

Simona Maria Stănescu

**SOCIAL PROTECTION IN THE EUROPEAN UNION:
A COMPARATIVE ANALYSIS**

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List of abbreviations

AT	Austria
BE	Belgium
BG	Bulgaria
CEE	Central and Eastern Europe
CY	Cyprus
CZ	The Czech Republic
DE	Germany
DK	Denmark
EE	Greece
ES	Spain
ET	Estonia
EU	European Union
EUROSTAT	The statistical office of the EU
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LV	Latvia
LT	Lithuania
LU	Luxembourg
MIG	Minimum Income Guaranteed
MISSCEO	Mutual Information System on Social Protection of the Council of Europe
MISSOC	Mutual Information System on Social Protection
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SK	Slovakia
SI	Slovenia
SW	Sweden
UK	United Kingdom

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Introduction

Continuous improvement of social protection coordination within the European Union (EU) towards providing a decent quality of life for all is supported by monitoring the national performances of the member-states alongside adjustments brought to the negotiation process with candidate countries.

The first part of the volume (*Accession of Central and Eastern European countries*) analyses the commitments assumed by the candidate countries that accessed the EU in the fifth wave (2004 and 2007) within the negotiation process. The chapter *Implementing the acquis communautaire in the social area* is an argument for researching the directions in which the social policy of the Central and Eastern European (CEE) countries developed together with the harmonization of the provisions contained by the *acquis communautaire* and analyses also the dynamics related to the negotiation of the latter, in particular of the chapter Social Policy and Employment. In the second chapter - *Harmonization of the institutional framework in the social field* – an overview is made about the impact of this process on the institutional building in the social field within the 12 CEE countries. The involved institutional stakeholders are considered, along with the institutional changes in the case of the social ministry, and the way in which the European years were reflected at institutional level. The series of institutional analyses for each of the 12 CEE countries is completed with comparative analyses. The purpose of the first part is to provide a discussion basis regarding the national efforts that the candidate countries make in order to be aligned to the EU Member-States.

The second part (*Answers of the European Union to demographic challenges*) provides information about the current population situation from the demographic viewpoint (see chapter: *The population dynamics*). Among factors influencing demographic trends, abortion was selected. The chapter *Liberalization of abortion* analyses measures adopted towards the prohibition and then liberalization of abortion among the EU-28 Member-States. The grounds for allowing abortion are overviewed as well as other related regulations. The chapter *Changes of marital status* analyses the marital statuses in 1991, 2003, and 2012 as well as the dynamics for the period 1991-2012. The lack of comparable information for all EU-28 countries about the entire period shaped the initial scientific purpose.

An obvious question in the context of the current demographic trends is: to what extent the family is (still) supported based on social protection measures. The third part of the volume analyzes the social protection of the

family by looking at family benefits with a special attention paid to maternity/paternity leave.

The fourth part of the volume is dedicated to the anti-poverty measures focusing on unemployment benefits and minimum income guaranteed schemes. With respect to the latter, social protection systems in some EU member-states include unemployment benefits within minimum guaranteed resources while others provide a dedicated benefit (minimum income guaranteed).

The volume consists of a collection of articles published as part of the post-doctoral fellowship at the Research Institute for Quality of Life, Romanian Academy. The post-doctoral project analyses the impact of the member-state status within the EU on the national system of social protection. Based on the time allotted in this regard, three categories of countries were identified:

- six founder members of the EU: France (FR), Germany (DE), Italy (IT), The Netherlands (NL), Belgium (BE), and Luxembourg (LU);
- the following nine other “old” member-states: Denmark (DK), Ireland (IE), United Kingdom (UK), Greece (EE), Portugal (PT), Spain (ES), Austria (AT), Finland (FI), and Sweden (SW);
- 13 CEE new member-states:
 - the two steps fifth EU enlargement wave: on 1st of January 2004: Cyprus (CY), The Czech Republic (CZ), Estonia (ET), Hungary (HU), Latvia (LV), Lithuania (LT), Malta (MT), Poland (PL), Slovakia (SK), Slovenia (SI) and on 1st of May 2007: Bulgaria (BG), and Romania (RO);
 - the sixth wave: on 1st of July 2013: Croatia (HR).

Countries are enumerated in chronologic order when referring to the EU accession moment, in alphabetic order when referring to the European overview and additionally, by these three types of countries in the case of complementary in-depth analysis.

From the methodological viewpoint, the data processing was based on European databanks: Eurostat, the Mutual Information System on Social Protection of the Council of Europe (MISSCEO), and the Mutual Information system on Social Protection (MISSOC) data base of the European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities but also on the international ones: the Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat.

Depending on the available data, the scientific intentions were adjusted by making changes to the initial outset. The first two chapters are dedicated to the changes from the 12 member-states from the fifth enlargement wave of the EU. Still, a series of data regarding the evolution of the institutional building are

available only partially or not at all for some countries (i.e. CY for 2000-2004, ET 2004, LT 2010), or for certain years (2004). Resorting to the inquiry of some complementary information sources was conditioned by the availability of the information in international languages.

The third chapter – *The population dynamic* - is dedicated to the demographic evolutions at EU level. As of the fourth chapter, the volume analyses the situation in all the 28 member-states. The single exception is represented by chapter 5 (*Changes of marital status*). Not only there are no data available for all member states, but also data for the analyzed time interval are lacking, as well. For these considerations the year 1991 was selected for all 15 member-states of the EU, the year 2003 for 11 EU member-states and last, but not least, the year 2012 for other 14 member-states.

The chapters of the volume include punctual recommendations for improving the quality of the collected data, in particular with respect to completing the lacking data for the past years and for harmonizing the common elements for the next years in which these will be collected. Implementing the recommendations within the data gathering process regarding the social protection systems within the EU-28 will allow for a better understanding of the impact that EU accession has on the new member-states, but also on the entire bulk of regulations adopted based on the common agreement by all member-states. Strengthening the databanks at European level will facilitate also the comparative research of the European welfare states.

I wish to express my gratitude for received comments to Professor Cătălin Zamfir, Professor Elena Zamfir, Professor Ioan Mărginean, Sorin Căce, Mihaela Tomiță, Filip Alexandrescu, Ana Maria Proeteasa, Raluca Popescu, Iulian Stănescu, Romeo Asiminei, Marius Vasiluță, Cornelia Dumitru, and Ionuț Anghel.

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PART I

ACCESSION OF CENTRAL AND EASTERN EUROPEAN COUNTRIES TO THE EUROPEAN UNION



CHAPTER I

Becoming a member-state of the European Union¹

The EU Member-State status implies finalizing the negotiation process of the provisions included in the *acquis communautaire*. Its harmonization meant for the New Member-States a particular effort of public policy with impact on the institutional building and on the legislative framework. This fact was noticed especially in the relatively different evolution in the economic and social field, the latter being for a good period of time neglected in favor of passing the measures for economic restructuring. Such perspectives continue to remain valid also for the future as contained in the Europe 2020 Agenda which is on one hand under the sign of the austerity policies and, on the other hand, under the imperative of providing more attention to the social field. The social field is one of the most debated and disputed topics nowadays at European level. In order to better understand the current stage of coordinating the social protection systems between the EU Member-States, we consider as necessary a brief review of the developments from the last decades recorded in the CEE countries.

The transition from economic to social cooperation was marked by concepts such as the European Social Space and the European Social Model. Recent EU common projects such as the Lisbon Strategy and Europe 2020 reinforced the idea of the required attention to be drawn to both social and economic aspects with the purpose of achieving sustainable development.

1. A closer look at the New Member-states

Primary community regulations with impact on national social policies are broadly represented by the Roma Treaty (1958), the Community Charter of the Fundamental Social Rights of Workers (1989), the Maastricht Treaty (1992), and the Amsterdam Treaty (1997). The initial cooperation between the six EU

¹ A preliminary version was published in the paper Stănescu, Simona Maria 2014. Challenges of the accessions process to the European Union: study case on the adoption of the *acquis communautaire* chapter on social policy and employment, in *Mediterranean Journal of Social Sciences*, vol. 5, no. 19, august 2014, 744-752 and in chapter Stănescu, Simona Maria 2014. The impact of the EU Accession of East European countries on their institutional shape of social policy, în *ПАРТНЕРСТВО ВО ИМЯ БЛАГОПОЛУЧИЯ*, (PARTNERSHIP FOR THE WELFARE), Minsk, Belarus, 183-197

founder states² was based on economic and political cooperation by promoting competition and free movement of goods, capital and persons. In this emergent mutual context, minimal and exclusively economic consideration was paid to the social regulations of the EU member-states. In this regard, the first social measures were adopted with the aim to support the free movement of workers and of their families including the provision of social security. The “European Social Space” launched in 1984 by Jacques Delors (the former president of the European Commission) was not focused on common social policy objectives as expected but rather on the dialogue between employers and employees (Zamfir, 1997:244). Later on, the “European Social Model” will reflect a more adequate policy approach of social vulnerabilities and will promote common welfare exercises among member-states.

