



## Amendments of the European Network on Independent Living - ENIL

To the Proposal for a COUNCIL RECOMMENDATION on developing social economy framework conditions  
(2023/0179 NLE)

The European Union and all its Member States are state party to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) Due to this commitment, all EU policies and initiatives on disability must be aligned with the UNCRPD. To be in line with the UNCRPD, the standards developed by the Committee on the Rights of Persons with Disabilities (CRPD Committee) need to be fully incorporated. These standards involve the General Comments, especially General Comment no 5 and the Guidelines on Deinstitutionalisation, including in emergencies. Through the amendments suggested in this document, the European Network on Independent Living makes concrete proposals on how to incorporate the mentioned standards and achieve UNCRPD alignment.

### Amendment 1

#### Recital 7

#### *Text proposed by the European Commission*

(7) Social economy entities often strive to create economic opportunities that promote social inclusion and the integration of disadvantaged groups, including people with disabilities and people with mental health issues, into the labour market. Work integration social enterprises are a type of social enterprise that focus on helping these groups of people integrate in society and in work by providing jobs at various skills levels with inclusive and flexible working conditions. For example, providing linguistic support to migrant workers and adapted tasks and working environments for people with disabilities can offer them a route out of poverty and social exclusion. These job opportunities can serve as stepping stones to other sectors of the labour market, helping to overcome barriers to employment for the long-term unemployed and other people experiencing difficulties in accessing the job market.

#### *Amendments proposed by ENIL*

(7) Social economy entities often strive to create economic opportunities that promote social inclusion and the integration of disadvantaged groups, including people with disabilities and people with mental health issues, into the labour market. Work integration social enterprises are a type of social enterprise that focus on helping these groups of people integrate in society and in work by providing jobs at various skills levels with inclusive and flexible working conditions. For example, providing linguistic support to migrant workers and adapted tasks and working environments for people with disabilities can offer them a route out of poverty and social exclusion. These job opportunities can serve as stepping stones to other sectors of the labour market, helping to overcome barriers to employment for the long-term unemployed and other people experiencing difficulties in accessing the job market. ***Policies related to the employment of disabled people must respect Article 27 of the United Nations Convention on the Rights of Persons with Disabilities and General Comment No. 8 on the right of persons with disabilities to work and employment. When hiring a disabled person to do a job, social economy entities must respect the principle***



	<p><b><i>“equal opportunities and equal remuneration for work of equal value”. Disabled employees receive the same payment and working conditions as a non-disabled worker in a comparable position. All employment of disabled people must take place on the regular labour market. Social economy entities must not maintain jobs which segregate disabled people from the regular labour market. Sheltered workshops must be dismantled.</i></b></p>
--	---

**Explanation:** There is overwhelming evidence that segregated forms of employment like sheltered workshops are counterproductive to the objective of integrating disabled people into the labour market. Employment policies must support the integration into the labour market because it is their right according to article 27 of the UN CRPD. Segregated forms of employment trap disabled people in a state of dependence and poverty. Only regular employment leads to self-determination and an adequate standard of living.

**Amendment 2**

**Recital 8**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p>(8) New social businesses can be a powerful vehicle for job creation and positive social change. Social economy can provide opportunities for some underrepresented groups, such as women and young people to enter the labour market or set up social businesses. According to the Global Entrepreneurship Monitor, an estimated 55% of the world’s social entrepreneurs are men and 45% are women, while in general selfemployment women are outnumbered by two-to-one by men. According to a recent Eurobarometer on young people’s attitudes to social entrepreneurship, young people value the importance of social and environmental goals and participatory leadership. Member States could consider ways to minimise disincentives for potential entrepreneurs, such as ensuring they maintain access to proper social safety protection. Some Member States have reduced social security contributions as an incentive for social economy entities to hire staff. Ensuring there is an enabling framework for business transfers to employees to form worker cooperatives can also be a way to ensure continuation of small and family businesses and to avoid job losses, for instance in case of restructuring.</p>	<p>(8) New social businesses can be a powerful vehicle for job creation and positive social change. Social economy can provide opportunities for some underrepresented groups, such as women and young people to enter the labour market or set up social businesses. According to the Global Entrepreneurship Monitor, an estimated 55% of the world’s social entrepreneurs are men and 45% are women, while in general selfemployment women are outnumbered by two-to-one by men. According to a recent Eurobarometer on young people’s attitudes to social entrepreneurship, young people value the importance of social and environmental goals and participatory leadership. <b><i>Disabled people need to be offered support in becoming social entrepreneurs and starting their own social enterprises or other social economy entities. Such support should entail the provision of accessible information on social entrepreneurship and access to business services, markets infrastructure and technology, occupational health and safety, financial services, mentorship and networking.</i></b> Member States could consider ways to minimise disincentives for potential entrepreneurs, such as ensuring they maintain access to proper social safety protection. Some Member States have reduced social security contributions as an incentive for social economy entities to hire staff. Ensuring there is</p>



	an enabling framework for business transfers to employees to form worker cooperatives can also be a way to ensure continuation of small and family businesses and to avoid job losses, for instance in case of restructuring.
--	---

**Explanation:** General Comment No. 8 of the CRPD formulates measures to support the entrepreneurship of disabled people.

**Amendment 3**

**Recital 9**

<i>Text proposed by the Commission</i>	<i>Amendments proposed by ENIL</i>
<p>(9) Social economy entities also promote the inclusion of young people, particularly young people not in employment, education or training. They provide training and skills development programmes and apprenticeships referred to in the Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships, and employment opportunities. They therefore contribute to the goals set by the Youth Guarantee referred to in Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee<sup>55</sup> and the Council Recommendation of 16 June 2022 on a European approach to micro-credentials for lifelong learning and employability<sup>56</sup>. Union funding such as the EN 17 EN European Social Fund Plus programme established by Regulation (EU) 2021/105757 can support social economy entities in this role. To this end, successful collaborative initiatives between public employment services and social economy entities have taken place in Member States. Under these initiatives, social economy entities play an important role in identifying people in need of assistance and in developing tailored plans to help them achieve social and occupational integration, including training and work opportunities.</p>	<p>(9) Social economy entities also promote the inclusion of young people, particularly young people not in employment, education or training. They provide training and skills development programmes and apprenticeships referred to in the Council Recommendation of 15 March 2018 on a European Framework for Quality and Effective Apprenticeships, and employment opportunities. <b><i>Any type of training, skills development programme and apprenticeship needs to guarantee the full inclusion of young disabled people. Applicants must not be rejected on the grounds of disability or impairment. Reasonable accommodations have to be provided, accessibility requirements have to be respected. Reasonable accommodations and modifications to guarantee accessibility have to be implemented depending on the needs of young disabled people pursuing any training, skills development programme or apprenticeship. The principle of “equal opportunities and equal remuneration for work of equal value” has to be respected. Affirmative actions should be implemented by providers. Unionisation and workers councils should be actively supported.</i></b> They therefore contribute to the goals set by the Youth Guarantee referred to in Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee<sup>55</sup> and the Council Recommendation of 16 June 2022 on a European approach to micro-credentials for lifelong learning and employability<sup>56</sup>. Union funding such as the EN 17 EN European Social Fund Plus programme established by Regulation (EU) 2021/105757 can support social economy entities in this role. To this</p>



	end, successful collaborative initiatives between public employment services and social economy entities have taken place in Member States. Under these initiatives, social economy entities play an important role in identifying people in need of assistance and in developing tailored plans to help them achieve social and occupational integration, including training and work opportunities.
--	---

**Explanation:** General Comment No. 8 of the CRPD formulates measures to support access to vocational training of disabled people.

**Amendment 4**

**Recital (10)**

<i>Text proposed by the Commission</i>	<i>Amendments proposed by ENIL</i>
<p>(10) Social economy entities can promote fair working conditions by involving employees in their governance and decision-making. Promoting social dialogue and collective bargaining in the social economy, can improve the working conditions of employees. Member States can foster and build on this aspect of the social economy and make use of its know-how by involving social economy entities in the design and implementation of active labour market policies .</p>	<p>(10) Social economy entities can promote fair working conditions by involving employees in their governance and decision-making. <b><i>The European Union and the Member States should support the creation of social economy entities which operate as disabled people’s organisations. Measures should comprise support for Personal Assistance User Cooperatives and Centres for Independent Living. Disabled people’s organisations, Personal Assistance User Cooperatives and Centres for Independent Living need to be owned and run by disabled people.</i></b> Promoting social dialogue and collective bargaining in the social economy, can improve the working conditions of employees. Member States can foster and build on this aspect of the social economy and make use of its know-how by involving social economy entities in the design and implementation of active labour market policies .</p>

**Explanation:** Disabled people’s organisations, Personal Assistance User Cooperatives and Centres for Independent Living are significantly more effective in providing disability support services than entities run by non-disabled people.

**Amendment 5**

**Recital (11)**

<i>Text proposed by the Commission</i>	<i>Amendments proposed by ENIL</i>



(11) The social economy contributes to the Union of Equality by promoting the social inclusion of disadvantaged and underrepresented groups through the provision of social and care services (including child-care, health care and long-term care), social housing and support for children and young people with special needs. They help reduce inequalities, such as the gender employment gap, both by directly employing a large proportion of women and by providing care services that enable caregivers, the majority of whom are women, to join the labour market. As an important partner for the public sector, the social economy can make a valuable contribution to the design and delivery of residential, home and community-based care services. Through partnership initiatives, public authorities and social economy entities can provide highquality, accessible and affordable care services.

(11) The social economy contributes to the Union of Equality by promoting the social inclusion of disadvantaged and underrepresented groups through the provision of social and care services (including child-care, health care and long-term care), social housing and support for children and young people with special needs. They help reduce inequalities, such as the gender employment gap, both by directly employing a large proportion of women and by providing care services that enable caregivers, the majority of whom are women, to join the labour market. As an important partner for the public sector, the social economy can make a valuable contribution to the design and delivery of residential, home and community-based care services. **Community-based services for disabled must entail personal assistance and peer support. Personal Assistance is defined as a one-on-one service based on the needs, wishes and authority of the disabled person. One or more personal assistants accompany the disabled person for as many hours of the day as needed and desired and perform almost any task the disabled person requests. The disabled person needs to be able to choose her or his support person(s). Peer support is defined as the the help and support that people with lived experiences are able to give to another individual in a similar situation.” It can refer to “support provided by someone using personal assistance (PA-user) to another person using a PA. Or to somebody who has lived in an institution in the past to other people still living institutions. This support my be social, emotional practical.** partnership initiatives, public authorities and social economy entities can provide highquality, accessible and affordable care services. **Social and care services for disabled people must not entail elements of an institution, such as obligatory sharing of assistants with others, not or limited influence as to who provides the assistante, isolation and segregation from independent life in the community, lack of control over day to day decisions, lack of choice for the individuals concerned over with whom they live, rigidity of routine irrespective of personal will and preferences, identical activities in the same place for a group of individuals under a certain authority, paternalistic approach in services provision, supervision of living arrangements, a disproportionate numer of persons with disabilities in the same environment, the packaging of housing and support by the same provider.**

**Explanation:** Article 19 of the UN CRPD obliges state parties to end institutional care for disabled people.



General Comment No. 5 of the CRPD and the Guidelines on Deinstitutionalisation, including in emergencies introduce and elaborate the various types of community-based services. An extensive description of the criteria necessary of personal assistance services, can be found in the ENIL Proposal to the European Commission Guidance to Member States on Independent Living.

