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REPORT

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to:	Council (EPSCO)
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Subject:	Proposal for a Decision of the European parliament and of the Council on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work - <i>General approach</i>

I. INTRODUCTION

On 10 April 2014, the Council received the Commission's proposal on establishing a European Platform to enhance cooperation in the prevention and deterrence of undeclared work. On 19 June 2014, the Hellenic Presidency presented a progress report to the EPSCO Council. During the Italian Presidency, the Social Questions Working Party continued the work on the draft Directive in two meetings.

The main open issues described in the progress report of June 2014 (doc. 10871/14) had been solved and the contribution of the Legal Service was examined.

On 24 September the Committee of Permanent Representatives examined the text set out in document ST 13297/14 ADD 1 and found that the necessary support for a general agreement had been found. The text of the general approach is explained in more detail in Section II.

The European Parliament has now started its work and its position can be expected at a later stage. The European Economic and Social Committee adopted its opinion on 10 September 2014. The Council has consulted the Committee of Regions¹. The Council also consulted the European Data Protection Supervisor, whose letter on the proposal was received on 30 July 2014 by the Council.

UK maintains a general scrutiny reservation on the proposal. FR and UK maintain parliamentary scrutiny reservations.

The text of the draft Decision can be found in the Addendum.

II. THE COUNCIL'S GENERAL APPROACH

The general approach set out in the Annex follows the Commission's proposal on the mandatory participation of all Member States in the Platform and a non-exhaustive list of initiatives the Platform can carry out. At the same time, the draft Decision ensures that the Member States remain competent to decide on their level of involvement in the Platform's initiatives. Member States also decide what measures to take at national level to give effect to the outcomes of these initiatives, depending on their own priorities and needs in the prevention and deterrence of undeclared work.

¹ The Committee of Regions is expected to adopt its opinion during the plenary session of 7-8 October 2014.

However, in the absence of the European Parliament's opinion, the Commission maintains its original proposal. It has also expressed a specific reservation on recital 11a(new) of the Council's general approach as it considers that the effective functioning of the Platform could be at risk, if (too many) Member States' involvement in the Platform's initiatives were low or inexistent. While some delegations share this concern, many other delegations stressed that all Member States are supporting the aims of the Platform.

III. CONCLUSION

The Council is invited to agree on a general approach set in the Addendum and to give the Presidency a mandate to enter into informal trilogue negotiations with a view to reaching a first reading agreement.
