DISCRIMINATION OUTSIDE EMPLOYMENT

Following lobbying action from EU NGOs to convince the European institutions that more action is needed at EU level to combat discrimination, the European Commission explored the feasibility of extending legislation beyond employment and proposed in 2008 a **Draft directive to combat discrimination on the ground of age, disability, religion and sexual orientation outside employment** as an outcome of the 2007 European Year of Equal Opportunities for All.

This draft directive covers equal access to goods and services and is a major step forward in achieving a European Union free of discrimination. Nevertheless, it includes specific provisions which would allow Member States to treat older people differently in access to social protection, insurance and financial products. This means that Member States would have a wide margin of appreciation of what could be considered justified differential treatment with regard to age, something which could severely weaken the effective protection of older people by the EU law.

This proposal is still under discussion by Member States in the Council of Ministers. Unfortunately a number of Member States are against this proposal and it is therefore blocked as unanimity is required for EU action on non-discrimination.

AGE is working with the other EU anti-discrimination networks to try to ensure that negotiations at Council improve the draft directive with regard to the protection it will bring to older people and the other grounds covered.

GET INVOLVED

Older people should follow these debates at national level and explain why it is important to combat age discrimination faced by older people in the context of an ageing population. Gathering concrete examples of discriminatory practice as well as good practice is useful to convincing policymakers that there is an issue and it can be addressed. Since EU action in the field of anti-discrimination requires unanimity, it is important that older people's organisations in all EU Member States lobby their governments to adopt the directive.

Following our call for EU action to tackle **age limits in financial products** and thanks to examples gathered from AGE members demonstrating obstacles to access to health, travel and car insurance as well as mortgages, the European Commission set up an **Insurance Dialogue group** which brings together the insurance and banking sectors and civil society organisations such as AGE to discuss barriers to access insurance and financial products.

Besides proposing legislation, the EU provides an annual forum to discuss and promote equal rights and equal opportunities for all. The **Equality Summit** is co-organised by the Presidency of the EU and the European Commission and aims to share knowledge and experiences in order to develop more effective ways of combating all forms of discrimination.

AGE participates actively in the Equality Summit. Its contribution includes identification of equality challenges and concrete suggestions for EU action.

GENDER EQUALITY

Equality between women and men is a fundamental principle of the EU, recognised in the EU Treaties[17] and the Charter of Fundamental Rights[18]. A large body of European texts is dedicated to gender equality including directives concerning access to employment, equal pay, maternity protection, parental leave and social security. The most relevant for older women are:

- Directive 2004/113/EC: Equal treatment between men and women in the access to and supply of goods and services;
- Directive 2006/54/EC: Equal opportunities and equal treatment of men and women in matters of employment and occupation;
- Directive 2010/41/EU: Equal treatment between men and women engaged in an activity in a self-employed capacity.

The **European Institute for Gender Equality** was established in 2006 to provide expertise, improve knowledge and raise visibility of equality between men and women. Regardless of the existing EU legislation and policy instruments for gender equality, the current framework has so far proved inadequate to ensuring that equality between women and men turns from principle into practice. Legislation is essential but not enough. Gender policies are necessary to mitigate the consequences of demographic ageing.

17 Article 2 and Article 3(3) of TEU and Article 157 of TFEU
18 Article 23

The **Strategy for equality between women and men** represents the European Commission's work programme on gender equality for the period 2010-2015. It is a comprehensive framework committing the Commission to promote gender equality in all its policies. The strategy highlights the contribution of gender equality to economic growth and sustainable development. It supports the implementation of the gender equality dimension in the Europe 2020 Strategy. Progress is reported on every year and presented in a Report on Equality between women and men.

EU work on gender discrimination is particularly relevant for older women as they face many disadvantages on the labour market impacting on their pension rights and putting them at a higher risk of poverty than men. In addition women are often discriminated against in insurance coverage and they face severe challenges in balancing employment and caring activities.

Besides the existing EU legislation, the case-law of the Court of Justice of the European Union plays an important role in ensuring that Member States respect the spirit of the directives in their implementation.

In March 2011 the Court of Justice of the EU delivered a landmark ruling in the Test-Achats case[19] concerning sex discrimination in insurance premiums. The EU's highest Court ruled that different insurance premiums for women and men are not compatible with the EU Charter of Fundamental Rights. The possibility given to Member States to derogate from the principle of equality between women and men in their national legislation ('opt out clause')[20] is thus illegal. As of 21 December 2012, no further differentiations in insurance premiums and benefits for women and men will be permitted in the EU.

AGE foresees a positive development for older women as the Test-Achats ruling will prevent them from being financially penalised in access to complementary health care insurance, protect them from being discriminated against by employers for reasons of higher employment insurance costs and will provide better conditions in private pension and savings schemes.

Under the auspices of the Commission, a **Gender Forum** bringing together Member States' representatives, equality bodies, the insurance industry, actuaries and civil society organisations was launched in March 2009 to assist the Commission's understanding of the current practices of Member States on Article 5.2 and help the Commission draft its implementation report, to facilitate a dialogue between key stakeholders and to encourage the sharing of best practice in this field. The Forum also took the opportunity to discuss the implications of the Test-Achats case ruling for Member States and the insurance industry and its impact for pensions.

GOOD TO KNOW

In December 2011 the European Commission delivered guidelines on the application of the directive in insurance products in the light of the Test-Achats ruling[19] in order to ensure legal certainty and to guide insurers in the adaptation of their contracts.

GET INVOLVED

Older people's organisations should monitor the implementation of the Test-Achats ruling by their national authorities and report persisting discriminatory practices by the insurance sector at national level.

19 C-236/09
20 Directive 2004/113/EC: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:011:0001:0011:EN:PDF

RACE EQUALITY

The **Racial Equality Directive**, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, is important for older people from ethnic minorities. It has a much broader scope than the employment directive and requires Member States to ban discrimination on the ground of race in the fields of employment, training, education, access to social security and health care, social advantages, and access to goods and services including housing.

EQUAL OPPORTUNITIES FOR PERSONS WITH DISABILITIES

Although not all older people are confronted with disabilities and many of the challenges faced by older people are unrelated to disability, the EU legal framework for people with disabilities is likely to have a positive impact on the protection of older people, especially in terms of accessibility, legal capacity, mobility, inclusion and social participation.

The **European Disability Strategy 2010-2020** sets out a series of actions to improve equality for persons with disabilities and break down barriers that prevent them from fully enjoying their rights as citizens and consumers. It aims to ensure access to EU funding, raise public awareness about disability, and encourage member governments to work together in removing obstacles to their inclusion in society. It also aims to fulfill EU's commitment to the **UN Convention on the Rights of Persons with Disabilities** (see part I and III). In its efforts to promote equal opportunities for persons with disabilities, the EU tries to take on board the needs of older people and promotes the concept of Design for All.

The Strategy builds on the experience of the Disability Action Plan (2004-2010) and focuses on accessibility, participation, equality, employment, education and training, social protection, health and external action. Its targets for the first five years include:

- devising policies for inclusive, high-quality education
- ensuring the European Platform Against Poverty includes a special focus on people with disabilities
- working towards the recognition of disability cards throughout the EU to ensure equal treatment when working, living or travelling in the EU
- developing accessibility standards for voting premises and campaign material
- taking the rights of people with disabilities into account in external development programmes and for EU candidate countries.

The Commission is also reflecting on the development of a **European Accessibility Act** (see part II, section on accessibility) containing measures to improve the accessibility of goods and services in the European market.

THE ROLE OF EQUALITY BODIES IN PROMOTING EQUALITY IN EU MEMBER STATES

The equality bodies are specialised national bodies for the promotion of equal treatment. They are charged with promoting equal treatment on one or more of the following grounds: religion and belief, racial or ethnic origin, age, disability, sex, sexual orientation, social origin, nationality and others. Their role may include providing legal advice and representation, monitoring implementation of equality rules, supporting stakeholders to adopt good equality practice in employment and service provision, developing a knowledge base through research and raising awareness of rights under equal treatment legislation and thus contributing to a culture favourable to these rights. A number of equality bodies work on a range of levels in relation to age discrimination, sometimes going beyond the employment sector.

The casework of the equality bodies reveals the main areas where older people report experiencing discrimination including: job advertisements; access to employment and recruitment; dismissal and forced retirement; access to insurances (travel, motoring, pension, life and health insurances);

banking services (consumer credits, credit cards, loans, mortgages and accounts); housing; social protection; social care and health care.

Co-operation and information exchange between the equality bodies across Europe is facilitated by **Equinet**, the European coordination of equality bodies. This network aims to help the equality bodies fulfill their mandates by establishing a sustainable network and resource base for the exchange of legal expertise, enforcement strategies, training and best practice as well as provide a platform for dialogue with the European institutions. This is done in order to support the uniform implementation of EU non-discrimination law and the leveling up of legal protection for victims of discrimination.

As a concrete contribution to the European Year 2012 for Active Ageing and Solidarity between Generations, Equinet conducted a survey[21] of its member equality bodies in April-June 2011 to gather data on and explore their work on the age ground in combating age discrimination against and promoting equality for older people. This report revealed that many people in society do not know or do not think that discrimination against older people is prohibited and tend to downplay the importance of age discrimination compared to other forms of discrimination. This leads to under-reporting of age discrimination and presents a significant barrier to the work of the equality bodies. In addition, in some countries a relative weakness of non-governmental organisations (NGOs) representing older people, the absence of NGOs addressing age discrimination or the lack of resources available to these NGOs was noted.

21 www.equineteurope.org/Tackling-Ageism-and-Discrimination

GET INVOLVED

The equality bodies are a vital source of information for older people and it is important for older people's organisations to establish good contacts with their respective national equality bodies. This provides avenues through which older people's organisations can feed into national equality processes and ensure that age discrimination is properly tackled at national level. AGE members are encouraged to monitor and feed in to their equality body's activities and to try to become listed as reference points by their respective national equality body.

THE EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

The **European Union Agency for Fundamental Rights** was launched in Vienna on 1 March 2007. It is the successor to the European Monitoring Centre on Racism and Xenophobia (EUMC). The agency is an independent centre of expertise on fundamental rights and its main tasks are information gathering and analysis, provision of advice and awareness raising. Among other themes, it has the mandate to work on age discrimination.

The agency carries out its tasks independently. It has the right to formulate opinions to the EU institutions and to Member States when implementing Community law, either on its own initiative or at the request of the European Parliament, the Council of the European Union or the European Commission. It does not have the mandate to examine individual complaints nor does it have regulatory decision-making powers.

The agency has also established the **Fundamental Rights Platform** as a structured forum with civil society and human rights organisations of which AGE is a member.

AGE is continuously lobbying to ensure that the priorities of the Fundamental Rights Agency include the fight against age discrimination and the interlinking of age with other grounds of discrimination. AGE wants to see a particular emphasis placed on the gender discrimination faced by older women as well as a specific focus placed on social rights, poverty reduction and social inclusion which should include the protection of older employees and consumers.

USEFUL LINKS AND RESOURCES

- Tackling discrimination in the EU: www.ec.europa.eu/justice/discrimination/index_en.htm
- Directive 2000/78/EC, establishing a general framework for equal treatment in employment and occupation: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:303:0016:0022:EN:PDF
- Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52008PC0426:EN:NOT
- European Institute for Gender Equality: www.eige.europa.eu
- Strategy for equality between women and men: www.ec.europa.eu/social/BlobServlet?docId=6568&langId=en
- Annual reports on gender equality: www.ec.europa.eu/justice/gender-equality/document/index_en.htm

- Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:NOT
- European Disability Strategy 2010-2020: www.ec.europa.eu/justice/discrimination/disabilities/disability-strategy/index_en.htm
- Equinet: www.equineteurope.org
- Fundamental Rights Agency: www.fra.europa.eu/fraWebsite/home/home_en.htm
- European Women's Lobby: www.womenlobby.org
- European Disability Forum: www.edf-feph.org
- European Network Against Racism: www.enar-eu.org
- European Roma Information Office: www.erionet.eu
- ILGA-Europe: www.ilga-europe.org

Employment

Life expectancy in the EU keeps increasing. Yet the effective retirement age is not following the same trend. A key target of the Europe 2020 Strategy is to reach 75% employment rate by 2020, an objective considered necessary to ensure the long-term sustainability of our social protection systems in light of the demographic ageing that Europe is experiencing. This objective looks very ambitious in today's context of economic crisis and sluggish growth.

The first annual review of **Employment and Social Developments in Europe 2011** (ESDE) published by the European Commission in February 2012 underlines that a mix of employment and social policies is necessary to ensure a long-term recovery of the EU economy and enough jobs for all in the current climate of fiscal consolidation and bleak economic outlook.

The review shows in particular that, while inequalities have decreased or grown only slightly in historically more unequal countries (like Italy or Greece), they have increased in many traditionally egalitarian Member States, such as Nordic countries and the general trend remains upwards. Raising participation in employment, better social spending and fairer taxation of top incomes and wealth can contribute to mitigating inequalities.

The European Union implements a wide range of initiatives to support longer working lives and to help Member States create more jobs and combat long-term unemployment.

MORE AND BETTER JOBS

To support Member States in their efforts to achieve Europe 2020 Strategy's full employment objectives, the **European Employment Strategy** (EES) provides a set of measures that support and co-ordinate Member State's employment policies. The EES seeks to create more and better jobs throughout the EU, and to help certain disadvantaged groups such as women, older workers and the long-term unemployed, remain or return in the labour market.

The priorities of the EES include encouraging longer working lives. The EES is very much about **monitoring progress, coordinating and reporting.** It provides a framework (the "open method of coordination") for EU countries to share information, discuss and coordinate their employment policies.

In spring 2012, a new Employment Package was adopted. This set of measures focus on the demand-side of job creation, setting out ways for Member States to encourage hiring by reducing taxes on labour or supporting business start-ups more. It also identifies the areas with the biggest job potential for the future: the green economy, health and care services and new technologies.

The Joint Employment Report (JER) reviews the employment situation in the EU and labour market related policies. It encourages Member States to apply the four Employment Guidelines[22] relating to labour market participation, qualifications, education and poverty. The main issues for older people in the JER include:

- Labour market participation
- Job creation
- Gender equality and work-life balance
- Skilled workforce and lifelong learning
- Inclusive growth
- Supporting older working carers

EUROPEAN SOCIAL FUND

The European Social Fund (ESF) is a key funding instrument that can be used by national and local stakeholders to bolster the capacity of policy makers, employers and workers, remove barriers for women, facilitate longer working lives and bring about the progress needed to boost the employability of older workers of both genders.

22 http://register.consilium.europa.eu/pdf/en/10/st14/st14338.en10.pdf

The future European Social Fund 2014-2020, with 84 billion euro to be invested in supporting employment, will seek to support longer, healthier and more productive working lives.

PROMOTING MORE POSITIVE APPROACHES TO OLDER WORKERS

Despite a high level of unemployment, many employers face increasing difficulties to find and retain the skilled workforce they need to remain competitive. Yet they are still often reluctant to hire older workers because ageist assumptions against older workers continue to prevail.

The **Employment Directive** that forbids discrimination on the ground of age, disability, race, religion and sexual orientation has brought significant progress in raising awareness of age discrimination. But legislation is obviously not enough and the EU also implements some "soft" measures to promote **age diversity in the workplace** and a more positive image of older workers. Such measures include campaigns and social partners' projects.

The EU also tries to tackle the obstacles which older workers face to remaining in or re-entering employment including pressures to balance their professional lives with caring duties for family members. To date insufficient attention has been paid to supporting **older informal carers** – who are largely women aged 50+ – and AGE welcomes the current reflections going on at EU level on a possible legislative proposal for carers leave. Such provisions are needed in the context of demographic ageing and cuts in social budgets, where large numbers of older workers are faced with family duties to provide care to elderly parents and young grandchildren, yet nothing is done to help them remain in the labour market.