**Amendment 6**

(12)

***Text proposed by the Commission***

(12) Vocational education and training systems play a crucial role in equipping people with the skills needed for the workplace, for personal development and for citizenship. They also help ensure a skilled workforce that can contribute towards a fair twin green and digital transition. Social economy entities provide job opportunities, on-the-job training, and work-based learning programmes tailored to the needs of individuals and the local economy. They have the potential to help roll out individual learning accounts referred to in Council Recommendation of 16 June 2022 on Individual Learning Accounts . Therefore, they can contribute to achieving a skilled and adaptable workforce able to respond to changes in the labour market, potentially easing job-to-job transition and alleviating labour shortages, therefore contributing to overall economic growth. The Member States can tap this potential when building skills intelligence, facilitating training, and designing education curricula.

***Amendments proposed by ENIL***

(12) Vocational education and training systems play a crucial role in equipping people with the skills needed for the workplace, for personal development and for citizenship. They also help ensure a skilled workforce that can contribute towards a fair twin green and digital transition. Social economy entities provide job opportunities, on-the-job training, and work-based learning programmes tailored to the needs of individuals and the local economy. ***Non-discriminatory access to vocational education and training systems, job-opportunities, on-the-job trainings and work-based learning programmes provided by Social Economy entities, has to be guaranteed for disabled people. Applicants must not be rejected on the grounds of disability or impairment. Reasonable accommodations have to be provided, accessibility requirements have to be respected. Reasonable accommodations and modifications to guarantee accessibility have to be implemented depending on the needs of young disabled people pursuing any training, skills development programme or apprenticeship. The principle of “equal opportunities and equal remuneration for work of equal value” has to be respected. Affirmative actions should be implemented by providers. Unionisation and workers councils should be actively supported.*** They have the potential to help roll out individual learning accounts referred to in Council Recommendation of 16 June 2022 on Individual Learning Accounts . Therefore, they can contribute to achieving a skilled and adaptable workforce able to respond to changes in the labour market, potentially easing job-to-job transition and alleviating labour shortages, therefore contributing to overall economic growth. The Member States can tap this potential when building skills intelligence, facilitating training, and designing education curricula.

See explanation to amendment 1.

**Amendment 7**

6)



<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p>(13) The challenges posed by the twin transition and demographic change need to be tackled at regional and local levels to achieve economic, social and territorial cohesion. Social economy entities generally operate in a bottom-up way, close to communities, citizens, and the problems they face, often acting as social innovators and finding solutions that can be scaled up and/or replicated and that contribute to systemic social change. For example, the social economy could offer upskilling opportunities to low-skilled workers from sectors that are undergoing major changes and provide affordable basic goods to low-income groups. In remote and rural areas with fewer employment and educational offers, social economy entities can provide much-needed opportunities, rendering these regions more attractive. Developing the EU's social economy ecosystems therefore contributes to alleviating the consequences of ageing, depopulation, and other demographic trends, and to promoting local economic and industrial development, notably in rural and remote areas and in the EU's outermost regions, such as in agriculture, organic food production, and in the blue economy.</p>	<p>(13) The challenges posed by the twin transition and demographic change need to be tackled at regional and local levels to achieve economic, social and territorial cohesion. Social economy entities generally operate in a bottom-up way, close to communities, citizens, and the problems they face, often acting as social innovators and finding solutions that can be scaled up and/or replicated and that contribute to systemic social change. For example, the social economy could offer upskilling opportunities to low-skilled workers from sectors that are undergoing major changes and provide affordable basic goods to low-income groups. <b><i>The non-discriminatory access of disabled people to upskilling opportunities needs to be guaranteed. Applicants must not be rejected on the grounds of disability or impairment. Reasonable accommodations have to be provided, accessibility requirements have to be respected. Reasonable accommodations and modifications to guarantee accessibility have to be implemented depending on the needs of young disabled people pursuing any training, skills development programme or apprenticeship. The principle of "equal opportunities and equal remuneration for work of equal value" has to be respected. Affirmative actions should be implemented by providers. Unionisation and workers councils should be actively supported.</i></b> In remote and rural areas with fewer employment and educational offers, social economy entities can provide much-needed opportunities, rendering these regions more attractive. Developing the EU's social economy ecosystems therefore contributes to alleviating the consequences of ageing, depopulation, and other demographic trends, and to promoting local economic and industrial development, notably in rural and remote areas and in the EU's outermost regions, such as in agriculture, organic food production, and in the blue economy.</p>

See explanation to amendment 1.

**Amendment 8**

**(15)**



***Text proposed by the Commission***

(15) To enable the social economy to fulfil its potential in supporting labour market access, social inclusion, skills development, territorial cohesion and sustainable economic development, it needs an enabling framework. Since the social economy is influenced by horizontal and sectoral policies and provisions, an enabling framework needs to factor in the specific features of the social economy and the additional barriers that social economy entities face in their development that limit their scope to operate alongside mainstream businesses. Social economy entities do not seek to maximise efficiency gains and profits but to create positive societal outcomes. They need support measures and favourable financial, administrative and legal environments that take account of the specific features of their business models in terms of governance, profit allocation, working conditions and impact. These measures enable them to, for example, employ workers that are less productive or provide social services at accessible prices. Comprehensive strategies are needed to set enabling frameworks. This may involve adopting regulatory measures or implementing or adjusting policies and initiatives to support the social economy's contributions to social and environmental goals and enhance their economic and industrial value. These strategies should track progress and measure the effectiveness of initiatives, make adjustments and improvements as needed, and ultimately result in more efficient and impactful outcomes from the sector. Strategies may need to be adopted at different levels of government (national, regional and local) depending on the institutional organisation and context in each Member State. Regions and other subnational levels could adopt social economy strategies that are clearly linked to regional development objectives and priorities, maximising the mutual benefits.

***Amendments proposed by ENIL***

(15) To enable the social economy to fulfil its potential in supporting labour market access, social inclusion, skills development, territorial cohesion and sustainable economic development, it needs an enabling framework. Since the social economy is influenced by horizontal and sectoral policies and provisions, an enabling framework needs to factor in the specific features of the social economy and the additional barriers that social economy entities face in their development that limit their scope to operate alongside mainstream businesses. Social economy entities do not seek to maximise efficiency gains and profits but to create positive societal outcomes. They need support measures and favourable financial, administrative and legal environments that take account of the specific features of their business models in terms of governance, profit allocation, working conditions and impact. ***Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from supportive measures or favourable financial, administrative and legal environments. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to supportive measures and favourable framework conditions.*** These measures enable them to, for example, employ workers that are less productive or provide social services at accessible prices. Comprehensive strategies are needed to set enabling frameworks. This may involve adopting regulatory measures or implementing or adjusting policies and initiatives to support the social economy's contributions to social and environmental goals and enhance their economic and industrial value. These strategies should track progress and measure the effectiveness of initiatives, make adjustments and improvements as needed, and ultimately result in more efficient and impactful outcomes from the sector. Strategies may need to be adopted at different levels of government (national, regional and local) depending on the institutional organisation and context in each Member State. Regions and other subnational levels could





	adopt social economy strategies that are clearly linked to regional development objectives and priorities, maximising the mutual benefits.
--	--

**Explanation:** General Comment No. 5 of the CRPD states that state parties must cease all support to institutions. General Comment No. 8 states that State Parties have to cease support to sheltered workshops.

**Amendment 9**

**Recital (16)**

<i><b>Text proposed by the Commission</b></i>	<i><b>Amendments proposed by ENIL</b></i>
<p>(16) It is essential to involve social economy stakeholders for the successful development and implementation of social economy strategies. Several Member States have already set up high-level groups that foster dialogue between public authorities and social economy entities . Social economy representative networks can also be a platform for collective action, they can facilitate collaboration and information sharing, and create opportunities for capacity building and peer learning.</p>	<p>(16) It is essential to involve social economy stakeholders for the successful development and implementation of social economy strategies. Several Member States have already set up high-level groups that foster dialogue between public authorities and social economy entities . Social economy representative networks can also be a platform for collective action, they can facilitate collaboration and information sharing, and create opportunities for capacity building and peer learning. <b><i>Disabled people and their representative organisations have to be involved in co-producing all decision affecting them. When strategies affecting disabled people are decided upon, disabled people, public authorities and social economy entities shall form a tripartite triangle, where each partner has equal say.</i></b></p>

Explanation: Public authorities and social economy representatives commonly dialogue about services for disabled people and agree on policies without the involvement of disabled people. Co-production whereby citizens and decision makers share power to design, plan and deliver policies together, is vital for the functioning of services for disabled people. According to the UN CRPD, disabled people have the right co-produce all policies and measures affecting them.

**Amendment 10**

**(17)**

<i><b>Text proposed by the Commission</b></i>	<i><b>Amendments proposed by ENIL</b></i>
<p>(17) Public financial support plays an important role in enabling the start-up and development of social economy entities. In general, social economy entities have greater difficulties in accessing financial resources than other enterprises. For instance, despite some improvements, an analysis of social enterprise</p>	<p>(17) Public financial support plays an important role in enabling the start-up and development of social economy entities. In general, social economy entities have greater difficulties in accessing financial resources than other enterprises. For instance, despite some improvements, an analysis of social enterprise</p>



<p>finance markets has revealed a persistent mismatch between supply and demand for finance for social enterprises in Europe, in terms of access to debt and equity. Since social economy entities aim to generate positive social and/or environmental impacts and can only distribute profits to their funders and owners to a limited extent, if at all, they are generally not well suited for investors that seek significant financial returns. The support measures available to tackle this issue tend to be patchy and differ considerably in their effectiveness. Measures vary from grants and subsidies to consultancy and capacity-building services and are often provided by incubators. There is therefore still ample room for improvement in providing tailored funding for different stages of the life cycle of a social economy entity, and further support to mobilise private funding and other complementary measures to improve access to funding for social economy entities could be helpful. One such approach involves providing the choice for individual savers or employees who participate in employerfunded retirement or savings plans with the option to select a savings plan that invests a portion of their savings into a social enterprise.</p>	<p>finance markets has revealed a persistent mismatch between supply and demand for finance for social enterprises in Europe, in terms of access to debt and equity. Since social economy entities aim to generate positive social and/or environmental impacts and can only distribute profits to their funders and owners to a limited extent, if at all, they are generally not well suited for investors that seek significant financial returns. The support measures available to tackle this issue tend to be patchy and differ considerably in their effectiveness. Measures vary from grants and subsidies to consultancy and capacity-building services and are often provided by incubators. There is therefore still ample room for improvement in providing tailored funding for different stages of the life cycle of a social economy entity, and further support to mobilise private funding and other complementary measures to improve access to funding for social economy entities could be helpful. One such approach involves providing the choice for individual savers or employees who participate in employerfunded retirement or savings plans with the option to select a savings plan that invests a portion of their savings into a social enterprise. <b><i>Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from access to tailored funding, private funding and complementary measures. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to tailored funding, private funding and complementary measures.</i></b></p>
--	--

**Explanation:** General Comment No. 5 of the CRPD, the Guidelines on Deinstitutionalisation, including in emergencies, state that state parties must cease all financial support to institutions. General Comment No. 8 states that State Parties have to cease support to sheltered workshops.

