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THE EUROPEAN UNION**



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Employment, Social Policy, Health and Consumer Affairs

Brussels, 6 and 7 December 2012

President

Ms Sotiroula Charalambous

Minister for Labour and Social Insurance of Cyprus

Ms Androulla Agrotou, Minister for Health of Cyprus

P R E S S

Main results of the Council

Employment and social policy:

*The Council discussed a proposal for a directive intended to improve implementation and enforcement of the 1996 directive on the **posting of workers** for the provision of services. Ministers took stock of progress made and held a debate on two key issues of the proposal, in order to give guidance for the continuing work on the proposal.*

*The Council took note of a progress report on the proposal to maintain the **European Globalisation Adjustment Fund**, set up in 2006 for the budgetary period 2007-2013, for the period 2014-2020, whilst extending its scope and introducing a number of other changes.*

*The presidency briefed the Council on the state of play in the negotiations with the European Parliament on the EU **programme for social change and innovation**, which is part of the draft legislative package framing cohesion policy for 2014-2020.*

*Ministers took also stock of the progress of work on the proposal for an **equal treatment** directive aimed at outlawing discrimination on the grounds of religion or belief, disability, age or sexual orientation also in areas outside the labour market.*

*The Council adopted conclusions on combating **violence against women** and a declaration marking the end of the European year for **active ageing** and solidarity between generations (2012).*

*The Council held an exchange of views on economic **governance** in the field of employment and social policy within the framework of the implementation of the **Europe 2020** strategy. The Council generally welcomed the Annual **Growth Survey 2013** presented by the Commission. It also welcomed the Commission's **youth employment package**, which will still need to be discussed in further detail. Moreover, the Council endorsed the December 2012 update of the **Employment Performance Monitor**.*

Health and Consumer Affairs

*The Council agreed a partial general approach on aligning the existing implementing powers enshrined in the five product specific vertical directives (so-called **breakfast-directives**) with the new rules on delegated acts as set out in the Treaty on the Functioning of the EU.*

*The Council took stock of progress made on a draft decision aimed at strengthening EU capacities and structures for effectively responding to serious **cross-border health threats**.*

The Council adopted conclusions on:

- ***organ donation and transplantation;***
- ***healthy ageing across the lifecycle.***

CONTENTS¹

PARTICIPANTS.....	5
--------------------------	----------

ITEMS DEBATED

EMPLOYMENT AND SOCIAL POLICY	8
Posting of workers	8
European Globalisation Adjustment Fund.....	10
Programme for social change and innovation.....	11
Equal treatment	12
Combating violence against women - <i>Council conclusions</i>	13
European year for active ageing and solidarity between generations - <i>Council declaration</i>	14
Europe 2020 governance in the field of employment and social policy	14
HEALTH AND CONSUMER AFFAIRS	16
Breakfast directives.....	16
Cross-border health threats	17
Organ donation and transplantation - <i>Council conclusions</i>	18
Healthy ageing across the lifecycle - <i>Council conclusions</i>	19
ANY OTHER BUSINESS.....	20

OTHER ITEMS APPROVED

SOCIAL POLICY

— Coordination of social security systems with Albania, Montenegro, San Marino and Turkey *	23
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¹

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

HEALTH

- Statistics on public health and health and safety at work 23

AGRICULTURE

- EU imports of poultry meat from Brazil and Thailand - Modification of concessions 24

APPOINTMENTS

- Committee of the Regions 24

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Minister for Employment Relations and Consumer Affairs
Parliamentary Under Secretary of State

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Mr Tonio BORG

Vice-President
Member
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Mr Marijan CESARIK

Ms Irena ANDRASSY

Deputy Prime Minister and Minister for Social Policy and
Youth

Deputy Minister for Health

Deputy Permanent Representative

ITEMS DEBATED

EMPLOYMENT AND SOCIAL POLICY

Posting of workers

The Council discussed a proposed directive intended to improve implementation and enforcement of the 1996 directive on the posting of workers for the provision of services in another member state. Ministers took note of progress made in the ongoing work on the proposal and held a debate on two key issues of the proposal on the basis of a presidency steering note ([16637/12](#)). The intention was to provide a solid basis for the future work under the incoming Irish presidency, thereby paving the way for the Council to reach a general approach on this proposal, which is one of the 12 priority proposals as set out in the Single Market Act.