The strategic EU platforms towards achieving common socio-economic goals were represented by the Amsterdam Treaty, the Lisbon Strategy (2000), and the Europe 2020 Strategy. Launched in March 2000, the Lisbon Strategy with a horizon of ten years proposed an ambitious goal to be achieved by EU member-states: “to become the most dynamic and competitive knowledge-based economy in the world by 2010 capable of sustainable economic growth with more and better jobs and greater social cohesion and respect for the environment” (European Parliament, 2010a:2). The Lisbon Strategy mid term assessment (2005) emphasized implementation difficulties due to various socio-economic as well as procedural reasons, among which the two steps fifth EU enlargement wave³ was mentioned alongside national economies differences or unclear share of responsibilities and tasks between European and national levels. The pursuit of the established Lisbon Strategy’s goals in parallel with the EU standard accession procedures occurred in the context of compounded difficulties regarding the renewed use of the idea of strategic domestic planning in CEE post-communist countries. These circumstances were recalled as arguments in accepting the idea of insufficient research focused on the enlargement involving the CEE countries and of the required further analysis in this direction (European Parliament, 2010a:57-58). Outputs of the public consultation for launching the successor of the strategy, respectively the Europe 2020 Strategy, pointed out that “a successful EU 2020 strategy must be built on a good analysis of the constraints facing policy makers in the coming years, and on the correct identification of the challenges to be tackled” (Commission of the European Communities, 2009:3).

Comparative sociologic analyses and papers that were developed during the last years include statistic analyses that are partially supported by

² BE, FR, DE, IT, LU, and NL

³ Ten New Member-States joined EU in 2004: CY, CZ, ET, HU, LV, LT, MT, PL, SK, and SI. Two member states joined EU in 2007: BG, and RO

qualitative approaches (mostly interviews with key stakeholders at EU and national level). Still, the analyses are focused rather on the EU member-states' perspective than on the one of the candidate member-states. Thus, they revealed only incompletely domestic debates and the strategic decisions with which these countries were faced on adopting conditionalities included in the framework of the *acquis communautaire* thereby harmonising legislative and institutional procedures. Further research would have to be conducted in order to better understand the national strategic motivation as clues for strengthening the domestic capacity. Moreover, the comparative analyses of the CEE member-states that were developed during the 1990s often do not include all countries concerned. Another limit that had to be dealt with was the configuration of the accessed data bases as these did not contain information about all analyzed countries. Last but not least, domestic literature in the field was and continues to be often neglected probably mostly because of the language constraints and access possibilities to the different distribution paths of academic research outputs. Taking into account these considerations, \ the constant interest of various international research teams should be noticed regarding the inclusion of national researchers from the analyzed countries, especially for comparative research undertakings performed as of the second half of the 2000s. Steps are to be further developed in particular for strengthening the national research teams within CEE countries and for better harmonizing the perspectives of Western and Eastern academic schools.

With the support of the open method of coordination, both social commitments expressed in the national legal/institutional changes adopted within the EU accession periods by the new member-countries included in the 2004, 2007 and 2013 accession waves and the new common social directions (increases of the employment rates) are goals that should be complied with. From this perspective, the present chapter supports the process of assessing the national capacity of the New Member-States of the fifth enlargement wave to meet the challenges of achieving the shared EU established and agreed on social goals.

The adoption of EU-level structural decisions in developing social common actions, as well as in the allocation of the EU supporting budget (i.e. European Structural Funds) depend on the increased capacity of funds' absorption in all EU member-states. The lessons learned from the successes and failures in this respect take into account EU's capacity to adequately and efficiently answer challenges such as the globalization process, the demographic trends, the national investments of international economic players, climate and environment changes and, last but not least, the migration of labor force.

The identified "collective action problem" as reason for the Lisbon Strategy failure is paradoxically generated by the fact that "countries find it in

their national interest not to pursue policies that would support the overall collective European good as long as everyone else played by the rules. But because the incentives are the same for all, none will make the efforts necessary for achieving the common interest” (Collignon, 2006:8). The careful analysis of the national role in this equation, of the contribution and achievement of each member state in building and supporting EU plans is to be taken into account in all strategic phases of adopting common strategic decisions. This is important especially from the perspective of designing, allocating and implementing the required resources. On the other hand, of equal relevance was and still is that simplified procedures in terms of EU coordination *versus* empowerment of national strategies were required. The need to reduce the deficit between EU member-states against the argument that the whole process “become too complicated and is poorly understood” turned into an imperative. Yet, “it generated much paper, but little action” (Commission of the European Communities, 2005:29).

In 2005, a revised version of the Lisbon Strategy was launched and focused on four priority areas: “research and innovation, investing in people/modernizing labor markets, unlocking business potential, particularly of SMEs, and energy/climate change” (European Commission, 2010a: 2,3).

The final and concluding evaluation of the Lisbon Strategy made in 2010 emphasized the general positive impact as a total of 18 new million jobs were created in all member-states (2010:3). Still, the assumed common objectives were not completely reached. In terms of employment rate prospects for 2010, the initial indicator of 62% registered in 2000 increased to 66% in 2008 and to 70% in 2010. Supportive integrated employment guidelines addressed by the European Commission to member-states included: full employment, inclusive labor markets, and the lifecycle approach to work (Commission of the European Communities, 2007:6). Labor market related targets pursued by the Europe 2020 Strategy are focused on the population aged 20-64 years and refer to “at least 75% including through the greater involvement of women, older workers and the better integration of migrants in the work force” (European Commission, 2010b:8). Within this context, common efforts are to be made by all member-states in order to adequately support the empowerment of the national commitment capacity towards supporting structural reforms at both EU and domestic levels.

2. Dynamics of the fifth enlargement wave

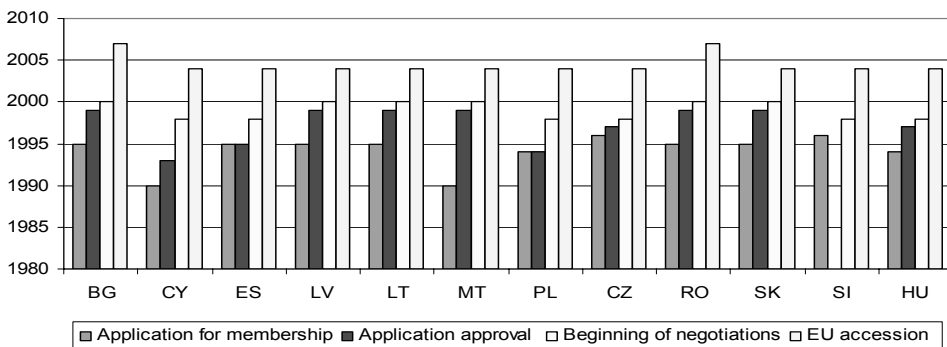
This section is based on the comparative analysis of the time frameworks for the application in view of the EU membership, respectively: application

approval, beginning of negotiations with the EU, and the EU accession moment.

Applications for EU membership were registered in 1990 (CY and MT); and four consecutive years: in 1994 (HU and PL); in 1995 (BG, ET, LV, and LT); in 1995 (RO and SK); and in 1996 (CZ and SI). EU membership applications of CEE countries were approved in 1993 (CY); in 1994 (PL); in 1995 (ET); in 1997 (CZ and HU); and in 1999 (BG, LV, LT, MT, RO, and SK). Negotiations between candidate countries and EU were initiated in two waves: in 1998 (CY, ET, PL, CZ, SI, and HU); and in 2000 (BG, LV, LT, MT, RO, and SK). All candidate countries joined EU as part of the fifth enlargement wave, the largest in the EU history. Ten candidates joined EU on 1st of May 2004: CY, CZ, HU, ET, LV, LT, MT, PL, SK, and SI. Both BG and RO joined EU on 1st of January 2007. For more details please see Annex 1: Accession of candidate countries to the European Union.

The comparative analysis of the three abovementioned indicators emphasises the various speeds between the application for EU membership and its approval; the application approval and the beginning of the negotiations and, last but not least, differences between the application for EU membership and the EU accession moment.