**Amendment 11**

**(18)**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p>(18) The Union provides many funding opportunities to support the social economy. The European Social Fund Plus, the European Regional Development Fund established by Regulation (EU) 2021/1058 , the</p>	<p>(18) The Union provides many funding opportunities to support the social economy. The European Social Fund Plus, the European Regional Development Fund established by Regulation (EU) 2021/1058 , the</p>



<p>Just Transition Fund established by Regulation (EU) 2021/1056 , the European Agricultural Fund for Rural Development established by Regulation (EU) No 1305/2013 , the single market programme established by Regulation (EU) 2021/690 , the InvestEU programme established by Regulation (EU) 2021/523 , and, where relevant, the Recovery and Resilience Facility established by Regulation (EU) 2021/241 , all provide funding. The Union also provides advisory support through the fi-compass platform to design financial instruments under Cohesion Policy Funds. Member States, including regional and local authorities, could make better use of these opportunities by adopting specific measures for the social economy. Technical support is another Union instrument available to improve the capacity of Member States to design and implement policies to strengthen the social economy.</p>	<p>Just Transition Fund established by Regulation (EU) 2021/1056 , the European Agricultural Fund for Rural Development established by Regulation (EU) No 1305/2013 , the single market programme established by Regulation (EU) 2021/690 , the InvestEU programme established by Regulation (EU) 2021/523 , and, where relevant, the Recovery and Resilience Facility established by Regulation (EU) 2021/241 , all provide funding. <b>Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from access to EU funding. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to EU funding.</b>The Union also provides advisory support through the fi-compass platform to design financial instruments under Cohesion Policy Funds. Member States, including regional and local authorities, could make better use of these opportunities by adopting specific measures for the social economy. Technical support is another Union instrument available to improve the capacity of Member States to design and implement policies to strengthen the social economy.</p>
---	---

Explanation: General Comment No. 5 of the CRPD, the Guidelines on Deinstitutionalisation, including in emergencies, state that state parties must cease all financial support to institutions. General Comment No. 8 states that State Parties have to cease support to sheltered workshops. The EU is still heavily investing in segregating settings. An own initiative inquiry by the European Ombudsman into how the European Commission monitors EU Structural and Investment Funds to ensure they are used to promote the right of persons with disabilities to independent living and inclusion in the community (OI/2/2021/MHZ) which concluded “that the Commission could provide clearer guidance about the need to promote deinstitutionalisation in the context of the use of ESI funds. She also considered that the Commission could take steps to improve the monitoring of ESI-funded activities, and that it should take a more proactive approach to enforcement, particularly where concerns are raised that ESI-funded activities are at odds with the obligation to promote deinstitutionalization.

**Amendment 12**

**15) new**

<b>Text proposed by the Commission</b>	<b>Amendments proposed by ENIL</b>
<p>(19) Providing goods and services and working with both public authorities and mainstream businesses is critical for the development of the social economy, for generating revenue and to help social</p>	<p>(19) Providing goods and services and working with both public authorities and mainstream businesses is critical for the development of the social economy, for generating revenue and to help social</p>



<p>economy entities become financially self-sufficient. Thanks to the scope for flexibility under the Union public procurement rules, contracting authorities can use public procurement in a more strategic manner by setting innovative, green and social criteria, ultimately contributing to a more sustainable, inclusive and competitive economy. However, most tenders are still awarded solely on the basis of price. Since social economy entities aim to provide societal and collective benefits rather than to provide services at the lowest price, they struggle to compete in regular public procurement processes, despite the fact that they can provide broader added value to the procurement process. There is also room to increase the capacity of social economy entities to do business, including through a more systematic integration into mainstream business value chains and partnering with them to bid jointly for public procurement and create new market opportunities.</p>	<p>economy entities become financially self-sufficient. Thanks to the scope for flexibility under the Union public procurement rules, contracting authorities can use public procurement in a more strategic manner by setting innovative, green and social criteria, ultimately contributing to a more sustainable, inclusive and competitive economy. <b><i>Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from access to public procurement. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to to public procurement and benefit from preferential access conditions.</i></b> However, most tenders are still awarded solely on the basis of price. Since social economy entities aim to provide societal and collective benefits rather than to provide services at the lowest price, they struggle to compete in regular public procurement processes, despite the fact that they can provide broader added value to the procurement process. There is also room to increase the capacity of social economy entities to do business, including through a more systematic integration into mainstream business value chains and partnering with them to bid jointly for public procurement and create new market opportunities.</p>
--	---

**Explanation:** General Comment No. 5 of the CRPD, the Guidelines on Deinstitutionalisation, including in emergencies, state that state parties must cease all financial support to institutions. General Comment No. 8 states that State Parties have to cease support to sheltered workshops.

**Amendment 13**

**Recital 20**

<i>Text proposed by the Commission</i>	<i>Amendments proposed by ENIL</i>
<p>(20) Public authorities often do not make the most of the current scope under State aid rules to support the social economy, where the market alone is unable to achieve satisfactory access to the labour market and social inclusion, limiting themselves to measures under the general de minimis threshold and not using the option to establish measures under Commission Regulation (EU) No 651/2014 (the General Block Exemption Regulation) such as regional aid, risk-finance</p>	<p>(20) Public authorities often do not make the most of the current scope under State aid rules to support the social economy, where the market alone is unable to achieve satisfactory access to the labour market and social inclusion, limiting themselves to measures under the general de minimis threshold and not using the option to establish measures under Commission Regulation (EU) No 651/2014 (the General Block Exemption Regulation) such as regional aid, risk-finance</p>



<p>aid, and aid to recruit disadvantaged workers. With regards to de minimis aid, it is currently limited to EUR 200,000 over three years, but the current rules will expire on 31 December 2023 and are in the process of being revised. Union rules governing services of general economic interest also offer scope to authorise State aid, but public authorities often do not make full use of these options, particularly for social services in the field of work integration of vulnerable persons.</p>	<p>aid, and aid to recruit disadvantaged workers. With regards to de minimis aid, it is currently limited to EUR 200,000 over three years, but the current rules will expire on 31 December 2023 and are in the process of being revised. Union rules governing services of general economic interest also offer scope to authorise State aid, but public authorities often do not make full use of these options, particularly for social services in the field of work integration of vulnerable persons.</p> <p><b><i>Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from access to state aid. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to state aid and benefit from preferential access conditions.</i></b></p>
---	--

**Explanation:** General Comment No. 5 of the CRPD, the Guidelines on Deinstitutionalisation, including in emergencies, state that state parties must cease all financial support to institutions. General Comment No. 8 states that State Parties have to cease support to sheltered workshops.

**Amendment 14**

**Recital 21**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p>(21) Taxation policy can also have a significant role in fostering the social economy and ensuring that social economy entities can afford to operate alongside mainstream businesses, creating a more equitable business environment while contributing to social inclusion and improved access to employment. Few Member States have established a consistent taxation framework that encourages the development of the sector, including tax incentives tailored to the needs of the social economy, while recognising its diversity and preventing fragmentation. Setting well-designed tax incentives for donations to public-benefit social economy entities can stimulate their financing, also across Union borders in line with the Treaty principle of nondiscrimination. Administrative barriers remain in several Member States regarding public-benefit donations across Member States borders, and a lack of transparency on the documents needed to qualify for public-benefit status. Issuing standardised forms of the recipient entity established in another Member State could lessen the administrative barriers. As a first step, Member States could provide</p>	<p>(21) Taxation policy can also have a significant role in fostering the social economy and ensuring that social economy entities can afford to operate alongside mainstream businesses, creating a more equitable business environment while contributing to social inclusion and improved access to employment. Few Member States have established a consistent taxation framework that encourages the development of the sector, including tax incentives tailored to the needs of the social economy, while recognising its diversity and preventing fragmentation. Setting well-designed tax incentives for donations to public-benefit social economy entities can stimulate their financing, also across Union borders in line with the Treaty principle of nondiscrimination. Administrative barriers remain in several Member States regarding public-benefit donations across Member States borders, and a lack of transparency on the documents needed to qualify for public-benefit status. Issuing standardised forms of the recipient entity established in another Member State could lessen the administrative</p>



<p>translations of the national forms in the languages used by other Member States. As a second step, Member States could explore developing standard forms on direct tax for cross-border donations.</p>	<p>barriers. As a first step, Member States could provide translations of the national forms in the languages used by other Member States. As a second step, Member States could explore developing standard forms on direct tax for cross-border donations. <b>Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from tax incentives. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to tax incentives.</b></p>
---	---

**Explanation:** General Comment No. 5 of the CRPD, the Guidelines on Deinstitutionalisation, including in emergencies, state that state parties must cease all financial support to institutions. General Comment No. 8 states that State Parties have to cease support to sheltered workshops.

**Amendment 15**

**Recital (22)**

<p align="center"><i>Text proposed by the Commission</i></p>	<p align="center"><i>Amendments proposed by ENIL</i></p>
<p>(22) Social impact measurement and management processes are particularly important for social economy entities as they enable them to understand and communicate their impact and access impact-driven funding. Social impact measurement involves using metrics and tools to gauge the social impact of a particular intervention or initiative. Social impact management involves building the systems, processes and capabilities that an organisation needs to proactively manage and increase its impact. But the wide range of frameworks and tools available can be a challenge, particularly for entities with fewer resources. Monitoring the social outcomes of public investments enables public scrutiny, can support the rationale for using taxpayer money to support social economy entities or activities, and can help to prevent ‘impact washing’ (overstating or falsely claiming impact). Social impact measurement and management approaches that are well-considered, proportionate and adapted to the needs of individual entities could be helpful in this regard. They should be based on standard methods and indicators, as well as on factors such as size, stage of development, and diversity of entities.</p>	<p>(22) Social impact measurement and management processes are particularly important for social economy entities as they enable them to understand and communicate their impact and access impact-driven funding. Social impact measurement involves using metrics and tools to gauge the social impact of a particular intervention or initiative. Social impact management involves building the systems, processes and capabilities that an organisation needs to proactively manage and increase its impact. But the wide range of frameworks and tools available can be a challenge, particularly for entities with fewer resources. Monitoring the social outcomes of public investments enables public scrutiny, can support the rationale for using taxpayer money to support social economy entities or activities, and can help to prevent ‘impact washing’ (overstating or falsely claiming impact). Social impact measurement and management approaches that are well-considered, proportionate and adapted to the needs of individual entities could be helpful in this regard. They should be based on standard methods and indicators, as well as on factors such as size, stage of development, and diversity of entities. <b>Social impact measurement and management approaches shall involve the damages caused by institutional and segregating disability services both to the individual and society. They shall also involve community-based services for</b></p>



	<b><i>disabled people and how to increase effectiveness and under which conditions they benefit society and the individual the most.</i></b>
--	--

**Explanation:** To date social impact measurement and management do not concern themselves with disability services. Since we need the information, this needs to change.