USEFUL LINKS AND RESOURCES

- EU annual review of Employment and Social Developments in Europe 2011: www.ec.europa.eu/social/main.jsp?catId=113&langId=en
- European Social Fund (ESF): www.ec.europa.eu/esf/home.jsp?langId=en
- European Employment Strategy (EES): www.ec.europa.eu/social/main.jsp?catId=101&langId=en
- Employment Package: www.ec.europa.eu/commission_2010-2014/andor/headlines/news/2012/04/20120418_en.htm
- Employment Directive: www.europa.eu/legislation_summaries/employment_and_social_policy/employment_rights_and_work_organisation/c10823_en.htm

Education and lifelong learning

Organising and funding education and lifelong learning are Member State responsibilities. However the EU supports Member States' action to help them contribute to the Europe 2020 Strategy's overall EU economic and social objectives. The Education and Training 2020 (ET 2020) is the strategic framework for European cooperation in education and training that builds on its predecessor, the "Education and Training 2010" (ET 2010) work programme.

EUROPEAN AGENDA FOR ADULT LEARNING

The Europe 2020 Strategy acknowledges lifelong learning and skills development as key elements in response to the current economic crisis, to demographic ageing and to the broader economic and social strategy of the European Union.

The crisis has highlighted the major role which adult learning can play in achieving the Europe 2020 goals, by enabling adults – in particular the low-skilled and older workers – to improve their ability to adapt to changes in the labour market and society. Adult learning provides a means of up-skilling or reskilling those affected by unemployment, restructuring and career transitions. It also makes an important contribution to social inclusion, active citizenship and personal development.

Through the European Agenda for adult learning, the Commission harnesses the funds available at European level to support the implementation of this agenda for adult learning at national and local level.

EU SUPPORT TO ADULT LEARNING PROJECTS

Launched in 2000, **Grundtvig** aims to provide adults with more ways to improve their knowledge and skills, facilitate their personal development and boost their employment prospects. It also helps to tackle problems associated with Europe's ageing population.

The specific aims of the Grundtvig programme are to:

- increase the number of people in adult education to 25 000 by 2013, and improve the quality of their experience, whether at home or abroad;
- improve conditions for mobility so that at least 7 000 people per year by 2013 can benefit from adult education abroad;
- improve the quality and amount of co-operation between adult education organisations;
- develop innovative adult education and management practices, and encourage widespread implementation;
- ensure that people on the margins of society have access to adult education, especially older people and those who left education without basic qualifications;
- support innovative ICT-based educational content, services and practices.

ERASMUS FOR ALL 2014-2020

Erasmus for All would bring together all the current EU and international schemes for education, training, youth and sport, replacing seven existing programmes with one. Erasmus for All is open to all learners and trainers, through any public or private body active in education, training, youth and sport. It will support formal and non-formal learning experiences and activities across all sectors.

GET INVOLVED

Although the title suggests that the future Erasmus programme will be for all and will replace the existing programmes, i.e. Grundtvig, the description on the Commission's website focusses on youth and makes no reference to older adult education. You can lobby your MEPs and national Minister for Education to get their support for an adequate budget for the Erasmus for All programme and to ensure that it will indeed include support to activities in favour of older adult learners.

USEFUL LINKS AND RESOURCES

- Education and Training 2020 (ET 2020): www.europa.eu/legislation_summaries/education_training_youth/general_framework/ef0016_en.htm
- European Agenda for adult learning: www.europa.eu/legislation_summaries/education_training_youth/general_framework/ef0016_en.htm
- Grundvig programme: www.ec.europa.eu/education/grundtvig/what_en.htm
- Erasmus for All: www.ec.europa.eu/education/erasmus-for-all

Coordination of social protection at EU level

Under the current European legal framework, Member States remain responsible for the design, implementation and monitoring of their national social security systems. The national social security systems are however coordinated and European law lays down rules and principles to guarantee the right of free movement of persons in the EU. The **EU regulation on the coordination of the social security systems**[23] **does not replace** national systems with a single European one. All countries are free to decide who is to be insured under their legislation, which benefits are granted and under what conditions. The EU only provides **common rules** to protect the social security rights of citizens who move within the EU, Iceland, Liechtenstein, Norway and Switzerland. These rules are regularly updated and the European Commission can apply sanctions to Member States who do not respect them. The EU however recently committed to promoting closer cooperation between the Member States in modernising their social protection systems which face similar challenges throughout the EU.

The EU regulation applies to all nationals of an EU country who are or who have been covered by the social security legislation of one of the EU Member States, as well as to members of their family. It also applies to third country nationals living legally in the EU and whose situation connects them to several Member States and to members of their families. According to the principle of equal treatment, nationals of an EU country and persons residing in that country without being nationals of it are equal in terms of the rights and obligations provided for by the national legislation. The provisions of this Regulation apply to all the traditional branches of social security: sickness, maternity, accidents at work, occupational diseases, invalidity benefits, unemployment benefits, family benefits, retirement and pre-retirement benefits, death grants.

23 Regulation (EC) No 883/2004: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:166:0001:0123:en:PDF

GOOD TO KNOW

When you move within the EU, pursuant to the **principle of the aggregation of periods**, your periods of insurance, employment or residence in an EU Member State must be taken into account in the other EU countries you move in. This means that the acquisition of the right to benefits in one state must take account of periods of health insurance, pension, employment, self-employment or residence in another EU Member State.

USEFUL LINKS AND RESOURCES

- Your social security rights when moving within the EU (in all EU languages): www.ec.europa.eu/social/main.jsp?catId=854&langId=en

- Your social security rights country by country: www.ec.europa.eu/social/main.jsp?catId=858&langId=en

Pensions

There are considerable differences in the structure and composition of the pension systems across the EU reflecting the cultural and social diversity between Member States. Although Member States remain responsible for the design, implementation and monitoring of their national pension schemes, very recently the role of the EU in the pension debate has increased due to the domino impact on other Member States of the public debt crisis in some countries.

ADEQUACY OF PENSIONS

Although to a different degree, Member States face similar challenges regarding the adequacy and long-term sustainability of their pension schemes. With the European population getting older as people live longer and have fewer children, EU Member States face the challenge of ensuring the **long-term sustainability of public finances** owing to the impending budgetary impact. The impact of demographic change is exacerbated by the on-going public debt crisis which makes it difficult for Member States to respect the constraints of the Stability and Growth Pact, the EU legislation that forbids Member States to have more than 3% GDP deficit.

The EU now has a further 'say' on pensions as the **National Reform Programmes (NRPs)** that Member States submit simultaneously with their stability and convergence programmes are evaluated at EU level to monitor progress towards the Europe 2020 national targets for smart, sustainable and inclusive growth. Since 2012 Member States should in addition present their policy proposals in the social field in the **National Social Reports (NSRs)** – which follow the thematic focus of the **Social Open Method of Coordination** on pensions, social inclusion and health and long-term care – to ensure that their reforms address the objectives of the Europe 2020 Strategy (see chapter on the European Semester in part I for more details).

GOOD TO KNOW

The new Lisbon Treaty allows the EU to maintain and develop further the social achievements in full respect of national prerogatives. Art. 9, the so-called **"horizontal social clause"** proclaims that the Union has to take into account [...] the guarantee of adequate social protection [...] when implementing new policies. The Lisbon Treaty is therefore important in the context of pension debate, as it recognises and respects the entitlement to social security benefits and social services providing protection in cases such as dependency and old age.

In 2010 the European Commission launched a public consultation (Green Paper) to gather stakeholders views on how to ensure adequate, sustainable and safe pensions, looking also to define the role of the EU to support Member States in their reforms. In the follow-up to the consultation, the Commission proposed in February 2012 a '**White Paper: An Agenda for Adequate, Safe and Sustainable Pensions**', outlining measures at European level to support and complement national pension reforms. The Commission proposes a more holistic approach to pension reforms – a proposal that AGE is supporting – for instance through looking for synergies among all relevant topics, such as: longer working lives; gender equality; the internal market for pensions; mobility of pensions across the EU; the future solvency regime for pension funds to better protect employees' entitlements or informed decision-making and governance at EU level.

The European Commission together with the Social Protection Committee published in mid-2012 a joint '**Report on pension adequacy 2010-2050**'. This common analysis is meant to help Member States, in the context of the European Platform against Poverty

'flagship initiative', to assess the adequacy of their pensions systems in long term for both women and men. Using EU common indicators, this report provides a comparative analysis of how Member States manage to tackle both the sustainability and the adequacy challenges. The Pension Adequacy report completes the Commission's earlier publication '2012 Ageing Report' prepared in cooperation with the Economic Policy Committee which assesses the economic and budgetary impact of ageing. Links to these documents are available in the useful links at the end of this section.

GENDER EQUALITY

Whilst older women and men suffer from inequalities in terms of social protection, women are additionally affected by their fertility history, as well as by informal caring responsibilities which restrict their access to good quality employment. This career gap and segmentation of the labour market reduces women's pensions, putting many of them at a higher risk of poverty.

The European Commission is promoting gender equality in access to pension rights, through a better monitoring of the implementation of EU gender equality legislation at national level (see section on Anti-discrimination), measures to facilitate reconciliation of work and family life and a better access to supplementary private pension provision. European legislation ensures respect for the **principle of equal treatment for men and women in matters of social security**. Directive 79/7/EEC[24] applies to social security (sickness, invalidity, accidents at work and occupational diseases, unemployment and risks related to old age); and social assistance which supplements or replaces the basic schemes. Directive 96/97/EC[25] applies the principle of equal treatment for men and women to occupational social security schemes. Since many Member States tend to rely increasingly on private funded pension schemes to ensure an adequate replacement rate to pensioners, this can lead even to a further increase in poverty risk among older women if nothing is done to address the discrimination that women suffer in these schemes.

EU debate on gender equality in pensions also builds on the '**Roadmap for Equality between Men and Women 2006-2010**' and its recommendations for the reinforcement of the effectiveness of gender equality legislation in the field of old-age pensions.

GET INVOLVED

In the context of the European Platform against Poverty 'flagship initiative', older people's organisations can put **pressure on their national governments** to address all causes of gender inequalities and ensure adequate pension rights for all, including those with justified career breaks – mainly women – to ensure a dignified life for all in old age. Members can also help build **public support for adequate individual pension rights for women**, given the decline of lifelong marriage and the increasing number of single parent families. Such broader reflection is necessary in order to address all the societal changes which will be amplified in future.

24 www.europa.eu/legislation_summaries/employment_and_social_policy/equality_between_men_and_women/c10907_en.htm

25 www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996L0097R%2801%29:EN:NOT

PORTABILITY OF SUPPLEMENTARY PENSION RIGHTS

Apart from the EU coordination of national social security to ensure that pensioners do not lose their statutory pension entitlements if they move to another EU country, an EU directive[26] also exists that safeguards the supplementary pension rights of employed and self-employed persons moving within the Community. Setting out some rights and obligations for members of supplementary pension schemes, this directive however does not cover what is often called "portability" of supplementary pensions i.e. the possibility of transferring the acquired pension rights to a new scheme in the event of professional mobility.

In 2005 the Commission submitted a draft legislative proposal for a Directive on improving the portability of supplementary pension rights[27]. The aim was to ensure that supplementary pension entitlements are not lost when people move within and across borders and the loss of their vested supplementary pension rights is not an obstacle to their mobility. The Commission's ambition was to encourage Member States to optimise the conditions for acquiring supplementary pension rights and harmonise the rules governing dormant pension rights and the transfer of acquired rights.

However, facing objections from many Member States, the Commission tabled in late 2010 a **revised draft without the disputed provisions** regarding the transfer of retirement schemes across borders. As announced in the White Paper on pensions, the Commission – in cooperation with the Council and the European Parliament – will resume work on a pension portability directive setting minimum standards for the acquisition and preservation of supplementary pension rights. Thanks to the Lisbon Treaty, the directive can be approved by qualified majority rather than by unanimity, as was the case before.

26 Directive 98/49/EC: www.ec.europa.eu/social/main.jsp?catId=468&langId=en

27 www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2005:0507:FIN:EN:PDF

In order to address the consequences of free movement of workers with regard to the provision of occupational pensions, a **European Pension Forum** was set up. This advisory committee is composed of experts from governments, social partners and representative organisations from EU level including AGE Platform Europe. Its mandate is limited to enabling an exchange on how to improve supplementary pension provision. In the White paper, the Commission states however that "in view of the increasing interdependence of Member States, it is important to monitor, in close cooperation with the Social Protection Committee (SPC) and Employment Policy Committee (EPC), the progress Member States are making towards adequate, sustainable and safe pensions, including with benchmarking indicators in the context of Europe 2020. By involving a wide range of stakeholders and by strengthening the role of the Pensions Forum, the holistic approach on pensions advocated by the Green Paper on Pensions will be developed."

GET INVOLVED

Older people's organisations should contact and seek to convince their national and EU policy makers on the need to enlarge the scope of the European Pension Forum and, more generally, to apply a **holistic approach** to pension reforms, to cover all pension schemes and assess all relevant policy areas which impact on the adequacy of pensions.

USEFUL LINKS AND RESOURCES

- Stability and Growth Pact: www.ec.europa.eu/economy_finance/economic_governance/sgp/index_en.htm
- White paper on Adequate, Safe and Sustainable Pensions (2012): www.ec.europa.eu/social/BlobServlet?docId=7341&langId=en
- Report on pension adequacy 2010-2050: www.ec.europa.eu/social/BlobServlet?docId=7805&langId=en

- 2012 Ageing Report (in English only): www.ec.europa.eu/economy_finance/publications/european_economy/2012/pdf/ee-2012-2_en.pdf

- Roadmap for Equality between Men and Women 2006-2010: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006DC0092:EN:NOT

- EU Portal 'Your Europe' on your rights when retiring in another EU country: www.europa.eu/youreurope/citizens/work/retire/index_en.htm

Social Inclusion and social participation

Building on the policy legacy from the 2010 European Year for Combating Poverty and Social Exclusion, the Europe 2020 strategy includes a priority action, the so-called **'flagship initiative' on the fight against poverty**. The **Charter of Fundamental Rights** is also a specific tool to enhance the overall social cohesion within the EU and at national level (see part I.). From the perspective of older people, a combination of factors such as low income, poor health, old age and/or gender-based discrimination, reduced physical or mental capacity, unemployment, isolation, abuse, and limited access to services can all play a part in increasing their risk of poverty and social exclusion. Although combating poverty and social exclusion is mainly the responsibility of national governments, the core values enshrined in the EU Treaties and the inclusive growth objective of the Europe 2020 strategy mean that work is done at EU level as well.

EUROPEAN PLATFORM AGAINST POVERTY AND SOCIAL EXCLUSION

Launched in 2010, this European Platform is part of the Europe 2020 strategy for smart, sustainable and inclusive growth. The Platform seeks to play a coordinating role among national social inclusion policies by identifying best practices and promoting mutual learning, setting up EU-wide rules, and making funds available to support fight against poverty and promotion of social cohesion. In the framework of the Platform, Member States agreed for the first time ever a **common EU target** to reduce the number of people living in poverty and social exclusion by 20 million by 2020. National governments have to translate this overall poverty reduction target into their national contexts.