Figure 1 Dynamics of the fifth EU's enlargement wave



Source: http://ec.europa.eu/enlargement/index_en.htm

CY and MT waited the longest period (1990-2004). On the opposite, CZ and SI applied in 1996 and accessed EU in 2004.

3. Negotiation of the social *acquis communautaire*

Candidate countries to the EU work on adopting the social conditionalities regulated by the minimum standards included in the negotiation chapters of

the *acquis communautaire*. They are not compulsory but their harmonisation is requested at both legal and institutional level. EU pre-accession and post-accession financial tools as well as technical assistance support are available for EU candidate countries. The negotiation process between EU and candidate countries brings together the different national experiences and designs towards the common policy elements identified as playing a key role in the functioning of the EU as a whole.

In the following we perform a comparative analysis of the 2007 changes of the *acquis communautaire*. In terms of the composition of the *acquis communautaire*, previously structured in 31 chapters (fifth enlargement wave), the version used within the sixth enlargement wave was organized in 35 negotiation chapters. We take a closer comparative look at the developments underwent by the *acquis communautaire* between the fifth and the sixth enlargement wave, and notice the following: 21 negotiation chapters were kept; others were either reshaped (eight chapters) or recently introduced (six chapters). The content of one chapter of the negotiations from 2005 was distributed among other chapters. Bellow, we make a detailed presentation of the situation for each negotiation chapter. For more details please see Annex 2: Development by chapters of negotiations of the *acquis communautaire* used for fifth and sixth EU enlargement waves.

21 identical negotiation chapters were recorded: *Free movement of goods, Free movement of capital, Company law, Competition policy, Fisheries, Transport policy, Taxation, Economic and monetary policy, Statistics, Social policy and employment, Energy, Science and research, Regional policy and coordination of structural instruments, Environment, Consumer and health protection, Customs union, External relations, Financial control, Financial and budgetary provisions, Institutions*, and chapter *Other issues*.

With respect to the slight changes in the structure of the negotiation chapters, *Chapter 15 Industrial policy* and *Chapter 16 Small and medium-sized enterprises* merged in *Chapter 20 Enterprise and industrial policy*. *Chapter 2 Free movement of persons* became in 2007 *Chapter 2 Freedom of movement for workers*. The provisions contained in *Chapter 3 Freedom to provide services* were transferred to *Chapter 3 Right of establishment and freedom to provide services*. *Chapter 7 Agriculture* transformed in 2007 *Chapter 11 Agriculture and rural development*. *Chapter 18 Education and training* became *Chapter 26 Education and culture*. *Chapter 19 Telecommunications and information technologies* became *Chapter 21 Trans-European Networks*. *Chapter 24 Co-operation in the field of justice and home affairs* became *Chapter 24 Justice, freedom and security*. *Chapter 27 Common foreign and security policy* became *Chapter 31 Foreign, security and defense policy*.

Previsions included in 2005 in the *Chapter 20 Culture and audio-visual policy* of the fifth EU enlargement wave were not kept as a whole but they were distributed among other negotiation chapters. The negotiation chapters

that were new for the 2007 negotiation process were: *Chapter 5 Public procurement, Chapter 7 Intellectual property law, Chapter 9 Financial services, Chapter 10 Information society and media, Chapter 12 Food safety, veterinary and phytosanitary policy, and Chapter 23 Judiciary and fundamental rights* (Stănescu, 2013:271-274).

With respect to the social policy and employment chapter of the *acquis communautaire*, for the negotiation period with countries from the fifth enlargement wave, the number of the chapter was 13 and it changed in chapter 19 as new negotiation chapters were added. The complex negotiation *chapter 13 Social policy and employment* tackled issues such as: employment (health and safety at work, labor legislation, and social dialogue), gender equality, migration, and social protection. The themes approached by the former chapter 13 represent items of common interest for other negotiation chapters such as *Chapter 2 Free movement of persons, Chapter 7 Agriculture, Chapter 8 Fisheries, Chapter 15 Industrial policy, Chapter 16 Small and medium-sized enterprises, Chapter 18 Education and training, and Chapter 23 Consumer and health protection.*

The regulations included in the social policy and employment chapter do not require either the adoption of a particular regulation at national level or the implementation of a particular rule. This process could be interpreted rather as a general important obligation to coordinate policies building a homogeneous social framework according to the EU Treaty principles and rules (European Commission, 2004:46).

Key elements included in the 2005 social policy and employment chapters are: employment, gender equality, anti-discrimination measures, health and work safety, social protection, social dialogue, public health. In comparison, the chapter for the sixth wave includes regulations relative to labor law, health and safety at work, social dialogue, employment policy, European Social Fund, social inclusion, social protection, anti-discrimination, and equal opportunities (European Commission, 2006:2-8)

Taking into account the amount of time requested for negotiating the provisions included in chapter 13, Social policy and employment, four categories of CEE countries could be identified. Candidate countries most "ready" to join EU were MT, LV, and SK. The second category in terms of readiness includes: BG, CY, LT, and RO. Countries of the third category were: ET, HU, and SI. The fourth category of countries which needed the longest period of time included the CZ and PL. Two years of negotiations were recorded as necessary in their cases. The analysis uses one semester of the EU presidency as common measurement indicator respecting the standard national accession reports.

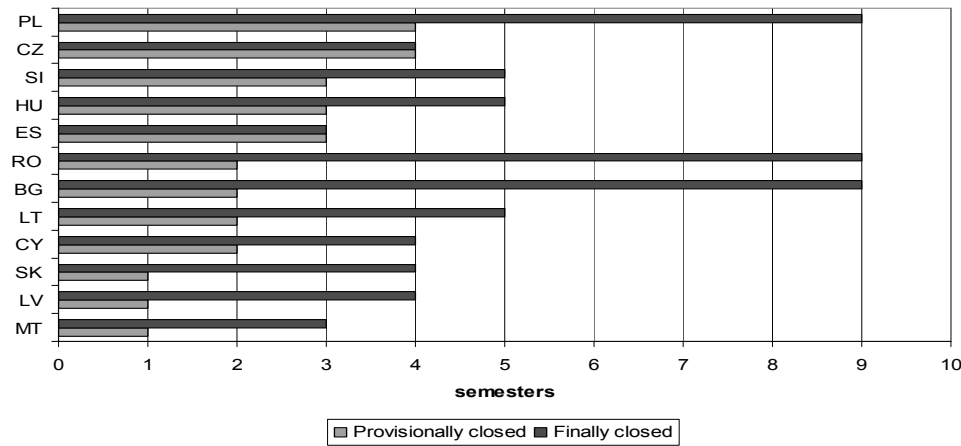
Regarding the fifth EU enlargement wave, from the perspective of time, the negotiation of the social policy and employment chapter was open in 1999, 2000, and 2001. September 1999 represented the beginning of the harmonization process for six countries: CZ, CY, ET, HU, PL, and SI. The latest opening of the chapter for negotiation was registered in the case of LT and MT:

November 2001. Transitory measures were established for BG, MT, PL, and SI and they included aspects related to: work equipment, workplace, working time, noise at work and so on. For more details please see Annex 3: Negotiation of chapter 13 Social Policy and Employment by Central and Eastern European countries of fifth enlargement.

Taking into account one semester of the EU presidency as the time unit needed to adopt chapter 13 of the *acquis communautaire*, four categories of countries were identified. The “most ready” ones (MT, LV, and SK) provisionally closed chapter 13 after one semester of negotiations. Two semesters were allocated for BG, CY, LT, and RO. Three negotiation semesters were needed for ET, HU, and SI. The fourth category of candidate countries, which were “less ready” to join the EU were CZ and PL for which the time allocated was of four semesters (Stănescu, 2014c:211).

In the case of CZ the late application to the EU should be noticed, as well as the provisional and final conclusions of the negotiations for chapter 13.

Figure 2 Adoption of chapter 13 Social Policy and Employment of the *acquis communautaire* by countries of the fifth EU enlargement wave



Source: Stănescu, 2013:161

From the viewpoint of the final conclusions and passing of Chapter 13 of the *acquis communautaire*, five categories of time frameworks were identified: In the case of ET and CZ, the provisory conclusions and the final ones of the respective chapter occurred during the same semester. Two semesters were needed for MT, CY, HU, and SI. Three semesters were requested by LV, LT, and SK. PL finally closed the chapter after five semesters of negotiations while BG and RO after seven.

By considering comparatively the negotiation time required for the provisory conclusions and the final ones of the negotiations for adopting chapter 13, the “most ready” to harmonise chapter 13 of the *acquis communautaire* were ET and CZ. “Less ready” countries were BG and RO followed by PL.