**Amendment 16**

**Recital (23)**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p>(23) The visibility and recognition of the social economy at national and regional levels in the Union has improved over the last decade. However, the potential of the sector in many Union countries remains untapped. A lack of coordination and exchange across countries perpetuates the differences in the development of the social economy, therefore there is a clear opportunity for Member States to gain by learning and sharing best practices. There is also limited awareness among the general public about the social economy and the positive contributions it makes. This can hinder the development of support policies and market opportunities for the social economy. Regulating while ensuring new legislation meets the needs of social economy entities can raise awareness and give them greater legitimacy, facilitating access to finance and markets. National public authorities and stakeholders have launched several initiatives, such as specific legal forms, labels and statuses for the social economy, and largescale communication campaigns, to increase understanding and visibility of the social economy. Other successful reforms include the creation of specific ministerial units for the social economy and enhanced dialogue between stakeholders and public authorities. Boosting the visibility of the social economy is crucial to fully recognise its positive impact on society, as emphasised in the social economy action plan with the launch of a social economy gateway.</p>	<p>(23) The visibility and recognition of the social economy at national and regional levels in the Union has improved over the last decade. However, the potential of the sector in many Union countries remains untapped. A lack of coordination and exchange across countries perpetuates the differences in the development of the social economy, therefore there is a clear opportunity for Member States to gain by learning and sharing best practices. <b><i>Mutual learning and best practice sharing shall involve approaches to removing barriers for the equal access of disabled people to all areas of life, processes of deinstitutionalization and expansion of community-based services.</i></b> There is also limited awareness among the general public about the social economy and the positive contributions it makes. This can hinder the development of support policies and market opportunities for the social economy. Regulating while ensuring new legislation meets the needs of social economy entities can raise awareness and give them greater legitimacy, facilitating access to finance and markets. National public authorities and stakeholders have launched several initiatives, such as specific legal forms, labels and statuses for the social economy, and largescale communication campaigns, to increase understanding and visibility of the social economy. Other successful reforms include the creation of specific ministerial units for the social economy and enhanced dialogue between stakeholders and public authorities. Boosting the visibility of the social economy is crucial to fully recognise its positive impact on society, as emphasised in the social economy action plan with the launch of a social economy gateway. <b><i>The EU and Member State authorities shall engage in comprehensive campaigns to raise</i></b></p>



	<i>awareness on the importance of community-based services for disabled people and deinstitutionalization.</i>
--	--

**Explanation:**

**Amendment 17**

**Recital (24)**

<i>Text proposed by the Commission</i>	<i>Amendments proposed by ENIL</i>
<p>(24) Having accurate data and statistics is key to improving understanding of social economy business models and making evidence-based policy decisions. However, there is a shortage of reliable data on the social economy, including data on its economic added value and performance. Existing data is often incomplete and difficult to compare. For instance, only a few Member States have expanded their national accounting systems to collect supplementary data (such as in satellite accounts) on the social economy, despite financial support available under the Union budget. The social economy is usually not included in structural business statistics, for instance when the statistics are built on economic data generated by for-profit businesses and traditional social economy entities are only included in residual categories. By making available essential statistics on the size, workforce, development and challenges of the social economy, the strategies and measures put in place would be more efficient and adjusted to the different situations in the sector.</p>	<p>(24) Having accurate data and statistics is key to improving understanding of social economy business models and making evidence-based policy decisions. However, there is a shortage of reliable data on the social economy, including data on its economic added value and performance. <b><i>There is a shortage of data on community-based services for disabled people, especially personal assistance and peer support. There is also a shortage of data on institutions, sheltered workshops and other segregating settings.</i></b> Existing data is often incomplete and difficult to compare. For instance, only a few Member States have expanded their national accounting systems to collect supplementary data (such as in satellite accounts) on the social economy, despite financial support available under the Union budget. The social economy is usually not included in structural business statistics, for instance when the statistics are built on economic data generated by for-profit businesses and traditional social economy entities are only included in residual categories. By making available essential statistics on the size, workforce, development and challenges of the social economy, the strategies and measures put in place would be more efficient and adjusted to the different situations in the sector. The EU and member states shall make available data on <b><i>community-based services for disabled people, especially personal assistance and peer support, institutions and deinstitutionalization.</i></b></p>

**Explanation:** To improve service provision, we need better data.

**Amendment 18**

<i>Text proposed by the Commission</i>	<i>Amendments proposed by ENIL</i>
OBJECTIVE	OBJECTIVE





<p>1. In line with the principles of the European Pillar of Social Rights, the aim of this Recommendation is to foster access to the labour market and social inclusion by guiding Member States on promoting enabling policy and regulatory frameworks for the social economy and/or measures that facilitate its development.</p> <p>To achieve these objectives, Member States are recommended to work together with stakeholders to acknowledge, support and build on the contributions made by the social economy.</p> <p>2. This Recommendation seeks to support the implementation of the European Pillar of Social Rights action plan and to help achieve the three Union headline targets for employment, skills, and poverty reduction by 2030.</p>	<p>1. In line with the principles of the European Pillar of Social Rights, <b><i>the European Strategy on the Rights of Persons with Disabilities and the United Nations Convention on the Rights of Persons with disabilities</i></b> the aim of this Recommendation is to foster access to the labour market and social inclusion <b><i>for all people, including disabled people</i></b> by guiding Member States on promoting enabling policy and regulatory frameworks for the social economy and/or measures that facilitate its development.</p> <p>To achieve these objectives, Member States are recommended to work together with stakeholders to acknowledge, support and build on the contributions made by the social economy.</p> <p>2. This Recommendation seeks to support the implementation of the European Pillar of Social Rights action plan <b><i>and the European Strategy on the Rights of Persons with Disabilities action plan</i></b> and to help achieve the three Union headline targets for employment, skills, and poverty reduction by 2030.</p> <p><b><i>3. This Recommendation seeks to support the implementation of the United Nations Convention on the Rights of Persons with Disabilities both at the EU and Member State Level.</i></b></p>
---	---

**Explanation:** The Social Economy has a key role when it comes to providing services to people

**Amendment 19**

**Article 4**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendment</i></b>
<p>4. For the purpose of this Recommendation, the following definitions apply:</p> <p>(a) ‘social economy’ means private entities, independent of public authorities, providing goods and services to their members or to society, encompassing cooperatives, mutual benefit societies, associations (including charities), foundations and social enterprises that operate in accordance with the following key principles and features:</p> <ul style="list-style-type: none"> <li>• the primacy of people as well as social and/or environmental purpose over profit;</li> </ul>	<p>For the purpose of this Recommendation, the following definitions apply:</p> <p>(a) ‘social economy’ means private entities, independent of public authorities, providing goods and services to their members or to society, encompassing cooperatives, mutual benefit societies, associations (including charities), foundations and social enterprises, <b><i>Personal Assistance User Cooperatives, Centres for Independent Living and Disabled People’s organisations</i></b> that operate in accordance with the following key principles and features:</p> <ul style="list-style-type: none"> <li>• the primacy of people as well as social and/or</li> </ul>



<ul style="list-style-type: none"> <li>• the reinvestment of most of the profits and surpluses to further pursue their social and/or environmental purposes and carry out activities in the interest of members/users ('collective interest') and/or society at large ('general interest'); and</li> <li>• democratic and/or participatory governance.</li> </ul> <p>(b) 'social enterprise' means an entity that provides goods and services for the market in an entrepreneurial way and in accordance with the principles and features of the social economy, having social and/or environmental objectives as the reason for its commercial activity.</p>	<p>environmental purpose over profit;</p> <ul style="list-style-type: none"> <li>• the reinvestment of most of the profits and surpluses to further pursue their social and/or environmental purposes and carry out activities in the interest of members/users ('collective interest') and/or society at large ('general interest'); and</li> <li>• democratic and/or participatory governance.</li> </ul> <p><b><i>Personal Assistance User Cooperatives, Centres for Independent Living and Disabled People's organisations must be owned and run by disabled people.</i></b></p> <p>(b) 'social enterprise' means an entity that provides goods and services for the market in an entrepreneurial way and in accordance with the principles and features of the social economy, having social and/or environmental objectives as the reason for its commercial activity.</p> <p>(c) <b><i>Personal Assistance refers to is defined as a one-on-one service based on the needs, wishes and authority of the disabled person. One or more personal assistants accompany the disabled person for as many hours of the day as needed and desired and perform almost any task the disabled person requests. The disabled person <u>needs to be able</u> to choose her or his support person(s).</i></b></p> <p>(d) <b><i>Peer support is defined as the the help and support that people with lived experiences are able to give to another individual in a similar situation." It can refer to "support provided by someone using personal assistance (PA-user) to another person using a PA. Or to somebody who has lived in an institution in the past to other people still living institutions. This support my be social, emotional practical.</i></b></p> <p>(e) <b><i>Centres for Independent Living (CIL) and Personal Assistance User Cooperatives are cross-disability organisations owned, controlled and run by their members and with a mission to promote social inclusion and mainstreaming of disabilities in all public policies. CILs should focus on personal assistance, peer support and building inclusive communities, information and training</i></b></p>
---	--



*activities for both disabled and non-disabled people, policy research from the perspective of the UN CRPD and legal representation for disabled people who want to live independently but have no opportunities to do so. Co-operatives may help disabled owners administer their direct payments, recruit and train personal assistants, as well as deal with other employment or financial issues linked to running a personal assistant scheme.*

*(f) Institutions refer to settings which entail the obligatory sharing of assistants with others, no or limited influence as to who provides the assistance; Isolation and segregation from independent life in the community; Lack of control over day-to-day decisions; Lack of choice for the individuals concerned over with whom they live; Rigidity of routine irrespective of personal will and preferences; identical activities in the same place for a group of individuals under a certain authority; A paternalistic approach in service provision; Supervision of living arrangements; A disproportionate number of persons with disabilities in the same environment. Provision of housing and support in one package by the same service provider (CRPD 2022, para 16). Institutionalisation typically occurs in facilities such as: social care institutions, psychiatric institutions, long-stay hospitals, nursing homes, secure dementia wards, special boarding schools, rehabilitation centres other than community-based, half-way homes, group homes, family-type homes for children, sheltered or protected living homes, forensic psychiatric settings, transit homes, albinism hostels, leprosy colonies and other congregate settings. Mental health settings where a person can be deprived of their liberty for purposes such as observation, "care" or "treatment" and/or preventive detention are by definition a form of institutionalization.*

*(g) Deinstitutionalisation is defined as a political and a social process, which provides for the shift from institutional care and other isolating and segregating settings to independent living. It includes an end to substitute decision-making, including guardianship, and to forced treatment (including in the community). Effective deinstitutionalisation occurs when a person placed in an institution is given the opportunity to become, or to resume being a full citizen and to take control of his/her life (if necessary, with support). Essential to the process of deinstitutionalisation is the provision of affordable and accessible housing in the community, access to public services, personal*