The aim of the proposed directive is to guarantee the protection of workers' rights, clarify the regulatory framework and ensure fair competition. Such an enforcement directive is necessary because experience has shown that the rules of the 1996 directive are not always properly enforced and that posting is also being abused by letter-box companies artificially established abroad to benefit from lower levels of labour protection or social security obligations.

The debate focused on two key issues with a view to the Council providing guidance for further discussions.

Firstly, under article 9 of the proposal, in order to monitor compliance with the rules, member states may impose **national** administrative requirements and **control measures** on undertakings posting workers. While a group of delegations voiced its support for an exhaustive list of such measures on grounds of transparency and legal certainty, another group advocated an open list in order to give member states more flexibility and to allow them to maintain the current level of national controls.

Secondly, the proposal provides for **joint and several liability** of contractors in respect of sub-contractors for compliance with applicable minimum wages, as far as the construction sector is concerned (article 12). Several delegations would prefer to remove this provision, arguing that only a small number of member states currently have such a system of liability and that its EU-wide introduction could create barriers to the trans-frontier provision of services. A significant number of delegations, however, stressed the importance of having such a system in order to protect workers' rights and fight fraud. Some member states would favour a gradual introduction in order to avoid possible distortions in the internal market for the provision of services, whilst others could accept a provision which would make it optional for each member state to apply a joint and several liability system.

Some member states stressed the need to strike the right balance on these two issues and that compromise solutions should be sought for ensuring the protection of workers' rights while at the same time avoiding hampering the freedom of provision of services and the single market.

The progress report presented by the presidency to the ministers ([16540/1/12 REV 1](#) + [16540/1/12 ADD 1 REV 1](#)) points out that in the discussions held within the Council and its preparatory bodies under the Cyprus presidency, considerable progress has been achieved on various issues of the proposed directive, such as:

- a clearer definition of the notion of "posting" through criteria for assessing the genuineness of posting cases;
- better information of workers and companies concerning their rights and obligations;
- enhanced cooperation between national authorities;
- cross-border enforcement of administrative fines and penalties imposed for non-compliance by introducing a system of mutual assistance and recognition.

However, further work will be needed on some of these issues as well as on a number of other issues, including inspections to be carried out by member states and the provisions on handling of complaints and back-payments.

A first progress report ([10571/12](#)) on the work on this proposal was discussed by the Council at its meeting in June (see press release [11386/12](#), pp. 10-11).

The Commission presented its proposal in March this year ([8040/12](#)). The European Parliament has not yet determined its position on the proposal.

European Globalisation Adjustment Fund

The Council took stock of the state of play on the proposal to maintain the European Globalisation Adjustment Fund (EGF) (set up in 2006 for the budgetary period 2007-2013) for the period 2014-2020, whilst introducing a number of changes, in particular an extension of its scope (progress report: [16035/12](#)).

Under the Commission's proposal ([15440/11](#)), the fund would not only provide support to workers made redundant due to structural changes in world trade patterns, as under the initial regulation, but could also be used in two other cases: redundancies resulting from serious economic disruption caused by an unexpected crisis and difficulties faced by farmers having to adjust or change their activities as a consequence of international agricultural trade agreements. Other changes compared to the 2006 regulation relate to the co-financing rate and to the acceleration and simplification of decision-making on applications for support from the fund.