4. Conclusions

Among the first EU regulations with impact on the national social policies, we mention the Treaty of Rome (1958), the Community Charter of the Fundamental Social Rights of Workers (1989), the Treaty from Maastricht (1992), and the Treaty of Amsterdam (1997). The economic cooperation between the Old Member-States was based on promoting economic development, competition and the free movement of goods, capital and persons. Within the respective socio-economic context, the attention focused on the various social aspects such as those regarding the workers was rather marginal and exclusively based on their link to the economic field. Still, joint regulations were promoted and passed regarding the protection of workers and their families who were on the move within the EU member-states.

The chapter focused at the way in which the negotiation process in the social field towards adopting the chapter referring to Social Policy and Employment shaped and challenged the national social policies. Accomplishment of both communities’ regulations as well of the common social goals included within the Lisbon Strategy and the new Europe 2020 Strategy impose a closer research of the social transformation evolving within the latest member-states especially due to the harmonization of the *acquis communautaire*.

This chapter contributes to a constructive assessment of the development of the *acquis communautaire* as an exercise to improve the social coordination of conditionalities in the social field with the (potential) candidate countries to the EU.

The results support a better understanding of the countries’ capacity from the fifth EU enlargement wave to face the common responsibilities and achieve the EU goals as contained in the Europe Strategy 2020. Last but not least, research outputs contribute to a smooth harmonization of social regulations for candidate countries preparing to join the EU: Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Iceland, Kosovo, Montenegro, Serbia, and Turkey.

CHAPTER II

Harmonisation of the institutional framework in the social field⁴

The research hypothesis is that the institutional changes in the social field for the 12 CEE analysed countries were shaped by the accession process to the EU.

From the methodological point of view, the analysis focuses on the organisation of social protection in the 12 countries during pre-accession and post-accession periods. The chapter is based on desk research for the time period 2000-2014 supported by a bulk of comparative and national reports related to the EU accession. Secondary analysis focuses on the organisation of social protection and it is based on comparative tables for the period 2000-2002, and on the 2004 Mutual Information System on Social Protection of the Council of Europe (MISSCEO) and on the 2005-2014 Mutual Information system on Social Protection (MISSOC) data base of the European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities. One of the limits of the research is due to the available official information regarding the responsibilities of each social institution. The analysis could have benefited from a detailed standardised collection of information, not only originating from the main ministries involved, but also from at least two of their institutional subordinated level structures. Unfortunately, the information was only partially available.

The relevance of the chapter results from the fact that all member-states that joined the EU within the fifth enlargement wave were selected, as this wave is considered the largest in terms of the number of countries. The chapter takes into consideration the New Member-States from 2004: CZ, CY, ET, HU, LV, LT, MT, PL, SI, SK and from 2007 BG and RO.

The present chapter analyses the social protection systems from the viewpoint of changes to the institutional frameworks in the twelve member-states of the fifth enlargement wave of the EU. Ten countries accessed the EU in 2004 (CY, ET, LV, LT, MT, PL, CZ, SK, SI and HU), followed in 2007 by BG and RO. The time-differences for the moment of accession represented the two

⁴ A preliminary version was published in chapter Stănescu, Simona Maria 2014. The impact of the EU Accession of East European countries on their institutional shape of social policy, în *ПАРТНЕРСТВО ВО ИМЯ БЛАГОПОЛУЧИЯ, (PARTNERSHIP FOR THE WELFARE)*, Minsk, Belarus, 183-197; and Stănescu, Simona Maria 2015. A Comparative Overview of the Social Protection Systems in the Member-States of the Fifth Enlargement Wave of the European Union, in Vasiluță-Ștefănescu, Marius (editor), *Social Research: Theory and Practice*, București, ProUniversitaria

stages of the same enlargement wave of the EU which was unprecedented as size.

From the conceptual perspective, the chapter uses the term of social protection as “the most obvious outcome of social policy” (Pop, 2007:447) and as “a set of measures oriented towards ensuring a certain level of welfare and social security for the entire population and especially for certain social groups” (Zamfir, 1993b:466). The social protection systems are characterised by: “poverty reduction and, implicitly, of the social polarisation, the protection against risks impossible to insure on the labor markets (sickness and longevity risks) and the long-term rewards for participating in the labor markets” (Stanciu, 2007:142). The government programmes from post-December RO have mentioned preponderantly the term of social protection for describing the social situation, both with the connotation of public policy and of social assistance (Stănescu, 2013:36). Social policy includes the contributory system and the non-contributory one. The contributory financial transfers are supplied based on a previous contribution and include social insurances: pension insurance, unemployment insurance, health care services and health care insurances (Cace, 2004a:29-52). The non-contributory system is represented by the social assistance system composed, in its turn from social benefits and social services (Law 705/2001 regarding the national system of social assistance, Law 47/2006 regarding the national system of social assistance and Law 292/2011 of social assistance). The dynamics of social benefits during the post-communist period in RO was rather reactive than part of a strategic vision (Stănescu *et al*, 2012:239).

The research is based on secondary analyses of two databanks: the one of the Council of Europe *Mutual Information System on Social Protection of the Council of Europe (MISSCEO)* (2000-2002 and 2004) and the *Mutual Information System on Social Protection (MISSOC)*, (2005-2014) which is the databank of the European Commission, Directorate General for Employment, Social Affairs and Equal Opportunities.

One limit set to the use of the two international databanks resides in the fact that some annual reports do not comply with the standard format. At the same time, the year 2003 is not included in the reports for either of the databanks. Another limit of research is represented by the partial availability of information regarding institutional changes, irrespective if it is about the windup of some institutions subordinated to the central public administration structures (especially ministries), or about the involvement of new structures. In this latter instance, we have identified situations in which the new structures are included in the framework of institutional stakeholders already involved, but also situations in which the institutional stakeholders are some completely new ones. We intend for one of the future study directions to analyse the arguments that brought about the identified institutional changes. We are

considering continuing the desk analysis based on the national reports forwarded to the EU in the process of negotiation correlated with the information included in the EU reports for monitoring, and also the qualitative research based on organising interviews and focus-groups with the key-institutional representatives from each of the analysed member-states.

1. Institutional actors involved in social policy

The 2000-2014⁵ comparative overview of the institutional framework concluded that the number of central administration bodies active in providing social protection varies between one (MT) to six ministries (RO). Most frequently, two ministries were involved in CZ, ET, LV, LT, PL, and SI. Three ministries were involved in BG and SK. Four ministries were active in this respect in CY and HU.

Table 1 Ministries involved in social protection provision (2000-2014)

	Ministry	BG	CY	CZ	EE	HU	LV	LT	MT	PL	RO	SK	SL
1.	one ministry	-	-	-	-	-	-	-	x	-	-	-	-
2.	two ministries	-	-	x	x	-	x	x	-	x	-	-	x
3.	three ministries	-	x	-	-	-	-	-	-	-	-	x	-
4.	four ministries	x	-	-	-	x	-	-	-	-	-	-	-
5.	six ministries	-	-	-	-	-	-	-	-	-	x	-	-

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

From the point of view of central administration institutions involved in providing for social protection, the ministry in the social field is the most active one. With reference to the period 2000-2014, other ministries were constantly or permanently attached to the provision of social security. It is the case of the Ministry of Health (BG, CY, CZ, HU, LV, LT, PL, RO, SK, and SI), the Ministry of Finance (BG, CY, ET, and HU), the Ministry of Economy (HU and PL) and the Ministry of Internal Affairs (CY and RO).

⁵ Data for 2001 and 2007 were partially available

Table 2 Profile of ministries involved in social protection provision
(2000-2014)

	Ministry	BG	CY	CZ	EE	HU	LV	LT	MT	PL	RO	SK	SL
1.	Ministry of Social Affaires	x	x	x	x	x	x	x	x	x	x	x	x
2.	Ministry of Health	x	x	x	-	x	x	x	-	x	x	x	x
3.	Ministry of Finance	x	x	-	x	x	-	-	-	-	-	-	-
4.	Ministry of Economy	-	-	-	-	x	-	-	-	x	-	-	-
5.	Ministry of Internal Affaires		x	-	-	-	-	-	-		x	-	-

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

The tandem between the Ministry of Social Affairs and the Ministry of Health is in force in five countries: CZ, LV, LT, SK and SL. Alongside other central institutions, the two ministries are also included in the social protection area in: BG, CY, HU, PL, and RO. In other words, in ten out of the 12 analysed countries, the Ministry of Social Affairs and the Ministry of Health are sharing responsibilities in providing social protection to citizens.

In MT, the Ministry of Social Affairs is the only institutional player involved. In ET, the Social Ministry is working in collaboration with the Ministry of Finance.