GOOD TO KNOW

The **'material deprivation rate'** measures the capacity to afford goods and services considered as necessary by most people to have a decent life. Such indicator is a reliable complementary alternative to the commonly used **'at-risk-of-poverty rate'** which considers as poor people those living with a disposable income below 60% of the national median income. Very important differences between the two indicators are observed for the older population in several Eastern European countries where older people stand out as more often materially deprived than Western countries. This complementary measurement method, assessing living conditions, provides evidence against the often shared opinion that older people in Eastern Europe do not need to be directly targeted by social inclusion strategies.

ANNUAL CONVENTION OF THE EUROPEAN PLATFORM AGAINST POVERTY AND SOCIAL EXCLUSION

This annual Convention is organised in the framework of the European Platform against Poverty. It builds on the lessons learnt from the European Year on Combating Poverty and Social Exclusion 2010 and makes bridge between the outcomes and policy 'legacy' of this Year and the social objectives of the Europe 2020 strategy. The Convention is meant to give visibility and political weight to the European Platform against Poverty and to build support across various policies and institutions, different levels of government and civil society actors.

AGE has been actively involved in EU debate on poverty reduction and calling upon EU policy makers to ensure that future Conventions will make regular stocktaking of the progress made in Member States in addressing the specificity of poverty in old age and promoting older people's social inclusion and participation in society. AGE and its members will continue to promote in particular the need for **adequate standards of living in the national context** i.e. by using national budget standards for the older population.

Although AGE supports measures combating age discrimination by employers (e.g. practices targeting those in their 50s when redundancies are planned) or those enabling pensioners who wish to continue in employment, the vulnerability of today's older people is most often related to their lack of financial resources. AGE warns against developing minimum income schemes that are primarily an incentive for employment activation without guaranteeing at the same time a universal right to an adequate minimum income for a dignified life.

ACTIVE INCLUSION

The European Commission adopted in late 2008 a Recommendation on the active inclusion of people most excluded from the labour market, promoting a comprehensive strategy based on the integration of three social policy pillars, namely:

- adequate income support
- inclusive labour markets, and
- access to quality services.

This recommendation does not refer directly to older people as a target group, but rather deals with the issues of employment, adequacy of minimum income schemes and access to services from the perspective of overall active population. As a result, national active inclusion strategies are too often limited to employment activation. The Commission plans to produce a report on the assessment of the implementation of the 2008 Recommendation by Member States in the second semester of 2012. The follow-up on the recommendation will also serve as guidance towards future directions in the field of active inclusion.

ADEQUATE MINIMUM INCOME FOR A DIGNIFIED LIFE

There exists a huge variety in Member States' pension systems and their elements which can be described as a minimum income guarantee for older people. One can identify three main types of minimum income benefits specifically dedicated to older people:

- minimum benefits within earnings related pensions
- flat rate benefits for older people (generally for people aged 65 or more) and
- separate social assistance benefits

In its Resolution of 20 October 2010 on the 'Role of minimum income in combating poverty and promoting an inclusive society in Europe' the European Parliament stated that a minimum income should be guaranteed in the EU under a framework directive. The agreement of a common EU definition of adequacy and of common methods to establish pension adequacy should inform an **EU Framework Directive on Minimum Income** and would mark a historic advance in EU cooperation to achieve higher level social standards. The proposal for an EU framework directive in today's context – when many drastic cuts are being introduced across the

EU and which will further jeopardize people's well-being, quality of life and dignity – is necessary more than ever.

GET INVOLVED

In the current context when most Member States introduce further cuts in provision of complementary benefits for older people e.g. in-kind benefits to help with a variety of expenses, AGE members can promote the concept of national 'budget standards' for older people among national policy makers when they develop minimum income schemes for older people (whenever they are contributions based on social assistance).

USEFUL LINKS AND RESOURCES

- More information on EU work on social protection & social inclusion: www.ec.europa.eu/social/main.jsp?langId=en&catId=750
- European Platform against Poverty and Social Exclusion: www.ec.europa.eu/social/main.jsp?langId=en&catId=961
- Website of the European Year 2010 for Combating Poverty and Social Exclusion: www.ec.europa.eu/employment_social/2010againstpoverty/index_en.htm
- EC Recommendation Active inclusion of people excluded from the labour market: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008H0867:EN:NOT

Volunteering

In the European Union, almost 100 million citizens of all ages invest their time, talents and money to make a positive contribution to their community by volunteering in civil society organisations, youth clubs, hospitals, schools, in sport clubs, etc. Many of these volunteers are aged 50+.

Volunteers play an important role in sectors as varied and diverse as education, youth, culture, sport, environment, health, social care, consumer protection, humanitarian aid, development policy, research, equal opportunities and external relations. This is especially important at this time of economic crisis.

Although volunteering is not per se an area in which the EU has competences, it is considered to be an **active expression of civic participation** which strengthens common European values such as solidarity and social cohesion and therefore promoted through various initiatives.

The volunteering of older people is one of the thematic priorities of the 2012 European Year for Active Ageing and Solidarity between Generations and was also promoted during the 2011 European Year of Volunteering which raised awareness of the important contribution that volunteers, among whom many are aged 50+, make to society and the communities they live in. Various EU programmes offer funding opportunities for projects dealing with older volunteers and seniors' active citizenship where there is a cross-border or clear EU dimension.

EUROPE FOR CITIZENS PROGRAMME

The Europe for Citizens Programme supports a wide range of projects and citizens' groups that aim at promoting an active European citizenship, i.e. helping EU citizens of all ages and citizens' groups across the EU get actively involved in the implementation of EU values and objectives. Particular attention is paid within this Programme to the promotion of volunteering.

GRUNDTVIG ACTIONS: SENIOR VOLUNTEERING PROJECTS

This action gives European senior citizens (aged 50+) the opportunity to take part in volunteering projects in a European country other than their own, allowing them to learn and share their knowledge and experience.

Projects support partnerships and exchanges of senior volunteers between local organisations located in two countries participating in the EU's Lifelong Learning Programme. Each organisation sends and hosts up to six volunteers during a two-year project. Volunteers, who should be aged 50 and over, will usually spend from three to eight weeks abroad working for projects in fields including social protection, the environment, sport and culture.

GET INVOLVED

Whether you would like to participate as a host or sending an organisation, or as an individual, you can find all necessary information (in English, French and German) on how to participate at: www.ec.europa.eu/education/grundtvig/senior_en.htm

ERASMUS FOR ALL 2014-2020

The European Commission is proposing that the future Lifelong Learning Programme becomes the "Erasmus for All" programme. This programme is still under negotiation at the European Parliament and Council (see Multiannual Financial Framework under Part I). It would start in 2014 and would significantly increase the funds allocated for the development of knowledge and skills. Erasmus for All is based on the premise that investing in education and training is the key to unlocking people's potential, regardless of their age or background. It helps them to increase their personal development, gain new skills and boost their job prospects.

GET INVOLVED

You can lobby your MEPs and national Minister for Education to get their support for an adequate budget for the Erasmus for All programme and to ensure that it will indeed include support to activities in support of older volunteers.

EUROPEAN PARLIAMENT PROPOSAL: SENIORS IN ACTION INITIATIVE

Martin Kassler, a German Member of the European Parliament (MEP), who was the Rapporteur of the EP Report on the 2012 European Year on Active Ageing and Solidarity between Generations, is proposing that within the Erasmus for All programme, a specific initiative should be devoted to Seniors in Action to promote active ageing and older volunteering.

AGE is working with Mr Kastler to develop an initiative that will support the training and coordination of older volunteers across the EU to map the needs of our ageing population in their communities and contribute to the development of innovative solutions that support active ageing and solidarity between generations. Such a programme would complement the European Covenant of Mayors on Demographic Change that AGE and a wide range of stakeholders are calling for (see sections on health and accessibility).

GET INVOLVED

Join us and lobby your MEPs and national authorities to get such an initiative on Seniors in Action for an age-friendly EU. For information on how to lobby your MEPs, see section on European Parliament in Part III.

USEFUL LINKS AND RESOURCES

- Europe for Citizens Programme: www.ec.europa.eu/citizenship/index_en.htm
- Grundtvig Senior volunteering projects: www.ec.europa.eu/education/grundtvig/senior_en.htm
- Erasmus for All Programme: www.ec.europa.eu/education/erasmus-for-all
- European Year of Volunteering: www.europa.eu/volunteering

Health promotion and coordination of national healthcare systems

Under the EU Law, EU action must aim to improve public health, prevent human illness and diseases, and identify sources of danger to human health. Thus although **Member States have the sole responsibility for the organisation and delivery of health services and health care in their country**, the EU plays a significant part in improving public health in Europe, and acts in various areas where EU action brings an added value to Member State actions.

Population ageing raises important challenges for Member States who need to meet the higher demand for healthcare and adapt their health systems to the needs of their ageing population while keeping them sustainable in societies with smaller workforces. The EU is actively supporting Member States in their efforts to promote healthy ageing with initiatives to improve the health of older people, the workforce, children and youth; and to prevent diseases throughout life. The EU also takes action to improve the living conditions of elderly people.

In a nutshell the Union coordinates national health care systems to ensure that freedom of movement within the EU is facilitated; monitors health threat across the EU; evaluates and supervises medicines for human and veterinary use in the EU; coordinates organ donation and transplantation across the EU; pools resources on rare diseases and cancer; optimises health security; tackles health determinants; supports Member States in their action to manage chronic and communicable diseases, reduce health inequalities, improve patient safety and the quality of health systems.

SUPPORT TO HEALTHY AGEING

In the coming decades, the key challenge will be to promote healthy and active ageing. More years in good health will mean a better quality of life, more independence, and the possibility to remain active. An ageing population in good health will also mean less strain on health systems and fewer people retiring from work due to ill-health. This should have a positive impact on Europe's economic growth.

The European Commission takes several initiatives in that field mainly to enhance cooperation among stakeholders (public authorities, health professionals, industry, patients', consumers' and older people's organisations, researchers, etc.), e.g the EU alcohol strategy, the EU Platform for actions on diet, physical activity and health, joint action on cancer. Another interesting initiative is in the field of mental health: in 2008, a **European Pact for Mental Health and Well-Being** (see useful links at the end of this section) was endorsed by different EU stakeholders under the leadership of the European Commission. To facilitate its implementation, different areas were defined including mental health in older people.

THE EUROPEAN INNOVATION PARTNERSHIP ON ACTIVE AND HEALTHY AGEING

In November 2010 with the release of the flagship initiative "Innovation Union", the European Commission launched a pilot European innovation partnership on active and healthy ageing (EIP AHA). The EIP AHA pursues a triple win for Europe:

- enabling EU citizens to lead healthy, active and independent lives while ageing;
- improving the sustainability and efficiency of social and health care systems;
- boosting and improving the competitiveness of the markets for innovative products and services, responding to the ageing challenge at both the EU and global level, thus creating new opportunities for businesses.

The overarching target of this pilot partnership is to **increase the average healthy lifespan by two years**. AGE Platform Europe was represented in the High Level Steering Group which agreed a Strategic Implementation Plan (SIP) in November 2011 with the commitment of all interested parties. Three main areas have been defined: health promotion and prevention, care and cure, and active and independent living. The EIP is not an EU funding programme but rather a new process that seeks to bring together key stakeholders (end users, public authorities, industry); all actors in the innovation cycle, from research to adoption (adaptation), along with those engaged in standardisation and regulation. This pilot partnership provides these actors with a forum in which they can cooperate, united around a common vision that values older people and their contribution to society, identify and overcome potential innovations barriers and to mobilise policy and legislative intruments.

AGE Platform Europe

Using the opportunity offered by the European Innovation Partnership on Active and Health Ageing (EIP AHA), AGE has set up a **virtual network on age-friendly environments** mobilising various stakeholders and local/regional authorities. This network will build on the work done by the World Health Organisation (WHO), adapting their guidelines on age-friendly environments to the European context and facilitating exchange of information on relevant EU policy dossiers and instruments. In addition, with a large coalition of interested stakeholders, AGE is advocating for the launch of a **Covenant of Mayors on demographic change** to create the necessary political framework to bring together local and regional authorities across the EU who want to find smart and innovative solutions to support active and healthy ageing and develop age-friendly environments.

Tackling **health inequalities** is a policy priority at EU level and is encompassed in the Platform against poverty since they result mainly from social inequalities. This is also an area where the cooperation with the World Health Organisation is very important. A review is conducted at European level to better understand the causes and consequences of health inequalities between European countries and population groups. The first findings tend to show that age discrimination is among the most important hidden issues.

COORDINATION OF HEALTH AND CARE SERVICES

Despite the very limited competences of the EU on health issues, recent developments show that there is a rising need for better coordination among EU Member States in the field of health and care provision, notably because the right to freedom of movement within the EU requires EU action in this sector. In addition, all EU Member States face common challenges in this area with growing demand for healthcare and increasing budgetary constraints.

This is why the European Commission is trying to **facilitate cooperation** among Member States in different areas such as the health care workforce where the issue of migration inside the EU is increasing, raising issues such as recognition of qualifications, staff shortages, brain drain between Member States, etc. Different initiatives try to respond to these challenges under the flagship initiative "New skills for new jobs" which address the need to train more staff in the health and social care sector (see section on Employment).

Another issue is the **cross-border mobility of patients**. Although it is still a limited phenomenon, its potential impact on national healthcare systems is carefully monitored by the EU. For instance, the EU adopted in 2011 a directive on the rights of patients in cross-border healthcare[28] which complements the existing coordination of social security systems in the EU.

28 Directive 2011/24

GOOD TO KNOW

Access to healthcare when you are moving inside the EU

The European Health Insurance Card (EHIC) is a free card that gives you access to medically necessary, state-provided healthcare during a temporary stay in any of the 27 EU countries, Iceland, Lichtenstein, Norway and Switzerland. When you show your EHIC, you will receive treatment under the same conditions and at the same cost (free in some countries) as people insured in that country. Be aware that each country's healthcare system is different. Services that cost you nothing at home might not be free in another country. For more information, contact your sickness insurance institution that will provide you with the exact rules and procedures to be followed (see also link to EHIC website under Useful links at the end of this section).

THE OPEN METHOD OF COORDINATION IN THE FIELD OF HEALTH AND LONG-TERM CARE

Although the EU has limited competences in the field of health and long-term care, coordination is increasingly needed at EU level for various reasons: health outcomes in the EU are strikingly different according to where you live, your ethnicity, gender and socio-economic status; the EU is pursuing a "health-in-all-policies" approach; EU structural funds can be used to support healthcare reform and capacity-building in regions which need particular assistance; high demand for healthcare staff in some countries is draining qualified resources from others, underlining the need for an EU-wide approach; access for all to technological progress and greater patient choice must be balanced against financial sustainability; spending on health care in EU countries is growing faster than their national wealth; priorities have to be set, and greater value for money achieved.

For all these reasons, the EU promotes the coordination of national healthcare policies through the open method of coordination with a particular focus on access, quality and sustainability. The **key objectives** are to:

Improve access to health promotion, disease prevention, and curative care through:
- shorter waiting times
- reaching all parts of the population through universal insurance coverage and affordable care
- reducing geographical differences in availability and quality of care
- addressing cultural and language barriers to using services

Enhance quality of health services through:
- more patient-centred care
- effective and safe treatment and equipment
- greater use of evidence-based medicine and health technology assessment (EUnetHTA)
- greater use of effective prevention programmes for cancer, cardiovascular diseases, and infectious diseases (vaccination) amongst others
- better integration / coordination between: primary, out-patient and in-patient secondary and tertiary care; medical, nursing, social and palliative care

Ensure the sustainability of health systems through a more rational use of financial resources via:
- greater use of generic medicines
- focusing on primary care – referral systems to secondary care
- reducing in-patients, increasing out-patients
- simplifying administrative procedures
- concentrating specialised care in centres of excellence
- strengthen health promotion and disease prevention

Avoid under-resourcing of health care systems and establishing a viable contribution base through:
- better coordination of care
- ensure sufficient human resources for health through: good training; motivation and working conditions; addressing imbalances in different categories of staff

Peer reviews are regularly organised to allow Member States to discuss and exchange on specific topics. One country proposes a topic and submits a paper to be discussed with other countries and external stakeholders. AGE Platform Europe is regularly invited to participate in peer reviews and its contributions are built thanks to the input of its experts.