The discussions held under the Danish and the Cyprus presidencies show that a large number of member states consider the fund to be a very important instrument of solidarity with workers. Many other delegations, though, are critical about different aspects of the proposal:

- Many delegations question the extension of the scope of the fund to farmers as well as the high amount to be reserved for this group. Other delegations could accept such inclusion of farmers if they are treated on the same terms as the other categories of workers, while the Commission's proposal provides for particular procedures and criteria for the support for farmers. In view of these positions, all specific references to farmers have been removed from the articles in the presidency's current draft of the regulation.
- Opinions also diverge on the introduction of a differentiated co-financing rate and the criteria for such differentiation.
- Several delegations oppose any extension of the scope beyond the categories of workers covered by the current regulation, which means that farmers, temporary agency workers, owner-managers of micro, small and medium-sized enterprises and the self-employed would not be covered.
- Finally, several delegations are opposed to the continuation of the fund during the next budgetary period up to 2020.

Discussions on the proposal will continue under the forthcoming Irish presidency.

At its meeting in June, the EPSCO Council had already taken note of a first progress report on the proposal ([10490/12](#) + [COR 1](#)).

Programme for social change and innovation

The presidency briefed the Council about the state of play in the negotiations with the European Parliament on the EU programme for social change and innovation, the adoption of which requires approval by both the Council and the Parliament.

The programme is designed to provide funding in particular for the development and implementation of employment and social policy, for European employment services promoting workers' mobility across Europe, and to facilitate access to finance for micro-entrepreneurs having difficulties in entering the labour market and for social enterprises. It incorporates three existing programmes: Progress, EURES (European employment services) and the European progress microfinance facility, while extending their coverage to social innovation and experimentation and opening access to microfinance to social enterprises. The programme is part of the cohesion policy package for 2014-2020 and is intended to complement the European Social Fund.

In June this year, the Council reached a partial general approach on the draft regulation containing the programme ([10211/1/12 REV 1](#), see also press release [11386/12](#), p. 12). Since then, three informal meetings have been held between the Parliament, the Council and the Commission in order to seek an agreement. The negotiations are based on the Commission's proposal ([15451/11](#)), the Council's partial general approach and draft amendments established by the Parliament's Employment and Social Affairs Committee.

Until now, the negotiations have focused on the microfinance/social entrepreneurship axis and have allowed common ground to be found with the Parliament on this part of the programme, pending an overall agreement on the programme as a whole. As regards the EURES axis and issues relating to the governance of the programme, discussions have recently started and will need to be continued. To deal with these and other outstanding issues, further negotiation meetings will be organised under the Irish presidency.

The budgetary provisions of the programme were not covered by the Council's partial general approach and will be adapted, once the decision on the EU's multi-annual financial framework for the period 2014-2020 is taken.

Equal treatment

The Council took note of a progress report ([16063/12](#)) on the equal treatment directive aimed at outlawing discrimination on the grounds of religion or belief, disability, age or sexual orientation also in areas outside the labour market.

The proposed directive, submitted by the Commission in July 2008 ([11531/08](#)), would prohibit discrimination on the above-mentioned grounds in the following areas: social protection, including social security and health care; social advantages; education; and access to goods and services, including housing.

Under the Cyprus presidency, progress has been made in the attempt to clarify the scope of the directive, in particular as regards access to social protection and to education. However, there is a need for further extensive work on the proposal, and more specifically on the following issues:

- the overall scope of the directive, the division of competences and the issue of subsidiarity;
- the disability provisions, including accessibility and reasonable accommodation for persons with disabilities;
- the implementation calendar;
- the need to ensure legal certainty;
- the overall impact of the proposal, including on SMEs.

Many delegations acknowledge the importance of the proposal, in particular with regard to the rights of persons with disabilities. A number of delegations, however, question the need for this instrument, which they see as encroaching on national competence, or have other concerns, notably as regards legal certainty and the practical, financial and legal impact of the proposal.

At the Council meeting, two delegations suggested that work on this proposal should be abandoned because no solution seemed to be in sight after several years of discussions. Some other delegations, however, stressed that work should continue, in the interest of strengthening anti-discrimination legislation.

Unanimity in the Council would be required in order to reach agreement on this proposal. The European Parliament also has to give its consent.