A similar three ministries' structure is in force in BG and SK: the Ministry of Social Affairs, the Ministry of Health and the Ministry of Finance.

In HU and PL, the Ministry of Economy was temporary involved in the organisation of social protection and in both cases due to employment overlapping issues. In HU as of 2011 the National Employment Office is subordinated to the Ministry of National Economy. Previously, the Ministry of Employment and Labour had under subordination the Employment Office (2005-2006). The structure was reformed under the name Employment and Social Office and was subordinated (2007-2010) under the Ministry of Youth, Family and Social Affairs and Equal Opportunities. The same mechanisms applied in PL. In 2005, the Regional and Local Labour Offices were subordinated to the Ministry of Economy and Labour. Previously, for the period 2000-2004, the National Labour Office was subordinated to the Polish Ministry of Labour and Social Policy. Starting with 2006, Regional and Local Labour Offices are back under the subordination of the Ministry of Labour and Social Policy.

2. Case study of institution change: the ministry of social affairs

The analysis of institutional change in the 12 EU member-states shows “how States respond in different ways to similar problems or situations: they reflect divergent philosophies as well as best practices” (MISSCOE, 2000:6).

From this perspective, we opted to analyse the changes in the ministries with social concerns as reflecting the political national social visions about approaching the topic of social protection. The conclusions for the analysed period, 2000-2014, emphasised the existence of 22 different names. Additionally, in two cases, the names of the social ministries were the same. It is the case for the Ministry of Labour and Social Policy in BG 2000-2014, and PL 2000-2004 and, again, as of 2006. The second most often shared name is the Ministry of Social Policy (MT 2002-2004, 2008-2011, and PL 2005). Similar names were identified in SK (Ministry of Labour, Social Affairs and Family), and SI (Ministry of Labour, Family and Social Affairs). Slightly different names were identified in RO and MT. For more details please see Annex 4: Overview of 2000-2014 social ministries from countries of the fifth EU enlargement wave.

In terms of name changes of the social ministries, eight out of the 12 analysed countries kept the same name during the period 2000-2014. It is the case of:

- BG: Ministry of Labour and Social Policy.
- CY: Ministry of Labour and Social Insurance,
- CZ: Ministry of Labour and Social Affairs,
- ET: Ministry of Social Affairs,
- LV: Ministry of Welfare,
- LT: Ministry of Social Security and Labour,
- SK: Ministry of Labour, Social Affairs and Family,
- SI: Ministry of Labour, Family and Social Affairs.

In MT, the names for the social ministry were changed five times, as it can be noticed (changes in 2005, 2008, 2012, and 2014). Four name changes of the social ministry were adopted in HU (changes in 2005, 2007, and 2011), and in RO (changes in 2008, 2009, and 2013). Three changes of social ministry's name were noticed in PL. Noticeable is that the third changes coincided with returning to the initial first name of the ministry. The Polish Ministry of Labour and Social Policy changed in 2005 into the Ministry of Social Policy and returned to the original name in 2005. A similar change was noticed in MT: the Ministry for Social Policy 2002-2004 regained its name as Ministry of Social Policy within the period 2008-2011. Likewise, MT kept the name of the Ministry for the Family and Social Solidarity during 2005-2007 and since 2014.

**Table 3 Social ministries in Hungary, Malta, Poland and Romania
2000-2014**

	Year														
	2000	2001	2002	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
HU	Ministry of Social and Family Affairs			Ministry for Social Affairs and Labour	Ministry of Youth, Family and Social Affairs and Equal Opportunities			Ministry of National Resources							
MT			Ministry for Social Policy		Ministry for the Family and Social Solidarity			Ministry of Social Policy			Ministry of Justice, Dialogue and the Family			Ministry for the Family and Social and Solidarity	
PL	Ministry of Labour and Social Policy			Ministry of Social Policy			Ministry of Labour and Social Policy								
RO	Ministry of Labour and Social Protection			Ministry of Labour, Family and Equal Opportunities			Ministry of Labour, Family and Social Protection			Ministry of Labour, Family and Social Protection and Elderly			Ministry of Labour, Family, Social Protection and Elderly		

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Three concepts “labour”, “family” and “social affairs” were identified in the name of two ministries from two countries: SK (2000-2014) and SI (2000-2014).

Both concepts “labour” and “family” were used in the names of five ministries from three countries: RO (2008, 2009-2012, since 2013), SK (2000-2014), and SI (2000-2014).

“Family” and “social affairs” were used in four names from three countries: HU (2000-2004, 2007-2010), SK (2000-2014), and SI (2000-2014). The concepts “labour” and “social affairs” were used in four names from four countries: CZ (2000-2014), ET (2000-2014), SK (2000-2014), and SI (2000-2014).

“Labour” and “social protection” were used in three consecutive names of the RO ministry (2000-2007, 2009-2012, since 2013).

“Family” and “equal opportunities” were used in two names from two countries: HU (2007-2010) and RO (2008). “Labour” and “social policy” were used in two names from two countries: BG (2000-2014) and the Polish “Ministry of Labour and Social Policy” (2000-2004, since 2006).

Most frequent concepts used within names of social ministries were: “labour”: “family”, “social affairs”, and “social policy”. Labour was included in 12 names of social ministries from nine countries: BG (2000-2014), CY (2000-2014), CZ (2000-2014), ET (2000-2014), LT (2000-2014), PL (the same name for the period 2000-2004 and as of 2006), RO (2000-2007, 2008, 2009-2012, and as of 2013), SK (2000-2014), and SI (2000-2014). All four 2000-2014 names of the Romanian social ministry used the concept “labour”.

A shared preference to correlate labour and social protection related aspects was noticed among the analysed countries:

- Ministry of Labour and Social Policy (BG 2000-2014 and PL 2000-2004 and as of 2006),
- Ministry of Labour and Social Insurance (CY 2000-2014);
- Ministry of Labour and Social Affairs (CZ 2000-2014 and ET 2000-2014);
- Ministry of Social Security and Labour (LT 2000-2014);
- Ministry of Labour and Social Protection (RO 2000-2007);
- Ministry of Labour, Family and Equal Opportunities (RO 2008);
- Ministry of Labour, Family and Social Protection (RO 2009-2012);
- Ministry of Labour, Family, Social Protection and Elderly (RO 2013-2014);
- Ministry of Labour, Social Affairs and Family (SK 2000-2014);
- Ministry of Labour, Family and Social Affairs (SI 2000-2014).

“Family” was nine times included in the names of social ministries from five countries: in HU (2000-2004; 2007-2010), MT (2005-2007, 2012-2013, as of 2014), RO (2008, 2009-2012, and as of 2013), SK (2000-2014), and SI (2000-2014).

“Social affairs” was identified in seven names of social ministries from five countries: CZ (2000-2014); ET (2000-2014); HU (2000-2004; 2005-2006; 2007-2010), SK (2000-2014); and SI (2000-2014). HU kept “social affairs” in three consecutive names.

“Social policy” was used in five names of the social ministries from three countries: BG (2000-2014); MT (2002-2005; 2008-2011); and PL (2000-2004, 2005, 2006-2014). Noticed should be the return to the 2000-2004 Ministry of Labour and Social Policy as of 2006.

“Social protection” was used in three consecutive names of the social ministry in RO (2008, 2009-2012, and as of 2013).

“Equal opportunities” was identified in two names of the social ministry from two countries: HU (2007-2010); and RO (2008). “Social solidarity” was used twice in MT (2005-2007, and as of 2014). Other concepts used in the names of social protection ministries were: “social insurance” (CY 2000-2014); “social security” (LT 2000-2014); “national resources” (HU 2011-2013); “human resources” (HU as of 2014); “welfare” (LV 2000-2014); “justice” (MT 2012-2013); “dialogue” (MT 2012-2013); “youth” (HU 2007-2010); and “elderly” (RO as of 2013).

3. Reflections on specific European years

For the third source of EU influence in the shaping of social policy design, we analysed the influence of common goals achieved under the umbrella of the specific European years. The research hypothesis is that names of the social ministry were changed, or new departments were set up as reflections of those particular European years dedicated to various themes of shared interest.

Comparing the dynamics of the institutional design for the social protection after a particular European year, relevant information was identified in the case of three European years: 2003, the European year of disabilities; 2007, the European year of equal opportunities for all, and 2012, the European year for active ageing. Domestic documents justifying the identified institutional changes in correlation with the selected European years are to be further analysed.