Facing the raising importance of this topic, the European Commission launched a deep analysis of the long-term care sector and discussed it together with the Social Protection Committee. Two documents should be released in 2012 and 2013 to take stock of the situation and identify the main challenges facing Member States.

In 2010 the Council adopted the **European Voluntary Quality Framework for Social Services** developed by the Social Protection Committee. This voluntary framework aims to develop a common understanding on the quality of social services within the EU by identifying quality principles that these services should fulfill. Moreover, by proposing a set of methodological guidelines, the Quality Framework also aims to help public authorities in charge of organising and financing social services, to develop the appropriate tools for the definition, measurement and evaluation of social services' quality. Thus, it aims to serve as a reference for defining, assuring, evaluating and improving the quality of social services.

Considering how wide social services are, the next step will be to adapt this framework to different sectors. Long-term care is a sector where this is envisaged, for different reasons and in particular because there is a growing trend to privatise this sector and service providers increasingly operate

cross-border, using the possibility offered by the internal market. Long-term care is as well a rapidly growing and changing "market" due to the ageing of the population, where quality becomes a key issue when it comes to consumers' protection.

The **Social Protection Committee (SPC)** set up a working group on age related issues where most Member States have a representative. AGE is regularly invited to meetings of the SPC-WG-AGE to discuss long-term care issues and to present updates on the **WeDO project** (www.wedo-partnership.eu), a European project led by AGE to promote the wellbeing and dignity of older people in need of care and assistance and prevent elder abuse through the promotion of quality long-term care.

ELDER ABUSE

Over the last few years elder abuse has gained importance in EU debates. in March 2008 the European Commission organised a conference on *"Protecting the dignity of older persons – the prevention of elder abuse and neglect"* and successive EU Presidencies have shown their commitment to fight elder abuse. The European Parliament adopted at a large majority a resolution on 'long-term care for older people requesting the European Commission to issue a consultation on elder abuse and safeguarding older people in the community and in care settings. Other initiatives by some members of the European Parliament also supported a more active role of the EU on the fight against elder abuse. In 2011, the European Commission conveyed a large conference on elder abuse and dignity where different stakeholders had the opportunity to raise awareness of EU dossiers which could have an impact on the fight against elder abuse such as enhancing quality in long-term care, fostering rights of vulnerable consumers, offering better protection and support to informal carers, investing in staff training, etc. Finally, the European Commission supports EU projects seeking to combat elder abuse, and especially projects aiming at improving the knowledge on this topic: exchange of best practices, creation of EU-wide tools to prevent elder abuse through information to carers, research projects on the prevalence and impact of elder abuse, etc.

Through the future EU programme on rights, equality and citizenship, which is currently under negotiation and planned to start in 2014, the EU will be able to continue to support initiatives to combat elder abuse as a follow-up to the current Daphne Programme whose objective is to contribute to the prevention of and the fight against all forms of violence against groups at risk.

With the support of the Daphne Programme, AGE developed with a network of 11 partner organisations a "European Charter of the rights and responsibilities of older people in need of long-term care and assistance" and accompanying handbook, as part of the "Eustacea project – a European strategy for combating elder abuse" (2008 – 2010). Those documents can be accessed at: www.age-platform.eu/en/daphne

PHARMACEUTICAL ISSUES

The pharmaceutical sector is extensively regulated by the EU in the dual interest of:

- ensuring the safest, most effective and highest-quality medicinal products possible,
- continuing to develop a single EU market for pharmaceuticals to strengthen the European pharmaceutical industry's competitiveness and research.

Important issues are currently under negotiation between the European Parliament, the Council and the Commission. In 2008, the European Commission proposed different texts gathered in the "pharmaceutical package". It contains more specifically three legislative proposals of importance for older people:

- Legislation on falsified medicines, adopted in June 2011, to prevent the entry of fake medicinal products in the legal supply chain.
- Legislation on pharmacovigilance which applies since July 2012 and aims at better monitoring medicines and thus ensuring better safety for patients by facilitating the coordination of information between national and EU level, making the reporting process easier for both health professionals and patients, and better informing patients about new medicines still under control.
- Legislation on the information given to patients for medicines delivered on prescription proposed by the Commission in February 2012 (still to be adopted), whose objective is to define the right balance between the need for patients to be informed and the necessary control over the information given.

GOOD TO KNOW

How to participate in the reporting on medicines

With the new legislation on pharmacovigilance, patients will be able to report on problems they may face with their medicines through their doctor or directly to the national medicines regulatory authority in your country. Suspected adverse drug reaction reports are then forwarded to the European Medicines Agency (see below) who publishes this data so that its stakeholders, including the general public, can access information that European regulatory authorities use to review the safety of a medicine or active substance.

The EU intends to revise two other important legal texts which are relevant for older people:

- The 2001 Clinical trials directive. This could be the opportunity to ensure that older people are included in clinical trials, making medicines dedicated to older patients safer and more efficient.
- The Medical devices directives which were adopted in the 90' to improve the safety of a wide range of products such as pacemakers or hip prosthesis and the way there are authorized on the EU market.

Additionally to the wide range of legislative texts regulating the whole pharmaceutical sector, the European Union has its own medicines agency: the **European Medicines Agency (EMA)**. EMA is a decentralised body based in London, whose main responsibility is the protection and promotion of public and animal health, through the evaluation and supervision of medicines.

EMA has an important role to play in protecting the health of all citizens, including older people. It engages with regulatory authorities, pharmaceutical companies, patients and consumers' organisations, and healthcare professionals in order to develop harmonised standards for the development, testing, approval and use of medicines.

In the mid 2000s a **Patients' and Consumers' Working Party** was created to provide recommendations to EMA and its human scientific committees on all matters of direct or indirect interest to patients and consumers in relation to medicinal products.

AGE is a member of EMA Patients' and Consumers' Working Party. Two experts nominated by AGE Platform Europe are regularly invited to participate in meetings at EMA. In addition, they are regularly asked to review patients' leaflets or specific material related to medicines and to give advice and opinions on specific older people's related issues. AGE is also disseminating information and alerts published by EMA on medicines that are used by older people, helping spread the news among them in the EU.

GOOD TO KNOW

In 2011, EMA adopted a **geriatric medicine strategy**. This strategy echoes the existing strategy on paediatric medicines, and is of great importance considering the challenges ahead in terms of safety, adapted medicines, adverse drug reaction effects among older people, polypharmacy, etc. A geriatric expert group was set up to support the work of EMA, which is for the moment mainly composed of geriatricians EMA also has a special section on its website on medicines for older people (see useful links).

EHEALTH

The promotion of eHealth is another key EU priority. Work in this area covers many different issues such as transfer of information between healthcare professionals and institutions, and the use of eHealth solutions by patients to monitor their condition. eHealth offers interesting opportunities such as facilitating the coordination between health and social care which is a crucial issue for older people, but it also raises concerns linked to data protection and ethical issues which are very sensitive in health.

The flagship initiative "**A digital agenda for Europe**" (one of the Europe 2020 seven flagship initiatives mentioned in part I) intends to contribute to this field and an eHealth Action Plan 2012-2020 is developed by the European Commission, calling on Member States to launch tailored national and regional eHealth strategies to respond to their specific needs. In parallel, initiatives are set up to enhance cooperation among Member States in that area, notably to discuss issues such as standards, interoperability and connectivity of both content and systems.

EU HEALTH FORA

The **Health Policy Forum** aims to bring together European platforms representing stakeholders in the health sector to ensure that the EU health strategy is open, transparent and responds to the public concerns. It offers an opportunity to organise consultations, to exchange views and experience on a wide range of topics, and to assist in implementation and follow-up of specific initiatives.

The Forum seeks to cover four groups of organisations:

- Non-governmental organisations in the public health field and patients` organisations.
- Organisations representing health professionals and trade unions.
- Health service providers and health insurance.
- Economic operators with an interest in and commitment to health promotion, protection and improvement.

The EU Health Policy Forum meets twice a year in Brussels and organises an Open Forum every two years. The European Public Health Alliance (EPHA) is acting as secretariat for the Forum.

The **eHealth Stakeholder group** was set up by the European Commission some years ago to organise a dialogue with the different stakeholders involved in eHealth issues: mainly the industry, users representatives including healthcare professionals, patients and consumers representatives, hospitals and healthcare insurers. Its main role is to contribute to the development of legislation and policy related to eHealth.

AGE is a member of both the EU Health Policy Forum and the eHealth Stakeholder group as well as of EPHA, to voice the concerns and expectations of older people regarding health issues.

USEFUL LINKS AND RESOURCES

- EU Health portal: www.ec.europa.eu/health-eu/index_en.htm
- EU Portal 'Your Europe' on Health: www.europa.eu/youreurope/citizens/health/index_en.htm
- European Pact for Mental Health and Well Being: www.ec.europa.eu/health/mental_health/policy/index_en.htm
- Innovation Union: www.ec.europa.eu/research/innovation-union/index_en.cfm
- Digital Agenda for Europe: www.ec.europa.eu/information_society/digital-agenda/index_en.htm
- European innovation partnership on active and healthy ageing: www.ec.europa.eu/research/innovation-union/index_en.cfm?section=active-healthy-ageing
- EHIC – European Health Insurance Card (information in all EU languages): www.ec.europa.eu/social/main.jsp?langId=en&catId=559
- Coordination of social security schemes at EU level: www.ec.europa.eu/social/main.jsp?langId=en&catId=850
- European Voluntary Quality Framework for Social Services: www.socialsecurity.fgov.be/eu/docs/agenda/26-27_10_10_spc_qf_document.pdf
- Social Protection Committee: www.europa.eu/legislation_summaries/employment_and_social_policy/social_protection/c10119_en.htm
- European Medicine Agency: www.ema.europa.eu/ema
- EMA geriatric medicine strategy: www.ema.europa.eu/docs/en_GB/document_library/Other/2011/02/WC500102291.pdf
- EMA webpage on medicines for older people: www.emea.europa.eu/ema/index.jsp?curl=pages/special_topics/general/general_content_000249.jsp&mid=WC0b01ac058004cbb9
- Executive Agency for Health and Consumers: www.ec.europa.eu/eahc
- WHO Europe: www.euro.who.int/en
- Health Inequalities and WHO Review: www.instituteofhealthequity.org
- EU Health Policy Forum: www.ec.europa.eu/health/interest_groups/eu_health_forum/policy_forum/index_en.htm
- European Public Health Alliance: www.epha.org
- Daphne III Funding Programme: www.ec.europa.eu/justice/grants/programmes/daphne/index_en.htm

GOOD TO KNOW

New EU publication presenting 33 projects funded by EU Health Programmes:
"Health for the EU in 33 success stories"
www.ec.europa.eu/health/programme/docs/success_stories_full_en.pdf

Research and Innovation

Research on ageing has been a key priority for many years already. Several EU research programmes have funded large research projects in health and long-term care, new technologies, transport, social and economic impact of ageing, older workers, gender issues, etc. Given the demographic trends in Europe, research on ageing will remain a political and scientific priority, and the involvement of older people has gained significant attention both in the research and policy field. All these efforts seek to support Member States in the development of innovative solutions to respond to the various challenges raised by demographic ageing.

MAIN RESEARCH FUNDING SCHEMES

The European Union provides many opportunities to fund research projects. The most relevant are:

- The 7th Framework Programme (FP7 2007-2013) that will evolve into Horizon 2020 from 2014, is one of the main financing tools for European projects and underpins large-scale projects devoted to long-term research (a time frame of 5-10 years).
- The Competitiveness and Innovation Framework Programme (CIP) encourages a better take-up and use of information and communication technologies (ICT) and promotes the increased use of renewable energies and energy efficiency. It focuses on the deployment phase and therefore supports trials and business case development.

EU COORDINATION AND POOLING OF RESOURCES

Additionally, since 2008, the European Commission promotes a better coordination of research at EU level by encouraging Member States to develop Joint Programming Initiatives (JPI). The overall aim of Joint Programming is to pool national research efforts in order to make better use of Europe's precious public research and development (R&D) resources and to tackle common European challenges more effectively in a few key areas. Two of JPIs are of particular relevance for older people:

- The Ambient Assisted Living Joint Programme (AAL JP) aims to enhance the quality of life of older people and to strengthen the industrial base in Europe through the use of ICT. The European Commission is not part of the implementation structures but contributes with a substantial financial support; the funding activity is commonly implemented by the AAL Association and its members are national research funding organisations in 20 EU Member States.

AGE action: At EU level, AGE is part of the **AAL Association Advisory Board** and is thus able to give feedback on this programme, its priorities and the projects financed through it.

- JPI "More years – Better Lives" on ageing populations in research areas such as how to retain people in the labour market, how to help older people remain active for as long as possible, in good health and with a better quality of life and how to make our future care systems sustainable.
- EU Joint Programme on neurodegenerative diseases (JPND) whose ultimate goal is to find cures for neurodegenerative diseases (e.g. Alzheimer, dementia) and to enable early diagnosis for early targeted treatments by better coordinating research efforts and resources at EU level.

A COMPREHENSIVE APPROACH TO BOOST GROWTH AND ADDRESS CURRENT SOCIETAL CHALLENGES

Adopting a more general and integrated approach addressing the different specific aspects of research and ageing and taking into consideration the views and interests of the different relevant stakeholders is now necessary to tackle the complexity of the issue and take up the challenges raised by the demographic ageing.

Complementary to the European Innovation Partnership on Active and Healthy Ageing (EIP AHA) (see section on health in part II) the European Institute of Technology (EIT) will launch a **Knowledge and Innovation Community (KIC) on healthy living and active ageing** with a life course approach that will start in 2014.

USER INVOLVEMENT, A KEY EU PRINCIPLE

EU research applies various criteria for efficacy and efficiency among which the involvement of the final beneficiaries of research. Users' involvement has proven to be key: research, innovation and investments would have a reduced impact if not guided by the needs and concerns of the population they target. As a consequence, older people are more and more asked to play a role and their representative organisations are increasingly asked to voice older people's needs on a broad range of subjects of research, both at national and European level.

Older people can be involved in phases, from defining the research agenda and framing a research question to disseminating results and being part of a potential follow-up of the project.

Civil society organisations, such as AGE, play an important part in supporting the involvement of the final users in EU funded research projects. Their role is to express the visions, concerns and feedback of older people focusing, among others, on their quality of life, their health needs, their reluctance to use new technologies, mobility and accessibility issues.

GET INVOLVED

At national level, older people's organisations can join EU or Joint Programmes projects led by universities, SMEs, local and regional authorities, etc. Your participation is key to ensure that users' perspective is taken on board. For each funding opportunity the European Commission not only provides all information on-line, through dedicated websites, but also establishes National Contact Points (NCP). Information about NCPs can be found on each programme website (see useful links below).