The proposal complements existing anti-discrimination legislation in the EU (directives 2000/43, 2000/78 and 2004/113).

Combating violence against women - *Council conclusions*

The Council adopted conclusions on combating violence against women, calling for more determined action in providing support services for victims of domestic violence ([17444/12](#)).

The conclusions are aimed at monitoring and contributing to the implementation of the Beijing Platform for Action, which is an international agenda for the empowerment of women, established within the United Nations framework in 1995.

The Council stresses that violence against women is to be condemned as a violation of human rights and cannot be justified by tradition or religion. It emphasises the role of the educational system as well as the need to take into account the role of men in all measures aimed at combating this type of violence.

To step up efforts, the Council calls in particular for comprehensive, multi-disciplinary and adequately funded strategies. Appropriate training for the professionals involved in this field should be ensured, and long-term awareness-raising activities should be carried out and their impact evaluated. Moreover, data collection as well as the registration and handling of complaints should be improved.

Furthermore, the Council recommends considering the possibility of establishing a dedicated European helpline for victims of violence against women and of designating 2015 the European Year on zero tolerance for violence against women.

European year for active ageing and solidarity between generations - *Council declaration*

The Council adopted a declaration marking the end of the European year for active ageing and solidarity between generations (2012) ([17468/12](#)). The declaration reviews the achievements obtained, outlines the challenges ahead and highlights a number of key messages. Its annex contains guiding principles, jointly agreed by the Social Protection Committee and the Employment Committee, for further action in these fields, focusing on employment, participation in society and independent living.

The aim of the European Year 2012 is to highlight older people's contributions to society and economy, improve conditions for older people to lead independent lives and strengthen solidarity between generations.

In its key messages, the Council emphasises the need to ensure participation of older people in society and to make full use of their potential. Cooperation and transmission of knowledge and skills between the generations should be encouraged. Reconciliation of work and family life should be facilitated. Moreover, the Council underscores the importance of integrating the goal of active ageing into all relevant policy areas.

Europe 2020 governance in the field of employment and social policy

The Council held an exchange of views on economic governance in the field of employment and social policy within the framework of the implementation of the Europe 2020 strategy (see presidency steering note [16095/1/12 REV 1](#)).

Ministers' discussions were based in particular on a presentation by the Commission of its **Annual Growth Survey** for 2013 and the Alert Mechanism Report. The Annual Growth Survey 2013 ([16669/12](#)), which also includes the Joint Employment Report ([16669/12 ADD 2](#)) and a macro-economic report ([16669/12 ADD 1](#)), sets out the Commission's views on the budgetary, economic and social priorities for the coming year and launches the start of the 2013 European Semester, the cycle of annual monitoring of economic policies and structural reforms. The Alert Mechanism Report ([16671/12](#)) initiates the macro-economic imbalances procedure designed to identify and correct problematic macro-economic imbalances in the member states.

Ministers generally welcomed the economic package presented by the Commission. They underscored the need to continue action aimed at tackling unemployment and the social consequences of the crisis, and many ministers gave details of the measures being taken in their countries. Youth unemployment was considered an issue of particular urgency; in this respect, a number of member states highlighted the importance of adequate education and training. Other major points made by member states include the need to take into account the characteristics of each member state and to develop financial policies in conjunction with growth policies. Some member states warned that, whilst there is a need to modernise social protection, the crucial role of social protection and social security for society must not be forgotten.

Taking note of the latest employment data, the Council endorsed the December 2012 update of the Employment Committee's six-monthly **Employment Performance Monitor**, which for the first time includes a new benchmarking instrument for labour market targets ([16061/12](#)).

Ministers also welcomed the **youth employment package** presented by the Commission and published the day before the Council meeting. Closer examination of the package will start soon. The package is intended to tackle the difficult economic situation of youth in Europe. It consists of an overall communication under the title "Moving Youth into Employment"; a proposal for a Council recommendation on establishing a youth guarantee; a review of the Youth Opportunities Initiative one year on; and three targeted Commission initiatives. These initiatives include a Commission communication launching a second stage consultation of European social partners on a quality framework for traineeships; the future set-up of a European alliance for apprenticeships; and the launch in the first half of 2013 of a consultation with stakeholders on developing a EURES (European employment services) programme for jobs for young people.