	<p><b>assistance, and peer support. Deinstitutionalisation is also about preventing institutionalisation in the future; ensuring that children are able to grow up with their families and alongside neighbours and friends in the community, instead of being segregated in institutional care.</b></p> <p><b>(h) Independent living is the daily demonstration of human rights-based disability policies. Independent living is possible through the combination of various environmental and individual factors that allow disabled people to have control over their own lives. This includes the opportunity to make real choices and decisions regarding where to live, with whom to live and how to live. Services must be available, accessible to all and provided on the basis of equal opportunity, free and informed consent and allowing disabled people flexibility in our daily life. Independent living requires that the built environment, transport and information are accessible, that there is availability of technical aids, access to personal assistance and other community-based services. It is necessary to point out that independent living is for all disabled persons, regardless of the gender, age and the level of their support needs.</b></p> <p><b>(i) Community-based services consist of disability specific services such as personal assistance and peer support as well as mainstream services disabled people have to have access to such as housing, education, transportation, healthcare and other services</b></p>
--	--

**Explanation: These definitions are necessary so that the terminology used for disability is understood.**

**Amendment 20**

**Article 5**

<b>Text proposed by the Commission</b>	<b>Amendments proposed by ENIL</b>
<p>FOSTERING ACCESS TO THE LABOUR MARKET AND SOCIAL INCLUSION THROUGH THE SOCIAL ECONOMY</p> <p>Access to the labour market</p> <p>5. Member States are recommended to acknowledge and support the specific added value of the social economy by easing access to the labour</p>	<p>FOSTERING ACCESS TO THE LABOUR MARKET AND SOCIAL INCLUSION THROUGH THE SOCIAL ECONOMY</p> <p>Access to the labour market</p> <p>5. Member States are recommended to acknowledge and support the specific added value of the social economy by easing access to the labour</p>



market and promoting quality jobs for all, while also enhancing fair working conditions. This should be done within the framework of inclusive growth, as highlighted in the Guidelines for the employment policies of the Member States, in particular by:

- (a) establishing or encouraging partnership initiatives that involve social economy entities in the design and implementation of active labour market policies;
- (b) ensuring public authorities provide sufficient support to social economy entities with a view to better integrating into the labour market women, disadvantaged and underrepresented groups (such as the long-term unemployed, people suffering from mental ill-health, the inactive, the lowskilled, people with disabilities, people with a migrant, minority racial or ethnic background (including Roma), young and older people) through:
  - i. work integration social enterprises that provide employment and tailored support to such groups;
  - ii. action to help these groups of people prepare for employment through working experience in social enterprises for their integration in the open labour market.
- (c) supporting collaborative projects between public employment services, local authorities, social economy entities and mainstream businesses to offer tailored career guidance and learning and training opportunities to young people not in education, employment, or training (NEETs). These opportunities can include apprenticeships, professional immersion programmes, personal coaching and meetings with role models, and aim to facilitate integration in the labour market, in line with the Reinforced Youth Guarantee;

market and promoting quality jobs for all, while also enhancing fair working conditions. This should be done within the framework of inclusive growth, as highlighted in the Guidelines for the employment policies of the Member States **and as far as disabled people are concerned within the framework of Article 27 of the United Nations Covention on the Rights of Persons with Disabilities and CRPD General Comment No. 8 on the right of persons with disabilities to work and employment** in particular by:

- (a) establishing or encouraging partnership initiatives that involve social economy entities in the design and implementation of active labour market policies;
- (b) ensuring public authorities provide sufficient support to social economy entities with a view to better integrating into the labour market women, disadvantaged and underrepresented groups (such as the long-term unemployed, people suffering from mental ill-health, the inactive, the lowskilled, people with disabilities, people with a migrant, minority racial or ethnic background (including Roma), young and older people) through:
  - i. work integration social enterprises that provide employment and tailored support to such groups;
  - ii. action to help these groups of people prepare for employment through working experience in social enterprises for their integration in the open labour market.
- (c) supporting collaborative projects between public employment services, local authorities, social economy entities and mainstream businesses, **including disabled people's organisations, Centres for Independent Living and Personal Assistance User Cooperatives** to offer tailored career guidance and learning and training opportunities to young people not in education, employment, or training (NEETs). These opportunities can include apprenticeships, professional immersion programmes, personal coaching and meetings with role models, and aim to facilitate integration in the labour market, in line with the Reinforced Youth Guarantee;



<p>(d) promoting social entrepreneurship as a means to foster self-employment and other forms of employment, develop economic activity locally and tackle social and environmental challenges through innovative and inclusive business models; whereas to achieve this, Member States can, for instance:</p> <p>i. ensure that social entrepreneurs have access to social protection;</p> <p>ii. consider reducing social security contributions to hire new employees;</p> <p>iii. identify, assess and address potential administrative disadvantages or barriers to starting a social business.</p> <p>(e) designing policies and adopting measures that promote and mainstream gender equality in the social economy, for example by:</p> <p>i. challenging discriminatory social norms and stereotypes about women's and men's skills, and the undervaluation of women's work;</p> <p>ii. providing tailored support to empower women by reducing gender gaps in employment and pay and ensuring equal leadership;</p> <p>iii. providing access to coaching and mentoring programmes for women aspiring to be social entrepreneurs and leaders.</p> <p>(f) ensuring an enabling framework for business transfers to employees to form worker cooperatives to avoid job losses and safeguard economic activity;</p> <p>(g) collaborating with social economy entities to</p>	<p>(d) promoting social entrepreneurship as a means to foster self-employment and other forms of employment, develop economic activity locally and tackle social and environmental challenges through innovative and inclusive business models; <b>Disabled people need to be offered targeted support in becoming social entrepreneurs and starting their own social enterprises or other social economy entities.</b> whereas to achieve this, Member States can, for instance: <b>Such s</b></p> <p>i. ensure that social entrepreneurs have access to social protection;</p> <p>ii. consider reducing social security contributions to hire new employees;</p> <p>iii. identify, assess and address potential administrative disadvantages or barriers to starting a social business.</p> <p><b>iv. Support to disabled people should entail the provision of accessible information on social entrepreneurship and access to business services, markets infrastrukte and technology, occupational health and safety, financial services, mentorship and networking.</b></p> <p>(e) designing policies and adopting measures that promote and mainstream gender equality in the social economy, for example by:</p> <p>i. challenging discriminatory social norms and stereotypes about women's and men's skills, and the undervaluation of women's work;</p> <p>ii. providing tailored support to empower women by reducing gender gaps in employment and pay and ensuring equal leadership;</p> <p>iii. providing access to coaching and mentoring programmes for women aspiring to be social entrepreneurs and leaders.</p> <p>(f) ensuring an enabling framework for business transfers to employees to form worker cooperatives to avoid job losses and safeguard economic activity;</p>
---	---



<p>enable more people with disabilities to join the labour market, for example by developing assistive technologies;</p> <p>(h) promoting social dialogue and collective bargaining in the social economy to ensure that workers have fair working conditions, including fair wages, respecting the autonomy of social partners.</p>	<p>(g) collaborating with social economy entities, <b><i>including disabled people’s organisations, Centres for Independent Living and Personal Assistance User Cooperatives</i></b>, to enable more people with disabilities to join the labour market, for example by developing assistive technologies; <b><i>Ensure that social economy entities which hire disabled people or run programmes to integrate disabled people into the labour market respect the principle “equal opportunities and equal remuneration for work of equal value”. Disabled employees receive the same payment and working conditions as a non-disabled worker in a comparable position. All employment of disabled people must take place on the regular labour market. Social economy entities must not maintain jobs which segregate disabled people from the regular labour market. Sheltered workshops must be dismantled. The non-discriminatory access of disabled people to job opportunities and labour market integration programs has to be respected. Applicants must not be rejected on the grounds of disability or impairment. Reasonable accommodations have to be provided, accessibility requirements have to be respected. Reasonable accommodations and modifications to guarantee accessibility have to be implemented depending on the needs of disabled people applying to or working at the entity or applying to or working in a labour market integration programme. Affirmative actions should be implemented by providers. Unionisation and workers councils should be actively supported.</i></b></p> <p>(h) promoting social dialogue and collective bargaining in the social economy to ensure that workers have fair working conditions, including fair wages, respecting the autonomy of social partners.</p>
--	---

**Amendment 22**

**Article 6**

<p align="center"><b><i>Text proposed by the Commission</i></b></p>	<p align="center"><b><i>Amendments proposed by ENIL</i></b></p>
<p>(6) Member States are recommended to acknowledge and support the role of the social economy in providing accessible and high-quality social</p>	<p>(6) Member States are recommended to acknowledge and support the role of the social economy in provid-</p>



<p>and care services and housing, particularly for disadvantaged groups, alongside publicly available social services. For example, this could include:</p> <p>(a) collaborating with social economy entities within their respective areas of action when establishing and providing services of general interest;</p> <p>(b) involving social economy entities in the design and delivery of people-centred social and care services, as emphasised by the European care strategy;</p> <p>(c) working together with social economy entities to design and deliver care and support for children and young people, including children from disadvantaged groups, in line with the European Child Guarantee established by Council Recommendation (EU) 2021/1004 and the Union strategy on the rights of the child .</p>	<p>ing accessible and high-quality social and care services and housing, particularly for disadvantaged groups, alongside publicly available social services. Member State are recommended to ensure that <b>social and care services for disabled people must not entail elements of institutionalization or segregation, services for disabled people must be community-based and involve personal assistance and peer support.</b> For example, this could include:</p> <p>(a) collaborating with social economy entities within their respective areas of action when establishing and providing services of general interest;</p> <p>(b) involving social economy entities in the design and delivery of people-centred social and care services, as emphasised by the European care strategy; <b>services for disabled people should be delivered primarily by Centers for Independent Living or Personal Assistance User Cooperatives and have to be co-produced with disabled people and work according to the human rights model of disability.</b></p> <p>(c) working together with social economy entities to design and deliver care and support for children and young people, including children from disadvantaged groups, <b>including disabled children and young people</b>, in line with the European Child Guarantee established by Council Recommendation (EU) 2021/1004 and the Union strategy on the rights of the child.</p>
--	--

**Explanation:**

**Amendment 23**

**Article 7**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p>7. Member States are recommended to support training and skills development for the social economy, in particular by:</p> <p>(a) drawing on existing skills intelligence tracking the needs of the economy and the mainstream labour market to understand how the social economy can</p>	<p>7. Member States are recommended to support training and skills development for the social economy, in particular by:</p> <p>(a) drawing on existing skills intelligence tracking the needs of the economy and the mainstream labour market to understand how the social economy can</p>





