



AER Response
European Commission Communication
“Implementing the Community Lisbon Programme:
Social services of general interest in the European Union”
COM (2006) 177 final

Adopted at the plenary session in Timisoara, Timis-RO (29th September 2006)

Background

The European Commission has published a Communication on Social Services of General Interest (SGI) in follow-up to the White Paper on Services of General Interest (2004), which also aims to partly respond to the concerns raised during the debate on the proposed Directive on Services in the internal market (Services Directive) and the exclusion of social services from the scope of this Directive.

The objectives of this Communication are to map how social SGI are organised, provided and financed across Member States and to improve legal clarity in cases where a conflict between the general interest concerns and the European internal market rules may arise.

Proposed AER Response

1. The Assembly of European Regions (AER) welcomes the European Commission Communication entitled “Implementing the Community Lisbon Programme: Social services of general interest in the EU”. The Regions are convinced that social services are a key ingredient for the achievement of the Lisbon Strategy for economic growth and employment, as they create the security, stability and coherence required in order to develop regional economies and increase competitiveness.
2. The AER acknowledges and emphasises the need to provide coherence between the rules governing social services of general interest (SGI) and the internal market, in light of the changes the social service sector has undergone in recent years. The Regions have played a key role in the modernisation of social services, in light of their competences in organising, providing and financing social services, and they should continue to be able to do so, in accordance with the principle of subsidiarity.
3. However, the AER stresses that the EC internal market rules are not a sufficient legal framework for social SGI, because at present they do not cater for the specific features and general interest objectives of social services. The Regions are not convinced that the application of internal market rules will enhance transparency, efficiency and effectiveness of social services of general interest. On the contrary, the regions are concerned that if no sufficient allowance for their special features is made, the internal market rules, especially those relating to competition and state, may constitute an obstacle in cases where the provision of social services has no competitive advantage, in clear market terms, for example in remote or rural areas.

4. The AER member regions therefore repeat their position that social SGI should not constitute a mere exemption to the EC internal market rules, nor should they be aligned to the concept of services of general economic interest (SGEI). Social services of general interest require a separate, independent European legal framework, which is complementary to, and not subjected to, the EC internal market rules.
5. The AER is therefore in favour of the Commission's intention to continue monitoring the organisation, provision and financing of social SGI across the European regions and states. The Regions are ready to contribute to the European consultations to be carried out in this context, by providing their knowledge and experience in these fields.