HEALTH AND CONSUMER AFFAIRS

Breakfast directives

The Council agreed a general approach on aligning the Commission implementing powers set out in five product specific directives commonly known as the "breakfast directives" ([16260/12](#) + [COR 1](#) + [COR 2](#)) with article 290 of the Treaty on the Functioning of the EU (TFEU) on delegated acts.

A general approach represents an agreement of the Council pending the adoption of a first-reading position by the European Parliament.

The five breakfast directives concern:

- coffee and chicory extract;
- cocoa and chocolate products;
- sugars;
- fruit jams;
- dehydrated milk.

Article 290 TFEU allows the EU co-legislators (i.e. the Council and Parliament) to delegate to the Commission the power to amend or supplement certain non-essential elements of legislative acts. These acts, known as "delegated acts" cover much the same type of measures as those previously adopted under the "regulatory procedure with scrutiny" introduced by the Council into the "comitology" decision in 2006.

Subject to the conditions laid down in the delegated act, the Council and Parliament may decide to revoke the delegation or object to the delegated act. The specific objectives, content, scope and duration of the delegation of power must be defined in each basic legislative act.

Cross-border health threats

The Council took stock of progress made on a draft decision aimed at strengthening EU capacities and structures for effectively responding to serious cross-border health threats [16570/12](#)).

Serious cross-border health threats can be events caused by communicable diseases, biological agents responsible for non-communicable diseases, as well as threats of chemical, environmental, or unknown origin, including threats of malicious intentional origin. Threats deriving from the effects of climate change (i.e. heat waves, cold spells) would also be included in the scope of the decision.

Under the Cyprus presidency, good progress has been achieved and the draft decision has been amended in line with member states' comments. The changes proposed by the Cyprus presidency ensure notably member states' autonomy in preparedness and response planning as well as the non mandatory character of preparedness planning at European level and give the Health Security Committee a key role in consultations among member states and with the Commission. However, further discussions are needed in order to reach agreement in the Council on the whole proposal. This will enable the incoming Irish presidency to start negotiations with the European Parliament with a view to reaching agreement at first reading.

The objective of the draft decision is to:

- strengthen epidemiological surveillance in the EU and expand the use of the early warning and response system;
- allow joint procurement of medical countermeasures (e.g. vaccines) by several EU member states;
- provide a legal basis for the functioning of the health security committee.

The draft decision is subject to the ordinary legislative procedure, meaning that the European Parliament and the Council have to adopt it together on an equal footing.

Organ donation and transplantation - *Council conclusions*

The Council adopted conclusions on organ donation and transplantation ([16666/12](#) + [COR 1](#)). The conclusions focus on the three main challenges addressed by the action plan: increasing organ availability; enhancing the efficiency and accessibility of transplant systems; and improving quality and safety.

The conclusions welcome the measures taken so far to increase organ availability (such as the development of national programmes to improve performance in the deceased donation process) and recall the importance of encouraging people to commit to becoming organ donors after death. They also invite the member states to pursue their efforts to increase the availability of organs, for example by creating transparent mechanisms for reimbursing living donors for the costs incurred and, if applicable, for compensating the loss of income in direct relation to the living donation procedure.

As regards the efficiency and accessibility of transplant systems, the conclusions welcome the establishment of bilateral and multilateral agreements between member states to exchange organs and recall that organ trafficking violates fundamental human rights and has a negative impact on public trust and citizens' willingness to donate organs.

Concerning the quality and safety of transplantation, the conclusions recall the need to improve knowledge on health outcomes in transplanted patients and invite member states to share their national procedures for authorisation of procurement organisations and transplantation centres, as well as their expertise on the transplantation of organs from "expanded criteria donors" such as older donors in order to increase the number of available organs.