<p>contribute to the supply of a skilled labour force and mitigate labour shortages; (b) facilitating training and skills in the social economy by:</p> <p>i. running learning exchanges between social economy entities, training organisations and mainstream companies, with the aim of improving management, entrepreneurial, and job-related skills needed for the digital and green transitions (including circular, repair, and digital skills);</p> <p>ii. reskilling and upskilling lifelong learners, including disadvantaged groups of people, and helping them transition to the open labour market, in line with the European approach to micro-credentials for life-long learning and employability;</p> <p>iii. including training on or provided by the social economy in the list of training eligible to be covered by the individual learning accounts .</p> <p>(c) creating specific apprenticeship schemes in social economy that support young people, particularly people not in employment, education or training, to upskill and prepare them for the labour market and enable the social economy to develop talent in the sector, in line with the European Framework for Quality and Effective Apprenticeships;</p> <p>(d) fostering the inclusion of social economy and social entrepreneurship skills in education and training at all levels of education, especially in entrepreneurship and business courses, and providing access to coaching and mentoring programmes for social economy entities and social entrepreneurs;</p> <p>(e) creating national competence centres for training on the social economy and taking part in transnational initiatives that facilitate access to specialist education and training programmes for the social economy, for example through cooperation with vocational education and training providers working within the framework of established bodies, such as the Centres of Vocational Excellence referred to in Council Recommendation of 24 November 2020 on vocational education and training for sustainable competitiveness, social fairness and resilience .</p>	<p>contribute to the supply of a skilled labour force and mitigate labour shortages;</p> <p>(b) facilitating training and skills in the social economy by:</p> <p>i. running learning exchanges between social economy entities, training organisations and mainstream companies, with the aim of improving management, entrepreneurial, and job-related skills needed for the digital and green transitions (including circular, repair, and digital skills); <b>when the provision of services for disabled people is affected, ensuring that such learning exchanges involve disabled people's organisations, Centres for Independent Living and Personal Assistance User Cooperatives and cover topics such as the human rights model of disability and Independent Living.</b></p> <p>ii. reskilling and upskilling lifelong learners, including disadvantaged groups of people, and helping them transition to the open labour market, in line with the European approach to micro-credentials for life-long learning and employability;</p> <p>iii. including training on or provided by the social economy in the list of training eligible to be covered by the individual learning accounts .</p> <p>(c) creating specific apprenticeship schemes in social economy that support young people, particularly people not in employment, education or training, to upskill and prepare them for the labour market and enable the social economy to develop talent in the sector, in line with the European Framework for Quality and Effective Apprenticeships;</p> <p><b>(d) Ensuring that reskilling and upskilling programmes as well as specific apprenticeship schemes guarantee the non-discriminatory access of disabled people. Applicants must not be rejected on the grounds of disability or impairment. Reasonable accommodations have to be provided, accessibility requirements have to be respected. Reasonable accommodations and modifications to guarantee accessibility have to be implemented depending on the needs of disabled people apply to or working at the entity or</b></p>
---	---



	<p><b><i>applying to or working in a labour market integration programme. Affirmative actions should be implemented by providers</i></b></p> <p>(e) fostering the inclusion of social economy and social entrepreneurship skills in education and training at all levels of education, especially in entrepreneurship and business courses, and providing access to coaching and mentoring programmes for social economy entities and social entrepreneurs;</p> <p>(e) creating national competence centres for training on the social economy and taking part in transnational initiatives that facilitate access to specialist education and training programmes for the social economy, for example through cooperation with vocational education and training providers working within the framework of established bodies, such as the Centres of Vocational Excellence referred to in Council Recommendation of 24 November 2020 on vocational education and training for sustainable competitiveness, social fairness and resilience.</p>
--	--

**Explanation:**

**Amendment 24**

**Article 8**

<b><i>Text proposed by the Commission</i></b>	<b><i>Amendments proposed by ENIL</i></b>
<p><b>Social innovation, sustainable economic development and territorial cohesion</b></p> <p>8. Member States are recommended to strengthen the support role played by social economy entities in promoting social innovation and key sectors of local development and employment. This can be achieved by:</p> <p>(a) promoting a favourable ecosystem for social and place-based innovation by facilitating cooperation and partnership initiatives between social and circular economy entities, mainstream businesses, finance providers, local governments and other stakeholders. For instance, this can be done by:</p> <p>i. creating or fostering social innovation hubs or clusters of social and ecological innovation designed to meet local needs and test joint solutions;</p>	<p><b>Social innovation, sustainable economic development and territorial cohesion</b></p> <p>8. Member States are recommended to strengthen the support role played by social economy entities in promoting social innovation and key sectors of local development and employment. This can be achieved by:</p> <p>(a) promoting a favourable ecosystem for social and place-based innovation by facilitating cooperation and partnership initiatives between social and circular economy entities, mainstream businesses, finance providers, local governments and other stakeholders. For instance, this can be done by:</p> <p>i. creating or fostering social innovation hubs or clusters of social and ecological innovation designed to meet local needs and test joint solutions;</p>



<p>ii. involving social economy entities in community-led local development, including by making use of the Union funding instruments available;</p> <p>iii. engaging with national and regional competence centres for social innovation to build networks, boost capacities and synergies, highlight efficiencies and develop essential tools and methods to stimulate social innovation.</p> <p>(b) ensuring that policy on the social economy is linked to industrial policy and the transition to a digital and circular economy;</p> <p>(c) adapting regulatory frameworks to support social economy entities in the circular economy, for instance ensuring that the right incentives are in place for businesses to donate unsold and returned goods to social economy entities for repair and reuse instead of destroying the goods and for individuals to donate second-hand goods, ensuring social economy entities have access to the waste stream, involving them in waste prevention strategies, and authorising food banks to collect food surpluses;</p> <p>(d) fostering the development of social economy community-based initiatives and ecosystems, for example, energy communities, shared mobility solutions, digital platform cooperatives, care provision, agriculture cooperatives and local short food chains and markets, for citizens to access local-based products and services;</p> <p>(e) boosting the access of social economy entities to digital tools and new technologies such as open source, big data or artificial intelligence.</p>	<p>ii. involving social economy entities in community-led local development, including by making use of the Union funding instruments available;</p> <p>iii. engaging with national and regional competence centres for social innovation to build networks, boost capacities and synergies, highlight efficiencies and develop essential tools and methods to stimulate social innovation.</p> <p>(b) ensuring that policy on the social economy is linked to industrial policy and the transition to a digital and circular economy;</p> <p>€ adapting regulatory frameworks to support social economy entities in the circular economy, for instance ensuring that the right incentives are in place for businesses to donate unsold and returned goods to social economy entities for repair and reuse instead of destroying the goods and for individuals to donate second-hand goods, ensuring social economy entities have access to the waste stream, involving them in waste prevention strategies, and 27framework27g food banks to collect food surpluses;</p> <p>(d) fostering the development of social economy community-based initiatives and ecosystems, for example, energy communities, shared mobility solutions, digital platform cooperatives, care provision, agriculture cooperatives and local short food chains and markets, for citizens to access local-based products and services;</p> <p>€ boosting the access of social economy entities to digital tools and new technologies such as open source, big data or artificial intelligence.</p> <p><b><i>(f) Ensuring that Providers of services for disabled people who run institutional or segregating services such as sheltered workshops must not benefit from favourable ecosystems, adapted regulatory frameworks fostering and boosting of access to digital tools. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full access to supportive measures and favourable 27framework conditions.</i></b></p>
--	---



**Amendment 25**  
**Articles 9 to 10**

***Text proposed by the European Commission***

**DEVELOPING ENABLING FRAMEWORKS FOR THE SOCIAL ECONOMY**

9. Member States are recommended to develop policy and regulatory frameworks that enable and support the social economy. To this end, they are encouraged to design and roll out comprehensive strategies that recognise and stimulate the social economy, in line with the Union action plan for the social economy and other Union policy guidance. Member States should follow the recommendations outlined in points 13 to 21 while formulating these strategies.

10. Member States are recommended to put in place mechanisms for consultation and dialogue between the public authorities and organisations representing the social economy. This can involve setting up high-level groups and supporting the emergence and development of social economy representative networks.

12. Member States are recommended to invest in the development of their public officials' and authorities' understanding of the social economy through training programmes and transnational and/or inter-regional capacity-building initiatives, including initiatives under the Interreg Europe programme set out by Regulation (EU) 2021/1059 of the European Parliament and of the Council. The initiatives should focus on peer learning and on sharing best practices, with a particular emphasis on fostering collaboration between regional and local authorities, as well as social economy stakeholders. The Commission will support this work as described under point 22(a)iii.

***Amendments proposed by ENIL***

**DEVELOPING ENABLING FRAMEWORKS FOR THE SOCIAL ECONOMY**

9. Member States are recommended to develop policy and regulatory frameworks that enable and support the social economy. ***Such frameworks must state that services for people with disabilities involving institutions or other segregating services such as sheltered workshops need to be discontinued in favour of community-based services such as personal assistance and peer support.*** To this end, they are encouraged to design and roll out comprehensive strategies that recognise and stimulate the social economy, in line with the Union action plan for the social economy and other Union policy guidance. Member States should follow the recommendations outlined in points 13 to 21 while formulating these strategies.

10. Member States are recommended to put in place mechanisms for consultation and dialogue between the public authorities and organisations representing the social economy. ***Whenever services for disabled people are affected, organisations representing disabled people have to be involved in co-producing.*** This can involve setting up high-level groups and supporting the emergence and development of social economy representative networks.

12. Member States are recommended to invest in the development of their public officials' and authorities' understanding of the social economy through training programmes and transnational and/or inter-regional capacity-building initiatives, including initiatives under the Interreg Europe programme set out by Regulation (EU) 2021/1059 of the European Parliament and of the Council. ***Whenever disabled people or services for disabled people are affected by the work of public officials or authorities, the same need to receive intensive trainings in the human rights model of disability and the Independent Living philosophy.*** The initiatives should focus on peer learning and on sharing best practices, with a particular emphasis on fostering collaboration



	<p>between regional and local authorities, as well as social economy stakeholders. The Commission will support this work as described under point 22(a)iii.</p>
--	---

<p><b>Amendment 26</b> <b>Article 13</b></p>	
--	--

<p><i>Text proposed by the European Commission</i></p>	<p><i>Text proposed by ENIL</i></p>
<p style="text-align: center;"><b>Access to public and private funding</b></p> <p>13. Member States are recommended to create an enabling environment for social finance at national, regional and local levels, in particular by:</p> <p>(a) mapping the financing structures for social economy entities, financial intermediaries and support organisations, and assessing their needs and the effectiveness of existing support schemes;</p> <p>(b) ensuring that social economy entities have access to financing at the right stage of their development and tailored to their needs, including grants and other subsidies, equity or quasi-equity financing for the seed and start-up phases, or debt, equity financing, quasi-equity, or mezzanine finance during the scale-up phase, and innovative financing schemes, such as public-private partnerships, crowdfunding platforms, and combinations of different types of financial instruments or grants and financial instruments;</p> <p>(c) promoting retail investors' access to sustainable business models, sectors, products and services driven or supported by the social economy;</p> <p>(d) evaluating the criteria to access public funding programmes, including those aimed at mainstream businesses, to ensure they do not create undue barriers for social economy entities;</p> <p>(e) specialise private financing by making available public guarantee schemes, where necessary, to encourage specialised and mainstream funders to finance social economy entities;</p>	<p style="text-align: center;"><b>Access to public and private funding</b></p> <p>13. Member States are recommended to create an enabling environment for social finance at national, regional and local levels, in particular by:</p> <p>(a) mapping the financing structures for social economy entities, financial intermediaries and support organisations, and assessing their needs and the effectiveness of existing support schemes;</p> <p>(b) ensuring that social economy entities have access to financing at the right stage of their development and tailored to their needs, including grants and other subsidies, equity or quasi-equity financing for the seed and start-up phases, or debt, equity financing, quasi-equity, or mezzanine finance during the scale-up phase, and innovative financing schemes, such as public-private partnerships, crowdfunding platforms, and combinations of different types of financial instruments or grants and financial instruments;</p> <p>(c) promoting retail investors' access to sustainable business models, sectors, products and services driven or supported by the social economy;</p> <p>(d) evaluating the criteria to access public funding programmes, including those aimed at mainstream businesses, to ensure they do not create undue barriers for social economy entities;</p> <p>(e) mobilising private financing by making available public guarantee schemes, where necessary, to encourage specialised and mainstream funders to finance social economy entities;</p>