USEFUL LINKS AND RESOURCES

- European Institute of Technology (EIT): www.eit.europa.eu
- Knowledge and Innovation Communities (KICs): www.eit.europa.eu/kics1/knowledge-and-innovation-communities/overview.html

- Joint Programming Initiatives: www.ec.europa.eu/research/era/areas/programming/joint_programming_en.htm
- Research Programmes of the European Commission FP7: www.cordis.europa.eu/fp7/home_en.html
- Horizon 2020: www.ec.europa.eu/research/horizon2020/index_en.cfm?pg=h2020
- Competitiveness and Innovation Framework Programme (CIP): www.ec.europa.eu/cip
- Ambient Assisted Living Joint Programme (AAL JP): www.aal-europe.eu
- JPI "More years – Better Lives": www.jp-demographic.eu
- EU Joint Programme on neurodegenerative diseases (JPND): www.neurodegenerationresearch.eu/home
- For a comprehensive view of funding schemes: www.ec.europa.eu/contracts_grants/grants_en.htm

Accessibility to goods and services

Despite the fact that our population is ageing, the environment in which most Europeans live is not adapted to the growing numbers of older people and persons with disabilities. Physical barriers prevent many from accessing services, goods and products. The lack of accessibility is particularly challenging in areas of everyday life, such as the built environment (e.g. pavement, outdoor facilities, etc.), housing (e.g. lift in buildings), information and communication technologies (e.g. computer, phone), transport (e.g. buses, cars), self-service terminals (e.g. bank cash machines, ticketing machines), etc. Making goods and services accessible to all is indispensable to empower our ageing population to live autonomously, take an active part in society and fulfill their rights and duties as equal citizens.

This is an increasing issue at EU level and there are many different entry doors to enhance accessibility.

The European Year 2012 for Active Ageing and Solidarity between Generations offers a good opportunity to push this issue on the political agenda calling for the creation of an **age-friendly EU** as requirement to make active ageing a reality. On top of that, the UN Convention on the rights of people with disabilities (UNCRPD) (see part I) implies that both the European Union and Member States who ratified this instrument take necessary measures to comply with this international text. At EU level, different tools exist to optimise accessibility, mainly legislation and standardisation initiatives.

Together with a large network of stakeholders, AGE is running a campaign to support the creation of age-friendly environments at local, regional, national and EU level through the launch of an **EU Covenant of Mayors for Demographic Change** (there already exists a EU Covenant of Mayors on climate change). For more information and/or join the network, please visit: www.age-platform.eu/en/component/content/article/1457

GET INVOLVED

The European Accessibility Act will be crucial to create an age-friendly EU. When it will be published by the Commission, you can help get it adopted by the European Parliament and the Council by lobbying your MEPs and relevant national authorities (those dealing with non discrimination and disability issues) to ensure that both the Council and the European Parliament will carefully consider it.

THE EUROPEAN ACCESSIBILITY ACT

In its work programme for 2012, the European Commission foresees the adoption of the Accessibility Act, a set of legislative measures to improve access to goods and services for persons with disabilities and elderly persons, based on the concept of Design for All. This proposal intends to address public authorities that procure goods and services, on the one hand, and the manufacturers of goods, distributors, sellers and service providers on the other hand. These will benefit from having a European harmonised framework for accessible goods and services.

GOOD TO KNOW

Based on the respect of human diversity, "**Design for All**" means adapting the environments, products and services so as everyone, regardless of age, gender, capabilities or cultural background, can participate on an equal basis in the construction of our society in all types of activity (i.e. economic, social, cultural, entertainment, and recreational).

CAMPAIGN ON WEB-ACCESSIBILITY

The Commission is also reviewing options to make a proposal addressing web accessibility of public sector websites and websites providing basic services to the public. This proposal was indeed foreseen in flagship initiative "**Digital Agenda for Europe**" (one of the Europe 2020 seven flagship initiatives mentioned in part I), which underlines accessibility for persons with disabilities and older people in the field of new technology (ICT). and is of great importance to promote equal access to information to everyone, especially since older and disabled consumers are facing great difficulties in accessing online public services in many areas such as education, health, social protection, employment, transport, banking and housing. It invites Member States to ensure that public e-services and websites, especially e-voting systems, are accessible to all, an essential requirement to enable citizens to take part in elections. It also underlines the needs of older people and persons with disabilities should be taken into account right from the outset and along the whole production chain to develop accessible ICT products and services, including eHealth products.

To combat this digital divide, AGE Platform Europe joined in 2011 the campaign run by ANEC (European Association representing Consumers in Standardisation), EBU (European Blind Union) and EDF (European Disability Forum) to make websites accessible to everyone.

GET INVOLVED

As soon as a proposal will be released by the European Commission, older people's organisations will have a role to play at national level to convince both their governments and members of the European Parliament of the importance to make websites accessible to everyone.

STANDARDISATION: A TECHNICAL PATHWAY TO ACCESSIBILITY

Standardisation is of great importance to improve accessibility since this technical tool can facilitate the development of accessible goods and services from onset. Nevertheless, standards do not automatically go hand in hand with accessibility since it depends very much on their content and the way they are developed. Consumers' representatives are more and more actively involved in standardization work at EU level via the European Association representing Consumers in Standardisation (ANEC). In addition, the European Disability Forum (EDF) and AGE Platform Europe are engaged in that work to voice the views and concerns of vulnerable consumers.

A standardization mandate was recently launched by the European Commission to include "Design for all" in relevant standardization initiatives and make sure that standards are matching accessibility needs. It is the so-called **Mandate 473** (M/473) that has been accepted by CEN-CENELEC, two of the standardisation bodies at EU level and the work is now beginning with the involvement of users' organisations such as ANEC, EDF and AGE.

Users' involvement in standardisation

In June 2011, the European Commission proposed a set of texts on a strategic vision for European standards, asking Member States to ensure the effective involvement of stakeholders, environmental NGOs and representatives of disabled and elderly people in standardization at national level. In addition, it demands to standardization bodies to better take into account environmental and accessibility factors.

Depending on the way the Council and the European Parliament will amend the proposed texts, it will reinforce the role and possibility for both AGE Platform Europe and organisations of older people at national level to be involved in the standardisation work.

GET INVOLVED

Standardisation takes place at EU level as well as national level where "mirror committees" are set up to follow up the work done in Brussels and give national representatives sound feedback of the national situation. Depending on national culture, users' organizations are more or less involved in this work. The Mandate 473 on Design for All offers an interesting opportunity since it requires consultation with users' organisations.

A list of national standardization organisations is available at: www.cen.eu/cen/Members/Bulgaria/Pages/default.aspx

Besides, there are many different areas where standards are being negotiated with a potential impact for older people. For instance, AGE Platform Europe is involved in the work led by the European Railway Agency to revise the "Technical Specification on Interoperability – Persons with reduced mobility (TSI PRM)", i.e. the rules applied to enhance accessibility of railway to older people, people with disabilities and more generally all passengers that might have reduced mobility.

Another area where standardisation is very important is information and communication technologies (ICT). For example a mandate on "European Accessibility Requirements for Public Procurement of Products and Services in the ICT Domain" (Mandate 376) is currently discussed. The European Commission is establishing as well a European multistakeholder ICT Standardisation Platform where all interested parties will be able to meet and discuss the agenda of standardization in that field and help to determine priorities.

FURTHER EU INITIATIVES TO SUPPORT ACCESSIBILITY

Besides legislation and standardization, the European Union has adopted a series of "soft tools" to foster accessibility, including:

- The **EU Action Plan on Urban Mobility** (2009): is a set of measure to promote the delivery of integrated transport solutions focused on citizens in the context of demographic ageing. It supports innovative projects in favour of greener urban transport, accessibility, passenger rights and intelligent transport systems and the sharing of experience and knowledge between Member States and regions through several funding streams, (including FP7 cooperation – transport regional development funds and the Intelligent Energy Europe programme).
- The **EU Access City Award** has been created in 2010 to promote the accessibility in European cities by awarding champions such as Salzburg/Austria (2011 winner) or Avila/Spain (2010 winner).

GOOD TO KNOW

Older people's organisations and disability organisations participate in the national juries of the EU Access City Award. AGE and the European Disability Forum are also members of the EU Jury.

GET INVOLVED

If you feel that your city has done a lot to improve accessibility to persons with disabilities and older people, you can encourage them to send their application to this annual Award.

- Last but not least, the **European Innovation Partnership on Active and Healthy Ageing** (see section on health) will offer interesting opportunities to enhance accessibility notably through the action area on age-friendly environments.

AGE Platform Europe

AGE is involved in a number of projects to support accessibility in the field of transport, mobility and new technologies: www.age-platform.eu/en/all-projects. Together with EDF, AGE also joined forces with the Vodafone Foundation to launch the Smart Accessibility Awards in 2011 and 2012, which aims to promote accessible smartphone applications and services adapted to the needs of older people and people with disabilities.

USEFUL LINKS AND RESOURCES

- Accessibility Act: www.ec.europa.eu/justice/newsroom/discrimination/opinion/111207_en.htm
- Digital Agenda for Europe: www.ec.europa.eu/information_society/digital-agenda/index_en.htm
- Joint Campaign on web-accessibility (AGE-ANEC-EBU-EDF): www.age-platform.eu/en/age-policy-work/accessibility/age-position-statements/1341-age-anec-ebu-and-edf-joint-campaign-on-web-accessibility
- Mandate 376 on European Accessibility Requirements for Public Procurement of Products and Services in the ICT Domain: www.mandate376.eu
- Standardisation at EU level: proposal of the European Commission (June 2011): www.ec.europa.eu/enterprise/policies/european-standards/standardisation-policy/index_en.htm
- List of national standardization organizations: www.cen.eu/cen/Members/Bulgaria/Pages/default.aspx
- EU Action Plan on Urban Mobility: www.ec.europa.eu/transport/urban/urban_mobility/action_plan_en.htm
- EU Access City Award: www.ec.europa.eu/justice/discrimination/disabilities/award/index_en.htm

Consumers' rights

The Single Market is one of the EU's main achievements and has become a part of Europeans' everyday lives. It helps to bring down barriers to freedom of movement, allowing citizens to work and live abroad and purchase

goods and services from foreign providers. The legal and policy framework regarding the EU's internal market and consumer protection is very relevant for older people as it impacts issues ranging from product safety and mechanisms of protection, to informed decisions on private pension plans and transparency of banking services. Besides, older people count among the most vulnerable consumers, mainly regarding E-commerce, use of financial products and services, unfair contract terms and accessibility. As the EU's population ages, opportunities for new markets are opened but services and products have to be made more accessible and to be adapted to take account of the evolving needs of this large segment of our population.

CROSS-BORDER SERVICE PROVISION

The freedom to provide cross border services is one of the EU's fundamental freedoms and is enshrined in Article 56 of the Treaty on the Functioning of the EU (TFEU). It enables a service provider in one Member State to offer services on a temporary basis in another Member State, without having to be established in that country.

In reality, different national regulations make it difficult for service providers to establish operations in other Member States or provide their services across borders while European consumers face multiple challenges when buying services abroad. The **Services Directive**[29] which was adopted in 2006 aimed at tackling these issues by prohibiting discriminatory practices, such as different tariffs, promoting and supervising the high quality of services and enhancing the information and transparency of services. No matter its importance, the directive has a limited scope as it does not apply to financial services, electronic communications, transport and healthcare services among others.

FINANCIAL SERVICES

Access to financial services is an issue of particular concern to older people, which has been intensified by the financial crisis and its impact on savings, pensions and the individualization of risks of health, long-term care and social protection. Consumer protection in this field is further impeded by lack of transparency due to the use of complex and not comparable actuarial data.

This is becoming a growing field of work for AGE thanks to our involvement in the **Financial Services User Group (FSUG)** and the dialogue group established by the Commission on barriers to access financial products. The FSUG was established by the Commission in an attempt to consult stakeholders representing users in the development of its policy on financial services. The issues on which the group works include but are not limited to: pensions, collective redress, self-regulation, mortgages, consumer protection, insurance, payment means and price transparency.

In 2012 the European Commission launched a consultation to gather stakeholders' views on the need for action and on the possible measures to be taken in relation to the issues of transparency and comparability of bank account fees, bank account switching and access to a basic payment account. This dossier is important for older people as too many older are refused or offered prohibitive fees to access fundamental financial services such as complementary health insurance, bank loans, travel insurance on the ground of their age, denying them their right to participate fully in the labour market, access decent housing or move around the EU.

CONSUMER PROTECTION AND THE RIGHT TO REDRESS

Having strong legislation but also ensuring awareness of this framework are crucial elements for efficient consumer protection. The EU is undertaking numerous initiatives on consumers' rights and consumers' education. One of the latest developments is the adoption a new **Consumers' Rights Directive**[30] which should be applied in all Member States by 13 June 2014. This directive focuses on distance and online sales and prescribes an EU-wide right for consumers to change their minds about purchase decisions

29 Directive 2006/123/EC of 12 December 2006 on services in the internal market: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006L0123:EN:NOT

30 Directive 2011/83/EU: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:304:0064:0088:EN:PDF

within two weeks, it promotes prices transparency and clearer rules for Internet sales, and it strengthens consumer protection in relation to digital products.

Within the Single Market, illegal actions of a service provider can easily affect a high, even very high number of individuals. However, cross-border claims are still complicated and high legal costs may deter consumers from claiming their rights, especially in the case of low value individual claims. This is why the EU is taking action in the field of alternative means of dispute resolution (non-judicial) and collective redress.

In 2011 AGE has joined forces with other NGOs in a campaign led by the European Consumers' Organisation (BEUC) asking the Commission to move forward the discussions on Collective Redress with the adoption of a legal instrument. The European Parliament has endorsed the proposal for legal action in the area of collective redress adopting a resolution in February 2012.

A mechanism of **collective redress**, which would allow all European citizens to bring a group action before the court and ask for the illegal behaviour to be stopped and for compensation to be paid to victims in national and cross-border cases, if applied in other areas of law, could be beneficial not only for consumers, but also for workers, vulnerable groups, victims of age discrimination, people suffering from environmental damage, etc.

DATA PROTECTION

Personal data is any information relating to an individual, whether it relates to his or her private, professional or public life. New technologies have created new ways of offering information, communicating but also promoting, buying and receiving goods or services. These technologies have an inherent risk for privacy and security since individuals are often asked to give their name, email address, bank details, or even medical information in order to use a service. Posted comments or photos on social networking websites may also be transferred outside the EU as there are no borders in the internet.

The protection of personal data is a **fundamental right for all citizens residing in the EU** and is enshrined in the Charter of Fundamental rights[31], but citizens do not always feel in full control of their personal data. Although EU-wide legislation on data protection exists since 1995[32], these rules have been implemented by Member States differently, resulting in divergences in enforcement.

In 2012, the Commission proposed a major reform of the **EU legal framework** on the protection of personal data, aiming to strengthen individual rights and tackle the challenges of globalisation and new technologies. The Commission's proposals include a Regulation setting out a general EU framework for data protection[33] and a Directive[34] on protecting personal data processed for the purposes of prevention, detection, investigation or prosecution of criminal offences and related judicial activities.

This framework aims at protecting individuals' personal information when at home, at work, whilst shopping, when receiving medical treatment, at a police station or on the Internet; it gives citizens the right to delete their data if there are no legitimate grounds for retaining it and provides for increased responsibility and accountability for those processing personal data.

GOOD TO KNOW

This framework is also relevant for non-profit research projects and initiatives. Older people's organisations should ensure that individuals involved in their activities understand how their personal data is gathered and used, that their explicit consent is given and that they refer to the national data protection authorities for further information.

31 Article 8 of the EU Charter on Fundamental Rights
32 Data Protection Directive (95/46/EC)
33 www.ec.europa.eu/justice/data-protection/document/review2012/com_2012_11_en.pdf
34 www.ec.europa.eu/justice/data-protection/document/review2012/com_2012_10_en.pdf

E-COMMERCE

E-commerce is a term used to refer to the sale of any goods or services on the Internet, ranging from flight tickets to online purchase of garden furniture, newspaper subscriptions, smart phone applications or music. EU's policy on e-Commerce also deals more broadly with any commercial service that a company offers, such as free web based email accounts, search engines, Internet call services, news services or social networks. These services are often financed by advertising revenues.