Organ transplantation is considered to be the most cost-effective treatment for end-stage renal failure and is the only available treatment for end-stage failure of organs such as the liver, lung and heart.

Organ donation and transplantation is a priority for the Cyprus presidency and was discussed at the informal ministerial meeting which took place in Nicosia on 10-11 July 2012.

Healthy ageing across the lifecycle - *Council conclusions*

The Council also adopted conclusions on healthy ageing across the lifecycle ([16665/12](#)). The conclusions, which build on a conference on this subject organised by the presidency in September, call for efforts to foster health promotion, disease prevention and early diagnosis.

More specifically, the conclusions acknowledge that innovative approaches in health promotion and disease prevention could help elderly people to remain independent longer and improve their quality of life. They underline that good health among working age people contributes to higher productivity and other benefits for citizens and society to meet the goals of the EU2020 strategy for smart, sustainable and inclusive growth. The conclusions call upon the member states to make the issue of healthy ageing across the lifecycle one of their priorities for the coming years and to adopt an approach that shifts the focus towards health promotion, disease prevention and early diagnosis. The Commission is invited to contribute to the development of policies towards health promoting activities, and together with the member states it is called upon to promote strategies for combating risk factors, such as tobacco use, alcohol related harm, illicit drugs, unhealthy diet and lack of physical activity as well as environmental factors. Notably, the member states welcome a new EU alcohol strategy.

ANY OTHER BUSINESS

The Council took note of the following information provided:

Employment and Social Policy

Supplementary pension rights of mobile workers

The presidency briefed ministers on the state of play on a proposal for a directive aimed at improving the acquisition and preservation of supplementary pension rights with a view to enhancing worker mobility (Commission proposal: [13857/07](#)). The Cyprus presidency resumed work on this proposal, which had been interrupted for some years. The renewed discussions focused in particular on the issue of the legal basis.

EU fund for the most deprived

The presidency also briefed ministers on the state of play on a proposal for a regulation establishing a fund for European aid to the most deprived for the next budgetary period up to 2020 (Commission proposal: [15865/12](#)). The new instrument is designed to distribute food and other non-financial assistance to the most needy in our societies. Discussions in the Council's preparatory bodies have just started.

Conferences in the field of employment and social policy

The Council was informed about conferences organised under the Cyprus presidency in the field of employment and social policy. For more details on these conferences, see [17045/12](#).

Work programme of the incoming presidency

The incoming Irish presidency presented its work programme in the field of employment and social policy, the overall priority of which will be growth and job opportunities.

Work will be continued on legislative proposals regarding workers' mobility, namely the proposals on the posting of workers, the protection of migrant workers and supplementary pension rights of mobile workers.

Tackling youth unemployment will be a high priority, in particular the issue of youth guarantees.

Another major task will be the European Semester exercise, during which the incoming presidency will endeavour to put to good use the lessons learned from the last year.

Moreover, work will start on the proposed fund for European aid to the most deprived, and discussions will continue on the European Globalisation Adjustment Fund.

Health and Consumer Affairs

Health for growth programme 2014-2020

The Cyprus presidency informed the Council on the state of play in the negotiations on the third EU programme in the field of health 2014-2020 ([17027/12](#)).

Transparency of pricing of medicinal products

The Cyprus presidency informed the Council on the state of play in the negotiations on a draft directive relating to the transparency of measures regulating to the pricing of medicinal products for human use and their inclusion within the scope of national health insurance systems ([16555/12](#)).

Medical devices

The Commission gave brief information about the main improvements of the EU legislative framework for medical devices intended through the recently presented two draft regulations on medical devices. The proposed regulations will replace the directives currently in force. Over lunch, ministers discussed the implementation of the joint action plan launched in February to tighten the control and increase market surveillance of medical devices (following the PIP crisis).

Food intended for vulnerable people

The Cyprus presidency informed the Council on the agreement reached with the European Parliament on a draft regulation concerning foods considered essential for certain vulnerable people such as babies and young children ([17033/12](#)).