After the European year dedicated to people with disabilities, in 2003, changes were noticed in CY, RO, and SI. The Romanian National Authority for Handicapped Persons was set up under the Ministry of Labour and Social Protection. The Agency was abolished in 2010 due to the administrative reform. The responsibilities are currently transferred to a department within the Ministry of Labour, Family, Social Protection and Elderly. Since 2009, the Department for Social Inclusion of Persons with Disabilities is working in CY. In any case, the interest for protecting vulnerable disabled people is not a topic launched in 2003. Structures that focused on the protection of people with disabilities were active in PL and MT long before the 2003 European year. The

State Fund for the Rehabilitation of Disabled Persons is functional in PL already from 1991. The National Commission for Persons with Disabilities set up in MT in 1987 continues to function nowadays.

After the 2007 European year of equal opportunities for all, institutional changes were noticed in HU, MT, and RO. In HU, the 2005-2006 Ministry of Social Affairs and Labour transformed into the 2007-2010 Ministry of Youth, Family and Social Affairs and Equal Opportunities. The Romanian Ministry of Labour and Social Protection of the period 2000-2007 became the Ministry of Labour, Family and Equal Opportunities in 2008. "Equal opportunities" was not maintained in the name of the social ministry in HU or in RO. In MT, in 2008, the 2005-2006 National Commission for the Promotion of Equality for Men and Women became the National Commission for the promotion of Equality (2008-2013).

The 2012 European year for active ageing was focused on solidarity between generations (European Parliament, 2011:1). Institutional changes were noticed in RO and MT. The name of the Romanian Ministry of Labour, Family and Social Protection from the period 2009-2012 was changed in 2013 in the Ministry of Labour, Family, Social Protection and Elderly. In MT, the 2008-2011 Ministry of Social Policy became the Ministry of Justice, Dialogue and the Family in the period 2012-2013. The 2014 Ministry for Family and Social Solidarity in MT could be interpreted as a later echo. In 2014 was also established in MT the Department for Elderly & Community Care.

4. National analyses 2000-2014⁶

Bulgaria

Three out of the four institutional stakeholders were constantly⁷ involved: the Ministry of Labour and Social Policy, the Ministry of Health, and the Cabinet of Ministers. The Ministry of Finance was mentioned only as of 2007 by including the National Revenue Agency.

The analysis of the institutions subordinated to the Ministry of Labour and Social Policy highlights changes of the titles. The National Social Security Institute changed in 2007 into the National Social Insurance Institute. The National Social Assistance Service changed its name in the year 2002 in the National Assistance Service, and as of 2004 it turned into the Social Assistance Agency. Though mentioned up to the year 2004, the municipalities and the Employment Agency ceased to be mentioned as of 2007. At the same time, the latter institution changed the name in 2001 from the National Employment Service.

⁶ Information for the year 2003 is not available

⁷ Save for the years 2003, 2005 and 2006

Chapter II. Harmonisation of the insitutional framework in the social field

Within the Ministry of Health operates the National Health Insurance Fund as of 2000.

The National Insurance Supervisory Agency within the Cabinet of Ministers turned in 2007 into the Financial Supervision Commission.

From among the four stakeholders in the field of social protection from BG, the Ministry of Finances was involved starting with the year of accession to the EU. The most stable from the viewpoint of administrative reforms was the Ministry of Health. From among the four structures subordinated to the Ministry of Labour and Social Policy, two were active for the entire analysed period, but with changes of name, as indicator of the administrative reforms. As of 2007 the involvement of municipalities and of the Employment Agency was no longer mentioned. The research hypothesis is that these institutional changes were conditioned by the EU accession and it could be tested provided that access to institutional information for 2005 and 2006 is given. For more details please see Annex 5: Institutional framework of social protection system in Bulgaria.

Cyprus

Four ministries are involved in the social protection system: the Ministry of Labour and Social Insurance, the Ministry of Finance, the Ministry of Health and, as of 2014, the Ministry of Interior.

Three structures were identified subordinated to the Ministry of Labour and Social Insurance: the Social Insurance Services, the Social Welfare Services (about the functioning of which we have information for the period 2005-2014) and the Department of Labour mentioned after two years since the EU accession. This structure was reorganised in 2009 in the Department for Social Inclusion of Persons with Disabilities.

For the period 2005-2014 were also mentioned the Grants and Benefits Service within the Ministry of Finance and the Organisation of the Health Care System Doctors and Hospitals within the Ministry of Health. The Ministry of Interior is involved as of 2014 through its District Administration Offices.

The institutional framework of social protection from CY has new ministries involved with new subordinated institutions. No institutions were registered that ceased their activity during the analysed period. For more details please see Annex 6: Institutional framework of social protection system in Cyprus.

The Czech Republic

The Ministry of Labour and Social Affairs and the Ministry of Health are the main institutional stakeholders involved in social protection in CZ.

Within the first institution were identified the Czech Social Security Administration and the designated municipal authorities. Similarly, the issue regarding employment is represented by the Administration of Employment

Policy (as of 2002). The information for 2003 and for 2004 is not available, but the structure was reorganised into the Employment Services Administration in the period 2005-2011, and as of 2012 into the Labour Office of CZ. At local level, the District Labour Offices were mentioned in the period 2000-2001. The information for the period 2002-2004 is not available, but as of 2005 the national reports mention the Local Labour Offices.

Within the Ministry of Health, the health care suppliers were constantly involved in the period 2000-2014.

The institutional framework of social protection in CZ is stable during the analysed period. The two involved ministries have maintained their subordinated institutions. The identified reorganizations in the Ministry of Labour and Social Affairs refer to the Employment Service Administration and are rather conceptual clarifications than indicators of a change in the social policy. For more details please see Annex 7: Institutional framework of social protection system in The Czech Republic.

Estonia

The Ministry of Social Affairs represents the institutional stakeholder involved permanently in the supply of social protection. As of 2006, the Ministry of Finance was involved too through Pensions Funds.

From among the five structures subordinated to the Ministry of Social Affairs, the Social Insurance Board is the only one to maintain the same name during the analysed period. The Central Sickness Fund about which information is available as of 2000 changed name in 2005 into the Health Insurance Fund. The Labour Market Board was operational up to 2010. As of 2005 was established the Unemployment Insurance Fund. Local municipalities are mentioned for the whole analysed period.

Next to the stable elements of the institutional building, ET has institutions for which the activity ceased during the analysed period, but also new established institutions, including new involved ministries. For more details please see Annex 8: Institutional framework of social protection system in Estonia.

Hungary

Ministries involved in the social protection system were: the Ministry of Social and Family Affairs, the Ministry of Health, the Ministry of Economic Affairs, and the Ministry of Finance. The four ministries underwent all in-depth institutional changes.

The Ministry of Family and Social Affairs underwent five administrative restructurings reflected both in the change of name, and in the reorganisation of the subordinated institutions. One year following the 2004 EU-accession, the name was changed into the Ministry of Social Affairs and Labour. As of

2007 it turned into the Ministry of Youth, Family and Social Affairs and Equal Opportunities. The name of Ministry of National Resources adopted in 2011 was changed in 2014 into the Ministry of Human Resources.

In the period 2000-2014, on behalf of the Ministry of Health was involved the National Health Fund Administration. This changed in 2005 into the National Health Insurance Fund. For a period of three years (2008-2010), the Health Insurance Supervisory Authority was operational.

The Ministry of Economic Affairs had in its subordination (since 2001) the National Employment Office. As of 2005 the name changed into the Employment Office and this was subordinated to the Ministry of Employment and Labour (2005-2006). The Employment Office changed into the Employment and Social Office as of 2007 and was subordinated to the Social Ministry (2007-2010). As of 2011 the office returned to the name of National Employment Office and was transferred to the Ministry for National Economy. As of 2012 the name was again changed in the National Labour Office. In the period 2011-2012 the Hungarian Financial Supervisory Authority was taken over from the Ministry of Finance by the Ministry for National Economy. The information for 2013 are not available, but in 2014 the Central Bank of Hungary was reported as fulfilling these tasks. For more details please see Annex 9: Institutional framework of social protection system in Hungary.

Latvia

The Ministry of Welfare is the main institutional stakeholder involved in social protection. Five subordinated structures were included: State Social Insurance Agency (2001-2014), Social Assistance und (2000-2002), State Compulsory Health Insurance Agency (2000-2002), Social Services Board (2005-2014), and State Employment Service (2001-2002). Social Services Board changed in 2010 into Social Integration State Agency NGOs and Municipalities (2010). Municipalities are then mentioned since 2011.

The State Revenue Service as central stakeholder was also active for the entire analysed period.