<p>(f) raising awareness about the specific characteristics and needs of social economy entities to improve the capacity of mainstream private funders to offer tailored financial support;</p> <p>(g) facilitating access to business development and investment readiness support for social economy entities throughout their lifecycle, for example through awareness raising support schemes for mainstream business incubators, accelerators, and other support organisations to extend their support to social economy entities, including capacity building opportunities for managers of social economy entities;</p> <p>(h) offering dedicated financial support and capacity building to facilitate business transfers to worker cooperatives;</p> <p>(i) offering schemes that increase the availability of finance for social economy entities, for instance providing the choice to individual savers, or employees who participate in employer-funded retirement or savings plans, with the option to select a plan that invests a portion into a social enterprise;</p> <p>(j) making the best use of the funding available under the Cohesion Policy Funds, the InvestEU programme Member State compartment, the Recovery and Resilience Facility, similar programmes and other national and regional resources, by running measures and initiatives designed specifically for social economy entities;</p> <p>(k) using the fi-compass advisory services on financial instruments under Union shared management to develop repayable finance instruments under the Cohesion Policy Funds.</p>	<p>(f) raising awareness about the specific characteristics and needs of social economy entities to improve the capacity of mainstream private funders to offer tailored financial support;</p> <p>(g) facilitating access to business development and investment readiness support for social economy entities throughout their lifecycle, for example through awareness raising support schemes for mainstream business incubators, accelerators, and other support organisations to extend their support to social economy entities, including capacity building opportunities for managers of social economy entities;</p> <p>(h) offering dedicated financial support and capacity building to facilitate business transfers to worker cooperatives;</p> <p>(i) offering schemes that increase the availability of finance for social economy entities, for instance providing the choice to individual savers, or employees who participate in employer-funded retirement or savings plans, with the option to select a plan that invests a portion into a social enterprise;</p> <p>(j) making the best use of the funding available under the Cohesion Policy Funds, the InvestEU programme Member State compartment, the Recovery and Resilience Facility, similar programmes and other national and regional resources, by running measures and initiatives designed specifically for social economy entities;</p> <p>(k) using the fi-compass advisory services on financial instruments under Union shared management to develop repayable finance instruments under the Cohesion Policy Funds.</p> <p>(l) <b><i>Ensuring that Providers of services for disabled people who run institutional or segregating services such as nursing home, long-stay hospitals or sheltered workshops must not benefit from access to public or private funding. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full preferential access to private and public funding.</i></b></p>
---	---



**Amendment 27**  
**Article 14**

<p style="text-align: center;"><b><i>Text proposed by the European Commission</i></b></p> <p><b>Access to markets and public procurement</b></p> <p>14. Member States are recommended to encourage their contracting authorities to purchase goods and services strategically and to pursue social impact and support social innovation. To that end, they should make full use of the tools available under Union public procurement rules. Fostering the uptake of socially responsible and innovative solutions in public procurement may involve different types of policy tools, including:</p> <p>(a) adopting policy guidance and procurement strategies, including possible official targets, backed by the leadership and with a commitment from the political level through to key decision-makers and budget managers;</p> <p>(b) providing guidance at the appropriate administrative level(s);</p> <p>(c) raising awareness of the added value of socially responsible public procurement among contracting authorities and enterprises and making expertise available to contracting authorities and social economy entities;</p> <p>(d) encouraging contracting authorities to refer in tender documents to specific obligations under social and labour law and collective agreements that apply to the procurement<sup>82</sup>, ask bidders to confirm compliance, and set up monitoring measures;</p> <p>(e) encouraging a structured, transparent and non-discriminatory dialogue with the social economy and other stakeholders to design a socially responsible public procurement strategy.</p> <p>15. On substance, contracting authorities should make better use of the flexible provisions under the existing legal framework of the Union to help social economy entities access the market by, for example:</p>	<p style="text-align: center;"><b><i>Amendments proposed by ENIL</i></b></p> <p><b>Access to markets and public procurement</b></p> <p>14. Member States are recommended to encourage their contracting authorities to purchase goods and services strategically and to pursue social impact and support social innovation. To that end, they should make full use of the tools available under Union public procurement rules. Fostering the uptake of socially responsible and innovative solutions in public procurement may involve different types of policy tools, including:</p> <p>(a) adopting policy guidance and procurement strategies, including possible official targets, backed by the leadership and with a commitment from the political level through to key decision-makers and budget managers;</p> <p>(b) providing guidance at the appropriate administrative level(s);</p> <p>(c) raising awareness of the added value of socially responsible public procurement among contracting authorities and enterprises and making expertise available to contracting authorities and social economy entities;</p> <p>(d) encouraging contracting authorities to refer in tender documents to specific obligations under social and labour law and collective agreements that apply to the procurement<sup>82</sup>, ask bidders to confirm compliance, and set up monitoring measures;</p> <p>(e) encouraging a structured, transparent and non-discriminatory dialogue with the social economy and other stakeholders to design a socially responsible public procurement strategy.</p> <p>15. On substance, contracting authorities should make better use of the flexible provisions under the existing legal framework of the Union to help social economy entities access the market by, for example:</p>



<p>(a) fostering market dialogue, in particular by conducting transparent and inclusive preliminary market consultations with a targeted range of potential suppliers;</p> <p>(b) reserving contracts for work integration social enterprises or for operators that employ at least 30% of people with disabilities or disadvantaged workers in compliance with Article 24 of Directive 2014/23/EU, Articles 20 and 77 of Directive 2014/24/EU and Articles 38 and 94 of Directive 2014/25/EU;</p> <p>(c) setting proportionate and inclusive selection criteria to enable small and innovative social businesses to bid for contracts;</p> <p>(d) moving away from the logic of the lowest price by using social award criteria in line with the 'most economically advantageous tender' rule and social contract clauses, and setting performance or functional requirements at different stages of procurement procedures, including in technical specifications;</p> <p>(e) dividing contracts into lots, in compliance with Article 46 of Directive 2014/24/EU and Article 65 of Directive 2014/25/EU, also in view of facilitating cooperation between mainstream business and social economy entities, and using simplified regimes, in particular for social and other specific services to make the process more accessible to social economy entities;</p> <p>(f) requiring specific labels in the technical specifications, the award criteria or the contract performance conditions, when they intend to purchase works, supplies or services with specific social or environmental characteristics, in compliance with Article 43 of Directive 2014/24/EU and Article 61 of Directive 2014/25/EU.</p> <p>16. To help social economy entities expand their reach, Member States are recommended to foster cooperation between social economy entities and mainstream businesses, in particular by:</p> <p>(a) raising awareness about social added value by promoting best practices that encourage mainstream businesses to involve social enterprises in their longterm supply and value chains and consumers to buy goods and/or services produced by social economy entities, also known as the 'buy social' movement;</p>	<p>(a) fostering market dialogue, in particular by conducting transparent and inclusive preliminary market consultations with a targeted range of potential suppliers;</p> <p>(b) reserving contracts for work integration social enterprises or for operators that employ at least 30% of people with disabilities or disadvantaged workers in compliance with Article 24 of Directive 2014/23/EU, Articles 20 and 77 of Directive 2014/24/EU and Articles 38 and 94 of Directive 2014/25/EU;</p> <p>(c) setting proportionate and inclusive selection criteria to enable small and innovative social businesses to bid for contracts;</p> <p>(d) moving away from the logic of the lowest price by using social award criteria in line with the 'most economically advantageous tender' rule and social contract clauses, and setting performance or functional requirements at different stages of procurement procedures, including in technical specifications;</p> <p>(e) dividing contracts into lots, in compliance with Article 46 of Directive 2014/24/EU and Article 65 of Directive 2014/25/EU, also in view of facilitating cooperation between mainstream business and social economy entities, and using simplified regimes, in particular for social and other specific services to make the process more accessible to social economy entities;</p> <p>(f) requiring specific labels in the technical specifications, the award criteria or the contract performance conditions, when they intend to purchase works, supplies or services with specific social or environmental characteristics, in compliance with Article 43 of Directive 2014/24/EU and Article 61 of Directive 2014/25/EU.</p> <p>16. To help social economy entities expand their reach, Member States are recommended to foster cooperation between social economy entities and mainstream businesses, in particular by:</p> <p>(a) raising awareness about social added value by promoting best practices that encourage mainstream businesses to involve social enterprises in their longterm supply and value chains and consumers to buy goods and/or services produced by social</p>
---	--





<p>(b) stepping up the provision of mentoring, matchmaking, and facilitation services to help social economy entities develop long-term partnerships with the wider business community;</p> <p>(c) promote and support work integration social enterprise employees in working with mainstream businesses to gain experience on the open labour market;</p> <p>(d) helping social economy entities and entrepreneurs to make the best use of new technologies to access private markets through social economy-driven online platforms, collaborative spaces and the digital commons.</p>	<p>economy entities, also known as the 'buy social' movement;</p> <p>(b) stepping up the provision of mentoring, matchmaking, and facilitation services to help social economy entities develop long-term partnerships with the wider business community;</p> <p>(c) promote and support work integration social enterprise employees in working with mainstream businesses to gain experience on the open labour market;</p> <p>(d) helping social economy entities and entrepreneurs to make the best use of new technologies to access private markets through social economy-driven online platforms, collaborative spaces and the digital commons.</p> <p><b>17. Ensuring that Providers of services for disabled people who run institutional or segregating services such as nursing home, long-stay hospitals or sheltered workshops must not benefit from access to public procurement. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full preferential access to public procurement.</b></p>
---	---

**Amendment 28  
Article 17**

<i><b>Text proposed by the European Commission</b></i>	<i><b>Amendments proposed by ENIL</b></i>
<p><b>State aid</b></p> <p>17. Whenever an intended support measure for the social economy constitutes State aid and without prejudice to the applicable rules, Member States are recommended to make full use of the scope under State aid rules to support the social economy, as provided for by Regulation (EU) No 651/2014, the rules on services of general economic interest, and the de minimis rule by:</p>	<p><b>State aid</b></p> <p>17. Whenever an intended support measure for the social economy constitutes State aid and without prejudice to the applicable rules, Member States are recommended to make full use of the scope under State aid rules to support the social economy, as provided for by Regulation (EU) No 651/2014, the rules on services of general economic interest, and the de minimis rule by:</p>