The draft regulation will now have to be formally adopted by the Council and the European Parliament.

The draft regulation seeks to clarify the legal framework relating to these foods by avoiding the overlap between the specific legislation applicable to such foods and the legislation applicable to normal food. It further aims at closing legal loopholes under the existing system and ensuring that the EU rules on such foods are applied in the same manner in all member states. It thereby contributes to providing legal clarity in the interests of both consumers and producers, and to preventing distortions in the internal market.

EU framework on salt reduction

The Commission informed the Council on its survey on implementation of the EU framework on salt reduction by member states ([17035/12](#)).

Patients' rights in cross-border healthcare

The Commission informed the Council on the transposition of directive 2011/24/EU on patients' rights in cross-border healthcare ([17037/12](#)).

WHO framework convention on tobacco control

The Cyprus presidency and the Commission informed the Council on the 5th session of the conference of the parties to the WHO framework convention on tobacco control (FCTC CoP5) ([17038/12](#)).

Working party on public health at senior level

The Cyprus presidency informed the Council on the meeting of the working party on public health at senior level on 28 September 2012 ([15014/12](#)).

Asbestos health threats

The Italian delegation drew the Council's attention to asbestos health threats and suggested adopting a common EU strategy to address this issue ([17009/12](#)).

Conferences under Cyprus presidency

The Cyprus presidency informed the Council on the conferences organised under its auspices ([17018/12](#)).

Work programme of the forthcoming presidency

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

OTHER ITEMS APPROVED**SOCIAL POLICY****Coordination of social security systems with Albania, Montenegro, San Marino and Turkey ***

The Council adopted the position to be taken by the EU on provisions for the coordination of social security systems provided for by the association agreements or similar agreements between the EU and Albania, Montenegro, San Marino and Turkey ([14795/12](#), [14796/12](#), [14797/12](#), [14798/12](#); statements: [16123/12](#) and [16127/12](#)). These provisions, which are to be adopted by the joint association bodies with the four non-EU countries, will give effect to the principles of limited coordination of social security systems contained in the agreements. The aim is to ensure that workers from the partner countries can receive certain social security benefits granted under the legislation of the member state in which they are working or have worked. By way of reciprocity, this also applies to EU nationals working in those countries.

For more details, see the press release on the October EPSCO Council ([14408/12](#), pp. 10-11) at which a political agreement had already been reached, pending legal and linguistic checks on the draft texts.

HEALTH**Statistics on public health and health and safety at work**

The Council decided not to oppose the adoption by the Commission of a regulation implementing regulation 1338/2008 on EU statistics on public health and health and safety at work, as regards statistics based on the European Health Interview Survey ([15220/12](#)).

The Commission regulation is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

AGRICULTURE

EU imports of poultry meat from Brazil and Thailand - Modification of concessions

The Council adopted a decision on the conclusion of agreements in form of exchanges of letters on the modification of concessions with respect to processed poultry meat between the EU and Brazil, and between the EU and Thailand pursuant to Article XXVIII of the General Agreement on Tariffs and Trade 1994 (GATT 1994) ([7883/12](#); [7884/12](#); [7885/12](#)).

Negotiations under Article XXVIII of GATT 1994 concluded on poultry in 2007 and covered tariff lines on poultry meat as well as some types of processed poultry. Subsequent import data showed a dramatic import surge of processed poultry meat under a tariff line not part of these negotiations, exporters seeming to take advantage of a relative gap in the EU protection. In order to comprehensively address these substitution effects affecting the EU poultry industry, the Commission requested from the Council the authorisation to renegotiate the concessions on poultry meat with Brazil and Thailand. The negotiations have resulted in agreements in the form of exchanges of letters initialled with Thailand on 22 November 2011 and with Brazil on 7 December 2011.

APPOINTMENTS

Committee of the Regions

The Council appointed Ms Anke SPOORENDONK (Germany) as member of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015 ([16702/12](#)).