Probably, as of 2005 (data for the year 2004 are not available) the Ministry of Health is included in the national design for social protection through the Health Compulsory Insurance State Agency. This institution underwent three successive reorganizations changing into the Health Payment Centre (2010) and into the National Health Centre (2012). The Ministry of Health took over as of 2005 the responsibilities of the Ministry of Welfare in the field of health insurances.

From the viewpoint of institutional building, two central structures were present for the entire period, and the third started to be involved as of 2005. The research hypothesis about the EU accession conditioning can be tested under the condition of access to information for the year 2004. For more details please see Annex 10: Institutional framework of social protection system in Latvia.

Lithuania

Two resort ministries are involved in the field of social protection: the Ministry of Social Security and Labour and the Ministry of Health. Three out of the four subordinated institutions to the Ministry of Social Security and Labour were constantly involved: the State Social Insurance Fund Board, the municipal social assistance units and the local municipalities. The fourth subordinated structure changed name from the National Labour Exchange Department (2000-2002) into the Lithuanian Labour Exchange (2005-2014). As subordinated to the Ministry of Health, the State Patient Fund (2000-2009) was changed as of 2011⁸ into the National Health Insurance Fund.

For the analysed period, the two ministries of resort were involved constantly. There were not recorded any ministries or subordinated institutions that were recently involved and that ceased their activity. LT has an extremely stable institutional framework from the viewpoint of administrative reforms. For more details please see Annex 11: Institutional framework of social protection system in Lithuania.

Malta

Even though only one institutional stakeholder is involved in supplying social protection, this stakeholder underwent some of the most in-depth reorganizations and restructurings mirrored in no less than five name changes. The Ministry for Social Policy turned in 2005 into the Ministry for Family and Social Solidarity. In 2008, it became again the Ministry for Social Policy. As of 2012, the ministry was called the Ministry for Justice, Dialogue and Family. As of 2014 the name is the Ministry for the Family and Social Solidarity.

As compared with the member-states of the fifth wave of EU enlargement and, probably, closely linked to the relatively small country surface, the ministry cumulates various responsibilities. We refer here to the Department of Industrial and Employment Relations (2008-2009); the Department of Social Housing (2005-2007), the Co-operatives Board (2002), the National Commission against Abuse of Drugs, Alcohol and other Dependencies (2005-2014, with a small name amendment in the year 2008) the Adult Training Centres (2005-2007) or the Department for Elderly and Community Care (as of 2014). From among the institutions or departments with continuing activity in the analysed period, we mention: the Housing Authority, the National Commissions for Persons with Disability and the Foundation for Social Welfare Services.

Even though a single ministry or resort is involved in the field of social protection, MT has an institutional framework which is deeply marked by

⁸ Information for the year 2010 are not available

Chapter II. Harmonisation of the insitutional framework in the social field

administrative restructurings and reorganizations. For more details please see Annex 12: Institutional framework of social protection system in Malta.

Poland

Three institutional stakeholders were involved: the Ministry of Labour and Social Policy, the Ministry of Economy and Labour, and the Ministry of Health

One year after the accession, the name of Ministry of Social Policy was adopted and the responsibilities in the field of labour force (National Labour Offices) were taken over in 2005 by the Ministry of Economy and Labour (Regional and Local Labour Offices). In 2006 the ministry was named again the Ministry of Labour and Social Policy, a name which is still preserved up to date. The Regional and Local Labour Offices were reinstated from where they had been allocated. The Social Insurances Institute within the Ministry of Labour and Social Policy is a constant institutional presence in the analysed period.

In the case of the Ministry of Health, the Regional Sickness Funds changed as of 2008 the name into the Regional Health Funds.

The institutional framework in the field of social protection in PL is one with a high level of stability. From the viewpoint of 'learning from mistakes', we notice on the return of the Ministry of Labour and Social Policies to the previous name and taking up again the structure for managing the issues in the field of labour force. For more details please see Annex 13: Institutional framework of social protection system in Poland.

Romania

Seven institutional stakeholders are involved in the social protection system. According to the names from 2000 these were: the Ministry of Labour and Social Protection, the Ministry of Health, the Ministry of National Education, the Ministry of Defence, the Ministry of Interior and Administrative Reform, the Romanian Intelligence Service and the Ministry of Public Finance.

The Ministry of Labour turned in 2008 in the Ministry of Labour, Family and Equal Opportunities and in 2009 as the Ministry of Labour, Family and Social Protection. As of 2013 the name is Ministry of Labour, Family, Social Protection and Elderly. From among the subordinated institutions, constantly represented institutionally were those with responsibilities in the field of pensions (the National House for Pensions and Other Rights of Social Security in 2000 with subsequent changes) and in the field of labour force employment (in 2000 the National Agency for Employment and Vocational Training). The

institutions established in the pre-accession period⁹ were reorganised in 2011 and the responsibilities transferred to some departments within the Ministry of Labour, Family, Social Protection and Elderly. The only new set-up institution in the EU post-accession¹⁰ period is still operational. For more details please see Annex 14: Institutional framework of social protection system in Romania.

Slovakia

The social protection system includes three institutional stakeholders: the Ministry of Labour, Social Affairs and Family; the Ministry of Finance and the Ministry of Health. A constant presence within the Ministry of Labour is the Social Insurance Agency. The National Labour Office (2000-2002) is as of 2005 the Office for Labour, Social Affairs and Family. The Tax Directorate from the Ministry of Finance was established in 2005. The Health Insurance Agencies did not change their name.

The institutional framework of social protection from SK is stable. Only one new institutional stakeholder was involved in the post-accession period. For more details please see Annex 15: Institutional framework of social protection system in Slovakia.

Slovenia

Two institutional stakeholders are involved in social protection: the Ministry of Labour, Family and Social Affairs and the Ministry of Health. These ministries had joint responsibilities regarding employment, but as of 2002, the Employment Service of Slovenia is subordinated to the Ministry of Labour. As of 2002 two structures were set-up: the Social Assistance Centres (subordinated to the Ministry of Labour, Family and Social Affairs) and the Health Insurance Institute of Slovenia (subordinated to the Ministry of Health). The analysed institutions maintained their name with one exception: the Institute for Pensions and Invalidity Insurance which turned in 2005¹¹ into the Pension and Disability Insurance Institute of Slovenia.

The institutional building in the field of social protection in SI is stable. The involvement of the Ministry of Health occurred during the pre-accession period. For more details please see Annex 16: Institutional framework of social protection system in Slovenia.

⁹ The National Authority for Child Protection and Adoption (2002), the National Authority for Persons with Disability (2004)

¹⁰ The National Agency for Social Benefits set up in 2008 and reorganised by takeover in 2012 as the National Agency for Social Benefits and Social Inspection

¹¹ Data not available for 2004

5. Comparative analyses

There were identified ministries with permanent involvement into the social protection system. Next to the ministries in the social field, the one of health was involved in three quarters of the analysed countries (BG, CY, LT, CZ, RO, SK, SI, and HU). To these are added the Ministry of Finance (CY); and in RO other involved institutions: the Ministry of Education, the Ministry of Defence, and the Ministry of Interior.

Among the new involved ministries, the one encountered most frequently is the Ministry of Finance in the post-accession periods: in SK (2005), in ET (2006), in BG (2007) and in RO (2011). From the pre-accession period on were involved the Ministry of Health in LV (2005) and PL (2005). From the post-accession period on were involved in HU the Ministry for National Economy (2011) and in CY the Ministry of Interior (2014).

In two of the countries were identified ministries that ceased their involvement into social protection, respectively: in PL the Ministry of Economy and Labour (2005), and in HU the Ministry of Employment and Labour (2005-2010). These had responsibilities in the issues related to labour force employment which were transferred to the Social Ministry (PL) or to the economic one (HU).

Table 4 Institutional framework in the field of social protection

	Ministries / other institutions of the central public administration		Institutions subordinated to ministries or to other central public institutions	
	New involved	Activity cessation	New involved	Activity cessation
BG	x	-	x	x
CY	x	-	x	-
ET	x	-	x	x
HU	x	x	x	x
LV	x	-	x	x
LT	-	-	-	-
MT	-	-	x	x
PL	-	x	x	x
CZ	-	-	x	-
RO	x	-	x	x
SK	x	-	x	x
SI	-	-	x	x

Source: Authors's analysis based on MISSOC data base

Save for LT, new subordinated structures were identified to the ministries or to the central public institutions. Save for CY, LT and CZ, also cases were identified in which such structures ceased their activity. These were active in the field of labour force employment (BG, ET, MT, and SI), in the field of health (LV, MT, and HU), in the field of equal opportunities (MT), in the field of social assistance (PL), in the field of domestic violence (MT), in the field of persons with disabilities (RO), and in the field of child protection (RO). In the majority of cases, the responsibilities were transferred to a similar structure, yet still subordinated to the same central institutions. There were few cases in which the responsibilities were transferred to other ministries or structures. We mention following institutions active in the employment of labour force (PL, SI, and HU), or in the field of health (LV).