The Commission is actively committed to improving online purchases and reinforcing consumer confidence in them. In 2000 an **E-commerce Directive**[35] was adopted containing rules which facilitate the offer of online services in the EU and ensure, in the interests of consumer protection, that these services meet certain standards.

In 2012 the Commission has launched an Action Plan in the view of clarifying how certain provisions of the E-commerce Directive should be interpreted and overcoming existing problems. For example the Commission plans to: further develop the market for payments by card, Internet or mobile phones; protect consumers against abuses on the Internet; help consumers who have a problem with an online transaction; ensure the adequate protection of patients purchasing medicines online through the application of the directive on falsified medicines.

PASSENGERS' RIGHTS

The European Union has an important role to play in promoting equal opportunities for all in every sector of society, including public transport.

Passengers have certain rights when it comes to information about their journey, reservation, ticket fare, damage to baggage or in the case of accident, delays and cancellations, denied boarding, or difficulties with package holidays. **Specific legislation** exists to ensure passengers with reduced mobility are provided with necessary facilities and not refused carriage unfairly when travelling by air, rail, sea or road. Persons with reduced mobility are not only disabled persons but also those who may require assistance because of their age, reduced mental capacity or health condition.

AGE Platform Europe

AGE is regularly consulted by the European Commission on older people's needs in the field of public transport. For example, AGE participates in the Air Passenger Rights interest group which consults different stakeholders on the implementation of the Regulation of the Rights of disabled persons and persons with reduced mobility when travelling by air.

In reality, to effectively protect passengers and allow seamless travel, passengers' rights should go hand in hand with accessibility requirements in public buildings, information, facilities, ticketing and services (see previous section for more information on accessibility).

USEFUL LINKS:

- Quick guide to the Services Directive: www.ec.europa.eu/internal_market/services/services-dir/guides_en.htm
- Financial Services Users Group (FSUG): www.ec.europa.eu/internal_market/finservices-retail/fsug/index_en.htm
- Information for consumers: www.ec.europa.eu/consumers/citizen/index_en.htm
- Online Consumer Education: www.dolceta.eu
- European Consumer Centers Network: www.ec.europa.eu/consumers/ecc/index_en.htm

35 2000/31/EC: www.eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0031:EN:NOT

- Single market Act: www.ec.europa.eu/internal_market/smact/index_en.htm
- E-Commerce Framework: www.ec.europa.eu/internal_market/e-commerce/docs/communication2012/COM2011_942_en.pdf
- European Consumers Organisation (BEUC): www.beuc.org
- Passengers Rights at hand: www.ec.europa.eu/transport/passenger-rights/en/index.html
- EU Portal 'Your Europe' on passengers'rights when travelling in the EU: www.europa.eu/youreurope/citizens/travel/passenger-rights/index_en.htm
- EU Portal 'Your Europe' on cross-border shopping: www.europa.eu/youreurope/citizens/shopping/index_en.htm

III. The European and international institutions, and decision making processes

The main EU institutions are the European Parliament (representing the EU citizens), the European Council, the Council of the European Union (representing the Member States) and the European Commission (representing the EU).

GOOD TO KNOW

The number of seats per country and per political groups, as well as the list of MEPs in each Member State can be found on the Parliament's website at: www.europarl.europa.eu/meps/en/search.html

The European Parliament

The European Parliament is the **EU institution representing the citizens**. It plays an active role in drafting legislation which has an impact on the daily lives of citizens: for example, on environmental protection, consumers' rights, equal opportunities, transport, and the free movement of workers, capital, services and goods. Parliament also has joint power with the Council over the annual budget of the European Union.

Martin Schulz

The European Parliament is elected by universal suffrage every five years. European Parliament Presidents serve two-and-a-half-year terms, normally divided between the two major political parties. For the first half of the 2009-2014 mandate, the President was **Jerzy Buzek**, a Polish member of the European People's Party (EPP). Socialist group leader **Martin Schulz** took over from January 2012 until June 2014 when new elections will be held.

The European Parliament in Brussels

The European Parliament in Strasbourg

ROLE OF THE EUROPEAN PARLIAMENT

The European Parliament has three main roles:

Passing European laws: jointly with the Council in many policy areas, the EP has the power to approve, reject or amend legislation proposed by the European commission The fact that the EP is directly elected by the citizens helps guarantee the democratic legitimacy of European law.

Democratic supervision over the other EU institutions, and in particular the Commission. Parliament has the power to approve or reject the nomination of commissioners, and it has the right to censure the Commission as a whole.

The power of the purse. Parliament shares with the Council authority over the EU budget and can therefore influence EU spending. At the end of the procedure, it adopts or rejects the budget in its entirety.

WORK OF THE EUROPEAN PARLIAMENT

The European Parliament has premises in France (Strasbourg), Belgium (Brussels) and Luxembourg (the General Secretariat). It meets officially in plenary sessions and parliamentary committees.

Plenary sessions – are attended by all MEPs and are normally held for one week every month in Strasbourg (sometimes also for two days in Brussels). The Parliament examines proposed legislation and votes on amendments before coming to a decision on the text as a whole.

Parliamentary Committees – bring together smaller groups of MEPs that specialise in particular areas of EU policy. They do much of the preparatory work for the debates and votes carried out later in plenary. They are held in Brussels (Belgium)

The most relevant committees dealing with older people's issues are:

- Employment and Social Affairs Committee (EMPL)
- Environment, Public health and Food Safety (ENVI)
- Civil Liberties, Justice and Home Affairs (LIBE)
- Human Rights (DROI)
- Economic and Monetary Affairs (ECON)
- Women's Rights and gender equality (FEMM)
- Financial, economic and social crisis (CRIS, special committee)
- Culture and Tourism (CULT)
- Internal Market and Consumer Protection (IMCO)
- Industry, Research and Energy (ITRE)
- Transport and Tourism (TRAN)
- Regional Policy (REGI)
- Budgets (BUDG)

GOOD TO KNOW

Most plenary sessions and committees' meetings can be followed through the EP television on Internet in all EU languages: www.europarltv.europa.eu/en/home.aspx

GET INVOLVED

Citizens' organisations such as AGE are regularly consulted by individual MEPs and EP committees and can suggest amendments to European Parliament texts. This is a very direct and efficient civil dialogue process which enables older people to influence EU policies and initiatives through their elected MEPs.

MEPs also meet in unofficial, voluntary, cross-party groups known as Intergroups to discuss issues of common interest. These groups can be an important means to raise awareness about issues of particular concern. It is important for NGOs to establish good contacts with the intergroups who share their concerns.

Intergroup on Ageing and Intergenerational Solidarity
European Parliament
Established 1982

Established in 1982, the **Intergroup on Ageing and solidarity between generations** is the longest running intergroup in the Parliament. The Intergroup has since worked to make ageing issues visible and to take appropriate actions on behalf of older people.

Today the Intergroup on Ageing and Intergenerational Solidarity gathers some 40 MEPs from different political groups. The full list is available on AGE website under European institutions/European Parliament.

The Intergroup is co-chaired by Heinz Becker (PPE, AU), Milan Cabrnoch (ECR, CZ), Kinga Göncz (S&D, HU), Cristina Gutierrez-Cortines (EPP, ES), Jean Lambert (Greens, UK), Kartika Liotard (GUE/NGL, NL), Claude Moraes (S&D, UK), Lambert van Nistelrooij (EPP, NL)

The Intergroup on Ageing is an important vehicle for raising awareness on issues of direct concern to older people within the European Parliament. For example, on the occasion of the 1st World Elder Abuse Awareness Day on 15 June 2006, the Intergroup organised a seminar to raise awareness of the problem of elder abuse. This helped bring elder abuse on the EU agenda and influenced the Commission to issue a Communication and to organise European conferences in 2008 and 2011 on elder abuse and on EU quality standards for care services of older persons (see part II).

Citizen's Agora: The Citizens´ AGORA aims to reinforce the dialogue between the European Parliament and the Civil Society. It offers opportunity to discuss with citizens issues on Parliament's agenda.

The first Agora discussed the future of Europe (Nov. 2007). The second was in June 2008 and tackled climate change. The third was on the economic and financial crisis and new forms of poverty (27 and 28 January 2011). AGE was among the organisations actively participating in this event.

NEXT EUROPEAN PARLIAMENT ELECTIONS

The next European Parliament elections will be held in June 2014. Given the enhanced role and influence of the European Parliament introduced by the Lisbon Treaty, **it is all the more important for older citizens to get actively involved in these elections** to ensure that the next Parliament will be aware of their needs, and will propose EU action to respond to their concerns.

Ahead of the next elections, the European political groups prepare manifestos which outline the views of their group members on the major challenges facing the EU and what action should be taken by the EU to address them.

National political parties also prepare manifestos for the European Parliament elections which present the programmes of their country's candidate MEPs.

GET INVOLVED

Older people's organisations should get involved in the preparation of these manifestos to try to ensure that their elected MEPs will respond to their needs and expectations and will propose EU action. Citizens' groups can contact their candidates either separately or through the organisation of workshops where candidates from different parties can present their programme and answer questions raised by older citizens.
The purpose of this brochure is to help older citizens understand how the EU functions and what can be done at EU level in order to facilitate a useful discussion with candidate MEPs.

GOOD TO KNOW

The European Parliament has an Information office in every Member State. Their role is to inform the public on EU affairs and the role of the European Parliament, and to encourage people to vote in European parliamentary elections.

Citizens can also visit the European Parliament's Visitors' Centre in Brussels. Dynamic, interactive multimedia displays guide the visitors through the journey of European integration and the impact this has on their everyday lives. The Centre caters to all 23 official languages of the European Union and admission is free. The facilities have been designed to make them fully accessible to visitors with special needs.

USEFUL LINKS AND RESOURCES

- Website of the European Parliament: www.europarl.europa.eu/portal/en
- About Citizens' Agora: www.europarl.europa.eu/aboutparliament/en/00567de5f7/Agora.html
- EP Information offices: www.europarl.europa.eu/aboutparliament/en/0093fa514d/Parliament-near-you.html
- EP Visitors'Centre: www.europarl.europa.eu/visiting/en/parlamentarium.html

The European Council

The European Council was created in 1974 with the intention of establishing an informal forum for discussion between Heads of State or Government. It rapidly developed into the body which fixed goals for the Union and set the course for achieving them, in all fields of EU activity. It acquired a formal status in the 1992 Treaty of Maastricht, which defined its function as providing the impetus and general political guidelines for the Union's development. On 1 December 2009, with the entry into force of the Treaty of Lisbon, it became one of the seven institutions of the Union. Its first President Herman Van Rompuy, a former Belgian Prime Minister, was appointed in December 2009 for a mandate of two and half years which has just been renewed until end 2014. A new President will then have to be appointed on the basis of a qualified majority vote of the European Council.

ROLE OF THE EUROPEAN COUNCIL

The European Council is composed of the Heads of State or Government of the Member States, together with its President and the President of the Commission. The High Representative of the Union for Foreign Affairs and Security Policy takes part in its work.

The role of the European Council is to define the **general political direction and priorities** of the European Union. It does not exercise legislative functions.

WORK OF THE EUROPEAN COUNCIL

The European Council meets at least twice a year, usually at the headquarters of the Council of the European Union in the Justus Lipsius building in Brussels. Since beginning of 2012, the European Council has been meeting more often to discuss and agree on EU action in response to the crisis.

First President Herman Van Rompuy

GOOD TO KNOW

The meetings of the European Council can be followed in real time and in all languages on the Council's website (see useful links below).

USEFUL LINKS AND RESOURCES

- Website of the European Council: www.european-council.europa.eu/home-page?lang=en
- Web streaming of EU Council's meetings: www.european-council.europa.eu/council-meetings/video-streaming-archives?lang=en

The Council of the European Union

The Council of the European Union (often called Council) is composed of one representative of each national government, at ministerial level and is the **EU institution representing the Member States**. In the Council each Minister is empowered to commit its government and is politically accountable to its own national parliament. This ensures the democratic legitimacy of the Council's decisions.

THE ROLE OF COUNCIL

The Council is the **EU's main decision-making body** and jointly with the Parliament, it has the power to adopt, amend or reject laws (**legislative power**), which are initiated by the European Commission.

Most decisions of the Council are made by qualified majority voting (a weighted voting system based on the populations of Member States). Unanimity remains however applicable in a limited number of areas such as taxation and defence.

GET INVOLVED

In the Lisbon Treaty, policies on anti-discrimination are still considered to be a 'sensitive area' and thus unanimity is required. This makes national lobbying all the more important as one reluctant government can block all new anti-discrimination legislation at EU level.

GOOD TO KNOW

Each Member State has a fixed number of votes, related (although not proportional to) the population of their country.

THE WORK OF THE COUNCIL

Legally the Council is a single entity, but in practice it is working in **ten "configurations"**. Depending on the configuration (policy area), the Council meets several times a year up to once a month. Each configuration is attended by the relevant Ministers from each Member State who are responsible for the policy concerned. For example, The Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) is composed of employment, social protection, consumer protection, health and equal opportunities ministers. They meet around four times a year.

The Presidency of the Council rotates every six months between the member states of the EU. The role of the presidency is to determine the work programme, chair the meetings, set the agendas, and facilitate dialogue both at Council meetings and with other EU institutions.

In order to ensure continuity in its work, the Council works on the basis of a common 18-month programme established by **trios of successive Presidencies**.

Council of the European Union

Next Council trios

- 1st July 2011 to 31 December 2012: Poland – Denmark – Cyprus
- 1st January 2013 to 30 June 2014: Ireland – Lithuania – Greece
- 1st July 2014 to 31 December 2015: Italy – Latvia – Luxembourg
- 1st January 2016 to 30 June 2017: Netherlands – Slovakia – Malta

AGE lobbies future EU Presidencies to ensure that older people's concerns are taken on board. In close consultation with its members in the Presidency country, AGE suggests topics for Presidency events and initiatives.

All the work of the Council is prepared or co-ordinated by the **Committee of Permanent Representatives (COREPER)**, made up of the permanent representatives of the Member States working in Brussels and their assistants. The work of this Committee is itself prepared by more than 150 committees and working groups consisting of delegates from the Member States. For example, the **Social Protection Committee (SPC)** and the **Employment Committee (EMCO)** prepare the work of the EPSCO Council.

THE SOCIAL PROTECTION COMMITTEE (SPC)

The Social Protection Committee is a Treaty-based Committee with advisory status, which aims to promote cooperation between Member States and the European Commission in the framework of the Open Method of Co-ordination on social inclusion, health care and long-term care as well as pensions (see part II, section on social inclusion). In particular, the Committee plays a central role in preparing the discussion in the Council on the annual Joint Report on Social Protection and Social Inclusion. The SPC also prepares reports, formulates opinions or undertakes other work within its fields of competence, at the request of either the Council or the Commission or on its own initiative.

Members of this committee are high level Member States representatives. Different working groups have been set up such as the working group on age chaired by Sweden. AGE is regularly consulted and invited to the meetings of this working group.

The Social Protection Committee (SPC) has adopted a **Voluntary European Quality Framework for Social Services**. This is a set of guidelines **on how to set, monitor and evaluate quality standards** for social services of general interest (SSGI) that aims to develop a common understanding of the quality of social services within the EU. It serves as a reference for public authorities to improve the quality of these services. It is voluntary and flexible enough to be applied and adapted in member states – at national, regional and local level – and to a variety of social services.