<p>(a) using the Regulation (EU) No 651/2014 provisions, in particular:</p> <p>i. considering investment aid to small and medium-sized enterprises (SMEs), for example for the purchase of assets in social infrastructure in compliance with Article 17 of Regulation (EU) No 651/2014;</p> <p>ii. making best use of the provisions allowing risk-finance aid to SMEs SMEs in compliance with Articles 21 and 21a of Regulation (EU) No 651/2014 for example by setting up investment funds with the participation of private investors to specifically support social enterprises and providing tax incentives to independent private investors who are natural persons providing risk finance directly or indirectly to the eligible enterprises;</p> <p>iii. considering start-up aid enabling small, unlisted, young enterprises to receive a variety of aid instruments such as soft loans, guarantees with soft premiums, or grants in compliance with Article 22 of Regulation (EU) No 651/2014;</p> <p>iv. investing in people by adopting aid schemes for the reintegration on the labour market of disadvantaged or severely disadvantaged workers in compliance with Articles 32 and 35 of Regulation (EU) No 651/2014;</p> <p>v. facilitating the full inclusion of workers with disabilities in all types of businesses with the support of specific subsidies, including wage subsidies, to enterprises in compliance with Articles 33 and 34 of Regulation (EU) No 651/2014;</p> <p>vi. supporting the construction or upgrade of local infrastructure, which may include local social infrastructure, by granting aid to cover the difference between the investment costs and the operating profit of the investment in compliance with Article 56 of Regulation (EU) No 651/2014.</p> <p>(b) In line with the applicable State aid rules, Member States are recommended to explore which services provided by social economy entities could be defined and financed as services of general economic interest, for instance in the field of work integration of vulnerable persons, in social housing or in health and social services such as childcare, care for the elderly or people with disabilities; compensation for services that meet social needs can even be, under certain conditions, exempt from the notification</p>	<p>(a) using the Regulation (EU) No 651/2014 provisions, in particular:</p> <p>i. considering investment aid to small and medium-sized enterprises (SMEs), for example for the purchase of assets in social infrastructure in compliance with Article 17 of Regulation (EU) No 651/2014;</p> <p>ii. making best use of the provisions allowing risk-finance aid to SMEs SMEs in compliance with Articles 21 and 21a of Regulation (EU) No 651/2014 for example by setting up investment funds with the participation of private investors to specifically support social enterprises and providing tax incentives to independent private investors who are natural persons providing risk finance directly or indirectly to the eligible enterprises;</p> <p>iii. considering start-up aid enabling small, unlisted, young enterprises to receive a variety of aid instruments such as soft loans, guarantees with soft premiums, or grants in compliance with Article 22 of Regulation (EU) No 651/2014;</p> <p>iv. investing in people by adopting aid schemes for the reintegration on the labour market of disadvantaged or severely disadvantaged workers in compliance with Articles 32 and 35 of Regulation (EU) No 651/2014;</p> <p>v. facilitating the full inclusion of workers with disabilities in all types of businesses with the support of specific subsidies, including wage subsidies, to enterprises in compliance with Articles 33 and 34 of Regulation (EU) No 651/2014;</p> <p>vi. supporting the construction or upgrade of local infrastructure, which may include local social infrastructure, by granting aid to cover the difference between the investment costs and the operating profit of the investment in compliance with Article 56 of Regulation (EU) No 651/2014.</p> <p>(b) In line with the applicable State aid rules, Member States are recommended to explore which services provided by social economy entities could be defined and financed as services of general economic interest, for instance in the field of work integration of vulnerable persons, in social housing or in health and social services such as childcare, care for the elderly or people with disabilities; compensation for services that meet social needs can even be, under certain conditions, exempt from the notification</p>
---	---



<p>obligation, regardless of the amount of the compensation received, under Commission Decision of 20.12.2011 (2012/21/EU) ;</p> <p>(c) using the scope available to grant transparent amounts of de minimis aid.</p>	<p>obligation, regardless of the amount of the compensation received, under Commission Decision of 20.12.2011 (2012/21/EU) ;</p> <p>(c) using the scope available to grant transparent amounts of de minimis aid.</p> <p><b><i>(d) Ensuring that Providers of services for disabled people who run institutional or segregating services such as nursing home, long-stay hospitals or sheltered workshops must not benefit from access to state aid. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full preferential access to state aid.</i></b></p>
---	--

**Amendment 29**  
**Article 18**

<b><i>Text proposed by the European Commission</i></b>	<b><i>Text proposed by ENIL</i></b>
<p style="text-align: center;"><b>Taxation</b></p> <p>18. Without prejudice to State aid rules, Member States are recommended to:</p> <p>(a) ensure that taxation systems do not hinder the development of the social economy and assess whether tax systems sufficiently encourage its development;</p> <p>(b) consider tax incentives for the sector, if not already granted, in line with their social policy objectives and the current practices across Member States and in accordance with Union law, which may include:</p> <p>i. corporate tax exemptions on profits retained by social economy entities; ii. income tax incentives in the form of deductions or tax credits granted to private and/or institutional donors or a designation scheme according to which taxpayers can indicate to their tax authority the set percentage of their income tax liability to be allocated to public-benefit entities;</p>	<p style="text-align: center;"><b>Taxation</b></p> <p>18. Without prejudice to State aid rules, Member States are recommended to:</p> <p>(a) ensure that taxation systems do not hinder the development of the social economy and assess whether tax systems sufficiently encourage its development;</p> <p>(b) consider tax incentives for the sector, if not already granted, in line with their social policy objectives and the current practices across Member States and in accordance with Union law, which may include:</p> <p>i. corporate tax exemptions on profits retained by social economy entities; ii. income tax incentives in the form of deductions or tax credits granted to private and/or institutional donors or a designation scheme according to which taxpayers can indicate to their tax authority the set percentage of their income tax liability to be allocated to public-benefit entities;</p>



<p>iii. tax exemptions on unemployment benefits received as a lump sum payment to facilitate business transfers to worker cooperatives.</p> <p>(c) review the tax compliance burden for social economy entities and where possible reduce it;</p> <p>(d) facilitate compliance on a practical level for public-benefit cross-border donations for taxation purposes, for instance by issuing a standardised form of the recipient entity established in another Member State on the amount of the donation, identifying both the recipient and the donor;</p> <p>(e) make sure that social economy entities are not used for tax evasion, tax avoidance, aggressive tax planning or money laundering purposes, while ensuring the related administrative procedures are effective and proportionate.</p>	<p>iii. tax exemptions on unemployment benefits received as a lump sum payment to facilitate business transfers to worker cooperatives.</p> <p>(c) review the tax compliance burden for social economy entities and where possible reduce it;</p> <p>(d) facilitate compliance on a practical level for public-benefit cross-border donations for taxation purposes, for instance by issuing a standardised form of the recipient entity established in another Member State on the amount of the donation, identifying both the recipient and the donor;</p> <p>(e) make sure that social economy entities are not used for tax evasion, tax avoidance, aggressive tax planning or money laundering purposes, while ensuring the related administrative procedures are effective and proportionate.</p> <p><b><i>(f) Ensuring that Providers of services for disabled people who run institutional or segregating services such as nursing home, long-stay hospitals or sheltered workshops must not benefit from access to preferential taxation conditions. Providers of community-based services who respect the UN CRPD, especially providers of personal assistance and peer support such as Personal Assistance User Cooperatives and Centres for Independent Living must have full preferential access to preferential taxation regimes.</i></b></p>
--	--

<p><b>Amendment 30</b> <b>Article 19</b></p>	
--	--

<b><i>Text proposed by the European Commission</i></b>	<b><i>Text proposed by ENIL</i></b>
<p><b>Social impact measurement and management</b></p> <p>19. In line with the Commission's actions referred to in point 22(a)v, Member States are recommended</p>	<p><b>Social impact measurement and management</b></p> <p>19. In line with the Commission's actions referred to in point 22(a)v, Member States are recommended</p>



<p>to support the uptake of impact measurement and impact management practices, in particular by:</p> <p>(a) incorporating social impact measurement and management practices and methodologies in national policy frameworks and programmes linked to the social economy;</p>	<p>to support the uptake of impact measurement and impact management practices, in particular by:</p> <p>(a) incorporating social impact measurement and management practices and methodologies in national policy frameworks and programmes linked to the social economy; <b><i>Social impact measurement and management approaches shall involve the damages caused by institutional and segregating disability services both to the individual and society. They shall also involve community-based services for disabled people and how to increase effectiveness and under which conditions they benefit society and the individual the most.</i></b></p>
--	--

**Amendment 31  
Article 20**

<b><i>Text proposed by the European Commission</i></b>	<b><i>Text proposed by ENIL</i></b>
<p><b>Visibility and recognition</b></p> <p>20. Member States are recommended to raise awareness about the social economy and how it contributes to achieving social and environmental goals, in particular by:</p> <p>(b) organising and financing communication campaigns and awareness raising events on the social economy, including for younger generations, in cooperation with the relevant levels of government and other institutions (e.g. universities);</p> <p>21. Member States are recommended to monitor the development and performance of the social economy by stimulating research and collecting statistics and quantitative and qualitative data, in particular by:</p> <p>(a) making the most of the available support from the European Commission to expand their national accounting systems to collect supplementary and</p>	<p><b>Visibility and recognition</b></p> <p>20. Member States are recommended to raise awareness about the social economy and how it contributes to achieving social and environmental goals, in particular by:</p> <p>(b) organising and financing communication campaigns and awareness raising events on the social economy, including for younger generations, in cooperation with the relevant levels of government and other institutions (e.g. universities); <b><i>The EU and Member State authorities shall engage in comprehensive campaigns to raise awareness on the importance of community-based services for disabled people, deinstitutionalization, the human rights model of disability and the Independent Living Philosophy.</i></b></p> <p>21. Member States are recommended to monitor</p>



<p>comparable data (satellite accounts) and key household surveys (such as the Labour Force Survey and the surveys that feed into the EU-SILC) to collect information on participation in the social economy, including disaggregated data on sex and age (and where feasible other breakdowns) to understand the impact on employment creation;</p> <p>(b) encouraging cooperation on developing statistics among public authorities, research organisations and the social economy, while extending the range of sources of information such as registers, administrative data, surveys and census to collect accurate data;</p> <p>(c) supporting academic and independent research on social economy topics.</p>	<p>the development and performance of the social economy by stimulating research and collecting statistics and quantitative and qualitative data, in particular by:</p> <p>(b) encouraging cooperation on developing statistics among public authorities, research organisations and the social economy, while extending the range of sources of information such as registers, administrative data, surveys and census to collect accurate data; <b><i>producing statistical data on community-based services for disabled people, especially personal assistance and peer support, institutions and deinstitutionalization.</i></b></p> <p>(c) supporting academic and independent research on social economy topics, <b><i>including community-based services for disabled people, especially personal assistance and peer support, institutions and deinstitutionalization.</i></b></p>
--	---