Together with other social NGOs, AGE was consulted by the SPC for the drafting of European voluntary quality framework for Social Services and could feed in the views of its members.

USEFUL LINKS AND RESOURCES

- Council's website: www.consilium.europa.eu/council?lang=en
- Social Protection Committee: www.ec.europa.eu/social/main.jsp?langId=en&catId=758
- Voluntary European Quality Framework for Social Services: www.ec.europa.eu/social/BlobServlet?docId=6140&langId=en

The European Commission

The European Commission is based in Brussels, but it also has offices in Luxembourg and representations in all EU Member States. The term "Commission" is used both to refer to the institution and to the **College of Commissioners**. The college of Commissioners including the President and Vice-Presidents meets every Wednesday in Brussels. The Commissioners are assisted in their work by cabinets, who provide them with political advice.

The President of the Commission is nominated by the European Council and this nomination must then be endorsed by the European Parliament. In June 2009 José Manuel Barroso was nominated for another five year term and his nomination was endorsed by the European Parliament in September 2009, after a long debate and a vote. A total of 718 MEPs took part in the secret ballot, with 382 voting for, 219 against and 117 abstentions. Discussions have been going on for several years on the lack of transparency of the nomination procedure where Heads of States and Governments decide in great secrecy who will be the next President of the Commission and many citizens and civil society organisations would like the President to be elected at direct and universal suffrage to give this key position full democratic legitimacy.

The **High Representative for Foreign Affairs** and Security Policy is also Vice-President of the Commission. Catherine Ashton (UK) is the first High Representative for Foreign Affairs.

Commissioners are nominated by Member States for a period of 5 years. Each Member State nominates a commissioner but it is the President of the Commission who decides which portfolio each commissioner will be responsible for.

The full list of Commissioners is available at: www.ec.europa.eu/commission_2010-2014/index_en.htm

José Manuel Barroso

The following list gives an overview of who deals with the most relevant dossiers for older people:

- **José Manuel Barroso (Portugal):** President, deals with Europe 2020
- **Viviane Reding (Luxembourg):** Vice-President, responsible for Justice, Fundamental Rights and Citizenship, deals with European Charter of Fundamental Rights, citizens' rights, EU non discrimination legislation, gender equality, protection of vulnerable consumers, fight against elder abuse, etc
- **Siim Kallas (Estonia):** Vice-President Transport, deals with EU road safety strategy, accessibility of public transport, passengers' rights, etc
- **Neelie Kroes (The Netherlands):** Vice-President, Digital Agenda, deals with e-inclusion of older people, accessibility of new technologies, research on ICT and ageing, etc
- **Michel Barnier (France):** Commissioner for Internal Market and Services, deals with Single market for long term care services, regulation of financial services
- **Johannes Hahn (Austrian):** Commissioner for Regional Policy, deals with Mainstreaming ageing in regional policies
- **Androulla Vassiliou (Cyprus):** Commissioner for Education, Culture, Multilingualism and Youth, deals with Lifelong learning, older volunteering, multiculturalism

- **Olli Rehn (Finland):** Commissioner for Economic and Monetary Affairs, deals with the impact of ageing on public finances
- **László Andor (Hungary):** Commissioner for Employment, Social Affairs and Inclusion, deals with employment of older workers, social protection, social inclusion and fight against poverty, quality of LTC and fight against elder abuse in care services, etc
- **Máire Geoghegan-Quinn (Ireland):** Commissioner for Research, Innovation and Science, deals with Research on ageing
- **John Dalli (Malta):** Commissioner for Health and Consumer Policy, deals with Healthy ageing, European Strategy on Alzheimer, EU Pact on Mental Health of older people, pharmaceutical package, consumers' rights

THE ROLE OF EUROPEAN COMMISSION

The European Commission represents and defends the common interests of all EU citizens. It acts as the **executive of the European Union**. It is responsible for proposing legislation (right of initiative), implementing decisions, upholding the Union's treaties (guardian of the treaties), managing the EU budget, programmes and the day-to-day running of the Union.

THE WORK OF THE EUROPEAN COMMISSION

Although the Commissioners are the recognised 'face' of the Commission, the day-to-day work of the Commission is carried out by the **Directorate-Generals** (DGs), which also deal with the more technical preparation of the dossiers. Each DG is in charge of a specific policy area, like national ministries, and has its own staff structures, headed by the Director General. It reports directly to one of the Commissioners politically responsible for this area.

Next to the DGs, the Commission is also divided into several Services, which deal with more general administrative issues or have a specific mandate, for example fighting fraud or creating statistics.

The Commission's work must be grounded in the European interest and respect the **principles of subsidiarity** and **proportionality**. This means that the Commission should legislate only where action is more effective at EU level, and then no more than necessary to attain the Treaties objectives. If it is more efficient to act at national, regional or local level, the Commission should refrain from legislating.

CONSULTATION PROCEDURES

Since the Commission's vocation is to work for the good of the EU as a whole, and not to favour any EU country or interest group in particular, it consults widely to ensure that all the parties potentially affected by the envisaged legislative act can contribute to its preparation. In general, an assessment of the economic, social and environmental impact of a given legislative act is published at the same time as the proposal itself.

A typical drafting procedure for an EU legislative proposal in the Commission follows several steps:

- A political decision is initiated by the appropriate Commissioner (responsible for the area concerned). A draft proposal will have to be worked out by the DG concerned.
- To that effect, staff members within the DG concerned will receive instructions from the top. They will first launch extensive consultations with experts, economic operators, organisations, associations and ministries. This might be done through the publication of a **Green Paper** which serves as a consultation document calling for comments, reactions and debate within a given time frame.
- The staff drafts a **White Paper** (draft of legislative proposal) based on the outcome of this consultation upon approval of the responsible Commissioner.
- The proposal is discussed (and amended) with all relevant Commission departments and Cabinets.

- The proposal is then placed on the agenda of a meeting of the College of Commissioners where it is presented and defended by the relevant Commissioner. A simple majority vote within the Commission is needed for the proposal to be adopted and sent to the Council and the Parliament for consideration and an eventual decision.

GOOD TO KNOW

Although the Parliament and the Council have the final word on eventual legislation, the **importance of lobbying** those that are drafting the proposal within the European Commission cannot be stressed enough. Once the proposal has gone to the Council and European Parliament, it is indeed more difficult to add aspects that were not included in the original draft as governments and MEPs usually tend to limit the Commission's proposals rather than extend them.
Since the Commission defends the common European interest, this lobbying is carried out most effectively at European level.
This is one of AGE's main roles and our input is informed by our members' contributions.

In addition, the European Commission has set up various **advisory groups** with external stakeholders to inform its work. These groups meet several times each year and contribute their expertise to helping the Commission prepare its Communications and other initiatives.

AGE Platform Europe

AGE sits in the following advisory groups to advance older people's interests and influence EU policies:

- European Health Policy Forum
- European Pensions Forum
- European Innovation Partnership on Active and Healthy Ageing
- Financial Services User Group
- eHealth Stakeholder Group (as of 2012)
- Insurance Dialogue
- EC Steering Group on 'Awareness raising in the areas of non-discrimination and equality targeted at civil society organisations'
- EC Steering Committee of the project 'Support to voluntary initiatives promoting diversity management at the workplace across the EU'

INFRINGEMENT PROCEDURE

Each Member State is responsible for the implementation of EU law (adoption of implementing measures before a specified deadline, conformity and correct application) within its own legal system. As "guardian of the Treaties", the Commission is responsible for ensuring that EU law is correctly applied and has the power to start infringement procedures against Member States which have not implemented the European legislation correctly and, where necessary, may refer the case to the European Court of Justice. The Commission takes whatever action it deems appropriate in response to either a complaint or indications of infringements which it detects itself.

GOOD TO KNOW

Anyone may **lodge a complaint** with the Commission against a Member State for any measure (law, regulation or administrative action) or practice attributable to a Member State which they consider incompatible with a provision or a principle of EU law. You do not have to demonstrate a formal interest in bringing proceedings, nor to prove that you are principally and directly concerned by the infringement complained about. To be admissible, a complaint has to relate to an infringement of EU law by a Member State; it cannot concern a private dispute. Information on how to submit a complaint is available in all EU languages on the Commission's website (see useful links below).

USEFUL LINKS AND RESOURCES

- Website of the European Commission: www.ec.europa.eu/index_en.htm
- List of Directorates-General (DGs): www.ec.europa.eu/about/ds_en.htm
- How to lodge a complaint: www.ec.europa.eu/eu_law/your_rights/your_rights_en.htm
- EU General Information Portal : www.europa.eu/index_en.htm

Consultative Bodies of the EU

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

The European Economic and Social Committee (EESC) was established in 1957 with the aim of being an advisory body of nominated individuals representing groups of economic and social interest. The EESC has 344 members – the number of representatives from from each EU country roughly reflecting the size of its population. The members are employers, trade unions and various economic and social interest actors (i.e. farmers, consumers), who are nominated by the EU governments but work in complete political independence. They are appointed for four years, and may be re-appointed.

The Committee meets in Plenary Assembly, and its discussions are prepared by six subcommittees known as 'sections', each dealing with particular policy areas:

- Agriculture, Rural Development and the Environment (NAT)
- Economic and Monetary Union and Economic and Social Cohesion (ECO)
- Employment, Social Affairs and Citizenship (SOC)
- External Relations (REX)
- The Single Market, Production and Consumption (INT)
- Transport, Energy, Infrastructure and the Information Society (TEN)

The EESC has three main roles:

- to advise the Council, Commission and European Parliament, either at their request or on the Committee's own initiative;
- to encourage civil society to become more involved in EU policy-making;
- to bolster the role of civil society in non-EU countries and to help set up advisory structures.

The EESC must be consulted before decisions are taken on economic and social policies. On its own initiative, it may also give opinions on other matters it considers important.

The **Liaison Group with Civil Society Organisations** was set up in 2004 to ensure the EESC's interaction with European civil society organisations and networks. It is designed to be both a liaison body and a structure for political dialogue with those organisations and networks. Currently, it is made of 15 EESC members and of representives of 20 of the main sectors of European Civil society.

AGE is among the organisations participating in this liaison group's activities.
Website: www.eesc.europa.eu/?i=portal.en.liaison-group

COMMITTEE OF THE REGIONS

The Committee of the Regions (CoR) was set up in 1994 as an advisory body composed of nominated representatives of Europe's regional and local authorities to ensure that regional and local identities and interests are respected within the EU. The CoR has 344 members from the 27 EU countries, and its work is organised in 6 different commissions:

- Territorial Cohesion
- Economic and Social Policy
- Sustainable Development
- Culture and Education
- Constitutional Affairs and European Governance
- External Relations

EUROPEAN UNION
Committee of the Regions

The Committee of Regions has to be consulted on matters that concern local and regional policies such as employment policy, the environment, infrastructure, transport, education and health. It can also present opinions on any legislative proposal with important regional or local implications.

Considering the key role of regional and local authorities in addressing issues affecting older people, AGE works closely with the CoR through joint action (events, publications...).

THE EUROPEAN COURT OF JUSTICE

The European Court of Justice (ECJ) aims to ensure that EU legislation is interpreted and applied in the same way across the European Union.

A Court of First Instance was created in 1989 to hear certain types of case (particularly those involving private individuals) in order to share the workload of 'the Court'. The ECJ gives rulings on cases brought before it.

The ECJ has one judge per Member State and 8 advocates-general. Their role is to present reasoned opinions on the cases brought before the Court. They must do so publicly and impartially. They are appointed by the governments of the Member States for a period of six years.

The national courts in each EU country are responsible for ensuring that EU law is properly applied in that country. AGE monitors relevant ECJ rulings and informs its members across the EU as this may have an impact on the way national courts take decisions.

THE EUROPEAN COURT OF AUDITORS

The European Court of Auditors was set up in 1975. It is based in Luxembourg and its role is to check that EU funds, which come from the taxpayers, are properly collected and spent legally, economically and for the intended purpose. Its aim is to ensure that the taxpayers get maximum value for their money, and it has the right to audit any person or organisation handling EU funds.

The Court has one member from each EU country, appointed by the Council for a renewable term of six years. The members elect one of them number as President for a renewable term of three years. Vítor Manuel da Silva Caldeira, from Portugal, was elected President in January 2008. His mandate was renewed on 12 January 2011 for a second term.

THE EUROPEAN OMBUDSMAN

The European Ombudsman is an EU institution set up to investigate complaints about maladministration in the institutions and bodies of the European Union. It is entitled to receive and investigate complaints from EU citizens, businesses and organisations, and from anyone residing or having their registered office in an EU country.

Nikiforos Diamandouros, the former national ombudsman of Greece, was elected by the European Parliament to lead the institution in April 2003 and re-elected in January 2010 for a new five-year term.

The Ombudsman may find maladministration if an institution fails to respect fundamental rights, legal rules or principles, or the principles of good administration. This covers administrative irregularities, unfairness, discrimination, abuse of power, failure to reply, refusal of information, and unnecessary delay, for example. Any citizen or resident of the EU, or business, association, or other body with a registered office in the EU, can lodge a complaint. You need not be individually affected by the maladministration to complain. Please note that the European Ombudsman can only deal with complaints concerning the EU administration and not with complaints about national, regional, or local administrations, even when the complaints concern EU matters.

The Ombudsman carries out investigations following a complaint or on their own initiative. S/he operates completely independently and impartially and does not request or accept instructions from any government or organisation.

Nikiforos Diamandouros

GOOD TO KNOW

If you wish to complain about maladministration by an EU institution or body, you need to first contact that institution through the usual administrative channels and try to get them to put the situation right. If that approach fails, you can complain to the European Ombudsman within two years of the date on which you became aware of the act of maladministration.

For practical guidance on making your complaint, go to the Ombudsman's website www.ombudsman.europa.eu/start.faces

USEFUL LINKS AND RESOURCES

- About EU institutions and other bodies: www.europa.eu/about-eu/institutions-bodies/index_en.htm
- European Economic and Social Committee: www.eesc.europa.eu
- EESC Liaison Group with Civil Society Organisations: www.eesc.europa.eu/?i=portal.en.liaison-group
- Committee of the Regions: www.cor.europa.eu/en/Pages/home.aspx
- The European Court of Justice: www.curia.europa.eu
- The European Court of Auditors: www.eca.europa.eu/portal/page/portal/eca_main_pages/home
- The European Ombudsman: www.ombudsman.europa.eu/home.faces

EU decision-making procedures

The rules and procedures for EU decision-making are laid down in the treaties (see part I. and annexes). Every proposal for a new European law is based on a specific treaty article, referred to as the 'legal basis' of the proposal. This determines which legislative procedure must be followed. There are three main EU legislative procedures:

CO-DECISION

This has become the **"ordinary" legislative procedure** since the Lisbon Treaty. The co-decision procedure requires official approval from both the Parliament and the Council. Both bodies are on an equal footing and have the chance to propose amendments to the text. Since the Lisbon treaty, the European Parliament now has a role to play in almost all lawmaking. Policy areas covered by this procedure include: economic governance, immigration, energy, transport, environment and consumer protection. The vast majority of European laws are now adopted jointly by the European Parliament and the Council.

CONSULTATION

The Parliament can accept or reject a proposal as it is presented by the Commission. It may also suggest amendments which the Commission will consider introducing but it is unable to block the proposal. The Council, however, is not obliged to accept the amendments and its decision is final. Relevant policy areas for older people covered by this procedure are: discrimination on the ground of age (and also on the ground of sex, race or ethnic origin, religion or political conviction, disability, or sexual orientation grounds), tax and economic policies.

ASSENT

The Parliament can accept or reject a proposal as it is presented by the Commission. However, it cannot amend a proposal. This procedure is the least used, but is applied to certain very delicate and important areas. Relevant policy areas for older people covered by this procedure are: the Structural Funds and the Cohesion Funds; and certain institutional modifications.

GOOD TO KNOW

A schema of the EU decision-making process is available at: www.ec.europa.eu/codecision/stepbystep/diagram_en.htm

ENHANCED COOPERATION

Enhanced cooperation means that a group of countries can act together in a specific area without all 27 necessarily participating. It allows Member States to remain outside if they do not wish to join, without stopping other Member States from acting together. Examples of enhanced cooperation include the Euro zone and the Schengen agreement.

GET INVOLVED

The importance of the Council and the Parliament in EU decision-making means that they are important targets for lobbying activities.
Since the members of the Council represent the Member States and the MEPs represent their local constituents, they are often most effectively targeted by national and local organisations.

Other International institutions

This section provides an overview of international institutions which are relevant in the framework of the European Union.

THE COUNCIL OF EUROPE

The Council of Europe, based in Strasbourg (France), now covers virtually the entire European continent, with its 47 member countries. Founded on 5 May 1949 by 10 countries, the Council of Europe seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.

The Council of Europe **should not be confused with the European Council** which is a regular meeting of the Heads of EU Member States to plan Union policy.

GOOD TO KNOW

The Council of Europe has a dedicated webpage aiming to differentiate between EU and Council of Europe instruments to avoid confusion and enhance understanding of the two organisations: www.coe.int/aboutCoe/index.asp?page=nepasconfondre&l=en

The Council of Europe is very proactive in terms of protection of human rights and promotion of social issues, many of which are of relevance to older people and are explained below. This is why AGE has applied for a consultative status to the Council of Europe to strengthen our participation in the processes which are relevant to older people.

The **European Convention on Human Rights** (ECHR) is a treaty by which the member states of the Council of Europe undertake to respect fundamental freedoms and rights. All EU member states have ratified this Convention which is guaranteed by the European Court of Human Rights in Strasbourg. Thanks to the Lisbon Treaty, the EU will also become party to this treaty. The rights proclaimed in this Convention, as well as the European Court of Human Rights case law are very relevant for older people. AGE has published a briefing note[36] where reference to the provisions of the ECHR is made in terms of human rights challenges that older people face. Additionally the European Court of Human Rights regularly publishes factsheets[37] on landmark decisions it has taken in different areas, including issues of mental health, social welfare, ethical issues in the use of new technologies and others, all affecting older people's lives.

The **European Social Charter** is a Council of Europe treaty which guarantees social and economic human rights. It was adopted in 1961 and revised in 1996. The European Committee of Social Rights rules on the conformity of the situation in States with the European Social Charter. The basic rights set out in the Charter include housing, health, education, employment, legal and social protection, movement of persons and non-discrimination. Under an Additional Protocol to the Charter, national and European trade unions and employers' organisations and accreditated international NGOs are entitled to lodge **collective complaints** of violations of the Charter with the Committee. In addition, national NGOs may lodge complaints if the State concerned has made a declaration to this effect. When the Committee finds a violation of the Charter, the Council of Europe Committee of Ministers invites the respondent State to take specific measures to bring the situation into line with the Charter. The case law of the European Committee of Social Rights touches upon many issues relevant to older people, such as pensions, social assistance and access to basic services.

36 www.age-platform.eu/images/stories/EN/AGE_Briefing_OlderPeople_Fundamental_Rights_Nov11.pdf
37 www.echr.coe.int/ECHR/EN/Header/Press/Information+sheets/Factsheets

The Steering Group on Human Rights of the Council of Europe (CDDH) has given a mandate to a working group comprised of experts from Council of Europe Member States (CDDH-AGE) in view of elaborating, a **non-binding instrument on the promotion of the human rights of older persons**. AGE and other expert representatives from international organisations, civil society and representatives of other Council of Europe intergovernmental Committees take part in the work of this group that will draft Recommendations or Guidelines to be adopted by the Committee of Ministers of the Council of Europe, focusing on issues of non-discrimination, autonomy, social inclusion, protection from violence and abuse and support and care.

GET INVOLVED

CDDH-AGE: Older people's organisations have an important role to play at the national level, liaising with the officers in charge of this dossier in their country, explaining issues at stake and promoting good practices, so that these can be taken into account during the drafting process.

THE UNITED NATIONS

While many United Nations (UN) instruments declare rights for all human beings and thus also for older people, the UN have long been working specifically on ageing issues: in 1991 the UN General Assembly adopted the Principles for Older Persons; in 2002 the Madrid International Plan of Action on Ageing (MIPAA), a comprehensive action plan for building a society for all ages was agreed and a focal point to facilitate its implementation was later created; in 2010 a working group was established to consider the human rights of older persons and existing gaps in their protection. As described in part I, the UN

Convention on the Rights of Persons with Disabilities (UNCRPD), which is binding for the EU, is also a reference document for older people

The **Open Ended Working Group on Ageing** (OEWG) is mandated to consider the international framework of the human rights of older persons and to identify possible gaps and how to best address these, including considering the feasibility of further UN instruments and measures. The OEWG is exploring whether there is a need for action at the UN level and different options are considered: a new binding instrument; a Special Rapporteur (independent experts that have a mandate to investigate, monitor and recommend solutions to specific human rights problems); further consideration to the results of the review and appraisal of the Madrid Action Plan on Ageing and a stronger focus/more efficient implementation of existing UN mechanisms. AGE took part in the third session of the OEWG and in a UN expert group meeting in 2012 bringing the views of European senior citizens and counterbalancing the perspective of EU decision-makers in this debate. Through AGE's participation at the UN level the challenges that older Europeans are facing are taken into account in the work of this group.

GET INVOLVED

Older people can be involved in the UN work by providing input to their country's report on the implementation of Regional Strategy of the Madrid Action Plan (see useful links), encouraging their countries to be involved in the UNECE Working Group on Ageing and the Open-ended Working Group and informing AGE of human rights violations in their country so that these examples of shortcomings to older people's rights can be raised in the OEWG discussions to build the case for new UN action.

THE WORLD HEALTH ORGANISATION (WHO)

WHO works in close cooperation with the European Union on health promotion and healthy ageing. The **Global Network of Age-friendly Cities and Communities** (GNAFCC) was established to foster the exchange of experience and mutual learning between cities and communities worldwide. Any city or community that is committed to creating inclusive and accessible urban environments to benefit their ageing populations is welcome to join. GNAFCC helps cities and communities support active and healthy ageing by better addressing older people's needs across eight dimensions: the built environment, transport, housing, social participation, respect and social inclusion, civic participation and employment, communication, and community support and health services. AGE is a GNAFCC institutional affiliate and we are working collaboratively to promote age-friendly environments at the EU level. In the frame of the European Year 2012 AGE and its partners call on the European Commission to launch an EU Covenant of Mayors on Demographic Change that will seek to create the political framework to bring together local and regional authorities across the EU who want to find smart and innovative solutions to support active and healthy ageing and develop age-friendly environments.

WHO Europe network of Healthy Cities is another useful initiative that engages local governments in health development through a process of political commitment, institutional change, capacity-building, partnership-based planning and innovative projects. About 90 cities are members of the WHO European Healthy Cities Network, and 30 national Healthy Cities networks across the WHO European Region have more than 1400 cities and towns as members.

GET INVOLVED

You can encourage your local authorities to become more age-friendly and to join the Global Network of Age-Friendly Cities and Communities and/or the Healthy Cities network.
You can also encourage them to support the call for a European Covenant of Mayors on Demographic Change and to join this movement when it will be launched.
If you wish to be kept informed of the latest developments at EU level, register on the EU virtual network on age-friendly environments set up by AGE (link available on AGE homepage).

In its new European policy for health – **Health 2020**, WHO European Regional Office outlines its vision, values, main directions and approaches, and proposes to work on six goals:

- Work together: Harness the joint strength of the Member States and the Regional Office to further promote health and well-being, tackle the social determinants of health and health inequities, and reach out to other sectors and partners to reinforce this effort.
- Create better health: Further increase the number of years in which people live in health, improve the quality of life of people living with chronic disease, reduce inequities in health and deal with the impact of demographic change.
- Improve governance for health: Leverage the momentous societal changes in favour of health in all policies and strengthen health as a driver of change for sustainable development and well-being, by ensuring that heads of government, parliamentarians and key actors and decision-makers across the whole of government and in all sectors are aware of their responsibility for health and well-being and for health promotion, protection and security.
- Set common strategic goals: Support the development of policies and strategies in countries that benefit health and wellbeing as a joint social objective, at the appropriate level, providing stakeholders and partners with mechanisms for engagement and a clear map of the way forward in tackling the social determinants of health and health inequities.
- Accelerate knowledge-sharing and innovation: Increase the knowledge base for developing health policy and addressing the social determinants of health, by enhancing the capacity of health and other professionals to adapt to the new approach to public health and the demands of person-centred health care in an ageing and multicultural society, and by making full use of the technological and managerial innovations available to increase impact and improve care.
- Increase participation: Empower the people of the European Region to be active participants in shaping health policy through civil society organizations, to respond to the health challenges facing them as individuals by increasing health literacy and to ensure their voice is heard in person-centred health systems.

USEFUL LINKS AND RESOURCES

The Council of Europe

- General website:
  www.coe.int/web/coe-portal

- Council of Europe work on rights of older persons:
  www.coe.int/t/dghl/standardsetting/hrpolicy/other_committees/cddh-age/default_EN.asp?

- European court of human rights:
  www.echr.coe.int/ECHR/homepage_en

- European Convention on human rights:
  www.echr.coe.int/ECHR/EN/Header/Basic+Texts/The+Convention+and+additional+protocols/The+European+Convention+on+Human+Rights

- European Social Charter:
  www.coe.int/T/DGHL/Monitoring/SocialCharter

The United Nations

- General website:
  www.un.org/en

- Principles for Older Persons:
  www.unescap.org/ageing/res/principl.htm

- Madrid International Plan of Action
  on Ageing (MIPAA):
  http://social.un.org/index/Ageing/Resources/
  MadridInternationalPlanofActiononAgeing.aspx

- UN Convention on the Rights of Persons
  with Disabilities (UNCRPD):
  www.un.org/disabilities/convention/
  conventionfull.shtml

- Open Ended Working Group on Ageing (OEWG):
  http://social.un.org/ageing-working-group/
  index.shtml

The World Health Organisation (WHO)

- General website:
  www.who.int/en

- Regional implementation of Strategy of
  the Madrid Action Plan:
  www.unece.org/fileadmin/DAM/pau/_docs/
  ece/2002/ECE_AC23_2002_2_Rev6_e.pdf

- United Nations Economic Commission
  for Europe (UNECE)-Ageing Unit:
  www.unece.org/pau/age/welcome.html

- Madrid International Plan of Action on Ageing:
  http://social.un.org/index/Ageing/Resources/
  MadridInternationalPlanofActiononAgeing.aspx

- WHO Age-friendly environments programme:
  www.who.int/ageing/age_friendly_cities/en

IV. Annexes

The EU Treaties at a glance

In 1957 the **Treaty of Rome** establishing the European Economic Community was signed by Belgium, France, Italy, Luxembourg, the Netherlands and West Germany. Following the accession of other countries and several amendments to the Treaty, the EU as we know it today was created.

The **Single European Act** (SEA), entered into force on 1 July 1987, provided for the adaptations required for the achievement of the Internal Market.

The **Treaty on European Union** entered into force on 1 November 1993. 'The Maastricht Treaty changed the name of the European Economic Community to simply "the European Community". It also introduced new forms of co-operation between the Member State governments – for example on defence, and in the area of "justice and home affairs". By adding this inter-governmental co-operation to the existing "Community" system, the Maastricht Treaty created a new structure with three "pillars" which is political as well economic. This is the European Union (EU).

The **Treaty of Amsterdam** entered into force on 1 May 1999. It amended and renumbered the EU and EC Treaties. It also introduced a new article 13 on non discrimination. Consolidated versions of the EU and EC Treaties are attached to it.

The **Treaty of Nice** entered into force on 1 February 2003. It dealt mostly with reforming the institutions so that the Union could function efficiently after its enlargement to 25 Member States.

The **Treaty of Lisbon** entered into force on 1 December 2009. It provides the EU with modern institutions and optimised working methods to tackle both efficiently and effectively today's challenges in today's world.

A summary of the main changes introduced by the Treaty of Lisbon can be found at: www.europa.eu/lisbon_treaty/glance/index_en.htm

The full text of the Lisbon Treaty and consolidated version of the Treaties as amended by the Lisbon treaty can be found at: www.europa.eu/lisbon_treaty/full_text/index_en.htm

Acronyms

AAL	Ambient Assisted Living
AGS	Annual Growth Survey
ANEC	European Consumer Voice in Standardisation
BEUC	European Consumers' Organisation
CDDH	Steering Committee for Human Rights (Council of Europe)
CEN	European Committee for Standardization
CENELEC	European Committee for Electrotechnical Standardization
CIP	Competitiveness and Innovation Framework Programme
CoR	Committee of the Regions
COREPER	Permanent Representatives Committee
DfA	Design for All
DG	Directorate General
EBU	European Blind Union
EC	European Commission
ECHR	European Convention on Human Rights
ECI	European Citizens' Initiative
ECJ	Court of Justice of the European Union
ECR	European Conservatives and Reformists Groups (European Parliament)
EDF	European Disability Forum
EEP	European Centre of Employers and Enterprises providing Public services
EESC	European Economic and Social Committee
EHIC	European Health Insurance Card
EIP AHA	European Innovation Partnership on Active and Healthy Ageing
EIT	European Institute of Technology
EMA	European Medicines Agency
EP	European Parliament
EPC	Employment Policy Committee
EPP	European People's Party (Christian Democrats) (European Parliament)
EPHA	European Public Health Alliance
EPSCO (Council)	Employment, Social Policy, Health and Consumers Affairs
ERA	European Railway Agency
ESF	European Social Fund
ETUC	European Trade Union Confederation
EU	European Union
EUHPF	EU Health Policy Forum
EY2012	European Year 2012
FP7	7th Framework Programme for Research
FSUG	Financial Services User Group
GDP	Growth Domestic Product
GNAFCC	Global Network of Age-friendly Cities and Communities
GNI	Gross National Income
GUE/NGL	European United Letft/Nordic Green (European Parliament)

ICT	Information and Communication Technology
JPE	Joint Employment report
JPI	Joint Programming Initiative
JPND	Joint Programme on Neurodegenerative Diseases
KIC	Knowledge and Innovation Community
LTC	Long-term care
MAFF	Multi-Annual Financial Framework
MEP	Member of the European Parliament
MIPAA	Madrid International Plan of Action on Ageing
NGO	Non Governmental Organisation
NRP	National Reform Programme
NSR	National Social Report
OEWG	Open Ended Working Group on Ageing
OMC	Open Method of Coordination
R&D	Research and Development
S&D	Progressive Alliance of Socialists & Democrats (European Parliament)
SCP	Stability and Convergence Programme
SEA	Single European Act
SIP	Strategic Implementation Plan
SPC	Social Protection Committee
TEU	Treaty of the European Union
TFUE	Treaty on the Functionning of the European Union
TSI PRM	Technical Specification for Interoperability – Persons with reduced mobility
UAPME	European Association of Craft, Small and Medium-sized Enterprises
UN	United Nations
UNCRPD	United Nations Convention on the rights of people with disabilities
UNECE	United Nations Economic Commission for Europe
WHO	World Health Organisation

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