6. Conclusions

Three EU sources of influence for the analysed countries were identified in the field of institutional design with respect to social security provision: the harmonisation of the *acquis communautaire*, post-accession administrative structural reforms and on-going EU common social projects (the European years, the Lisbon Strategy, and Europe 2020). National commitments about adopting the *acquis communautaire* in the social field were reflected by institutional shape of social policy design.

In the early nineties, the 12 analysed countries initiated the procedures to apply for EU membership. The negotiation processes began in 1998, and in 2000, and this fact is reflected also in the two-steps accession wave: 2004 and 2007. CY and MT waited the longest period to access (1990-2004) while CZ and SI applied in 1996 and accessed EU in 2004.

The negotiations in view of adopting chapter 13 “Social policy and employment” were provisionally closed in four stages, and finally closed in five. ET and CZ provisionally and finally closed the negotiation chapter during the same semester.

In terms of the institutional shape of social policy, five types of ministries involved in providing social security were identified: the Ministry of Social Affairs (in all 12 analysed countries), the Ministry of Health (10 countries), the Ministry of Finance (six countries), the Ministry of Economy (two countries), and the Ministry of Internal Affairs (two countries). In the case of RO, the Ministry of Education and the Ministry of Defence were also identified.

Three thirds of the analysed countries kept the same name for the social ministry during the period 2000-2014. Almost 20 names were identified.

Several name changes were identified in MT (five changes), HU, RO (four changes), and PL (three changes).

The most frequent pair of concepts used in the names of social ministries in the analysed countries were: labour and family (five names), family and social affairs (four countries), labour and social affairs (three names), family and equal opportunities (two names), and labour and social policy (two names).

The most frequent singular identified concepts were: “labour” (12 names of social ministries); “family” (nine names); “social affairs” (six names); “social policy” (three names); “equal opportunities” (two names); and “social solidarity” (two names). Other identified concepts were: “social insurance”, “social security”, “national resources”, “human resources”, “welfare”, “justice”, “dialogue”, “youth”, and “elderly”.

The analysis of three European years emphasised their impact on the institutional shape of social policy. After the 2003 European year of people with disabilities changes were noticed in CY, RO, and SI. After the 2007 European year of equal opportunities for all, institutional changes were noticed in HU, MT, and RO. Institutional changes after the 2012 European year for active ageing were noticed in RO and MT.

This chapter intends to contribute to a better understanding of institutional changes that took place in the countries of the latest accession wave: on one hand while still candidate countries and, on the other hand, during the accession procedures for becoming member-states of the EU. At the same time, it emphasises that a better mutual arrangement between Old and New Member-States in this respect will provide for shared commitment in achieving the goals of long-term social projects focused on providing for a better quality of life for all (see the Lisbon Strategy, and the Europe 2020 Agenda).

The comparative analysis of the social protection systems in the twelve member-states that accessed the EU in the fifth enlargement wave, allowed the identification of three categories of countries: with stable social protection systems, countries with moderately reformed systems and countries with strongly reformed social protection systems.

In the category of “stable” countries, the institutions in the field of social protection were constantly involved. The institutional changes were rather minor ones and included conceptual clarifications. LT has one of the most stable institutional buildings. In the second category of countries with moderately reformed social protection systems, the changes were due to clarifying the responsibilities between the various institutional stakeholders, including the new involved ones.

Table 5 Classification of countries from the fifth wave of EU-enlargement by institutional changes of social protection systems

Social protection system	Countries
Stable	CY, LT, SI
Moderately reformed	BG, ET, LV, PL, CZ, SK
Strongly reformed	MT, RO, HU

Source: Author's analysis based on MISSOC data base

The third category of countries includes social protection systems that were faced with strong reforms of the social protection system in the search for the best fit formula of assuming the responsibilities of a member-state.

The chapter represents an original contribution to highlighting the national capability to face the responsibilities in the social field as assumed as member-state of the EU. The failure of the Lisbon Strategy (2000) imposes that better attention is paid to researching the mechanisms contributing to fulfilling the targets established by the Europe 2020 Strategy. The analysis of the national institutional changes from the New Member-States of the largest enlargement wave of the EU provides a comparative perspective with long term impact on adopting the standard procedure specific to the negotiation process to the national requirements of the new candidate countries of the EU.

PART II

ANSWERS OF THE EUROPEAN UNION TO DEMOGRAPHIC CHALLENGES

CHAPTER III

The population dynamics¹²

The co-existence of member-states within the EU is regulated by taking into account their representativeness by the number of their population. The number of representatives' jobs at different EU institutions (including the commissioners), and European resources (i.e. pre-accession and post-accession funds) are allocated accordingly. But how did the population change develop in the EU member-states? To what extent does the demographic development in EU-28 support the general tendency of decreased fertility? And which are the premises for the future trends?

The first part of the chapter analyses the demographic trends in the EU-28 population change for the period 1960-2013. The growing population after the Second World War was seen as an obstacle in developing the economy (Notestein, 1967:167). The 2012-2013 section on population change is elaborated from two perspectives: as total figures and as percent of 2012 population and includes two tops of countries accordingly developed. Still, positive population change in developed Western countries is partially explicable by the migration which could hide the low fertility rate. The negative values of population change in CEE member-states are influenced by lower fertility rates and high migration (Rotariu, 2010:101). In this respect, among demographic factors influencing the population change, fertility was selected. The second part of the chapter looks at the trends of the fertility rates within EU-28. The third part of the chapter prospects EU-28 demographic scenario in line with the low fertility rate perspective.

The chapter is part of a post-doctoral programme focused on the comparative social security analysis within member-states taking into account the moment of their accession to the EU. From this perspective, alongside Western and CEE member states, the chapter also uses three categories of member states: the EU founder states¹³, other old member-states of the EU than

¹² A preliminary version was published in Stănescu, Simona Maria 2015. Perspectives on population dynamic within the member states of the European Union, in *Scientifical annals of Alexandru Ioan Cuza University of Iași* (new series), tom VIII / nr. 1, Social Paradigms and Intercultural Communication, Editura Universității Alexandru Ioan Cuza, 263-279

¹³ FR, DE, IT, NL, BE, and LU

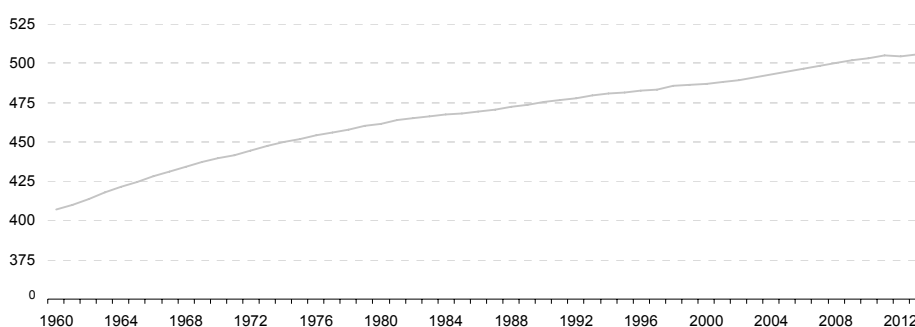
the founders¹⁴, and CEE member-states, also including the New Member-States¹⁵. Despite the fact that the third category of countries actually includes ten CEE countries alongside two Mediterranean (CY and MT), we choose to refer to this category by a short operational label: CEE member-states. Research outputs are presented accordingly.

As methodology, the chapter uses secondary analysis based on Eurostat, the statistical office of the EU as well as the Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat.

1. Population change

According to the Eurostat data available for the period 1960-2013, population has been constantly growing from 406.7 million persons in 1960 to 505.7 in 2013. In practice, this means that in a little bit more than half of the century EU-28 population increased with almost a quarter. The top population growth year was 1963 when population increased by 4.2 million persons. Other similar years were in 1964 with a growth of 3.5 million people; and in 1962 by 3.4 million. The overall increasing trend was only once disrupted in 2012 when a negative value of minus 0.4 million persons was registered as compared to 2011. EU-28 population increased only by 0.8 million persons in the years 1996 and 2000.

Figure 3 EU-28 population 1960-2013 on 1st of January (million persons)



Source: Eurostat

Note: Excluding French overseas departments up to and including 1997. Breaks in series: 2001, 2007 and 2011-12

¹⁴ DK, IE, UK, EE, PT, ES, AT, FI, and SW

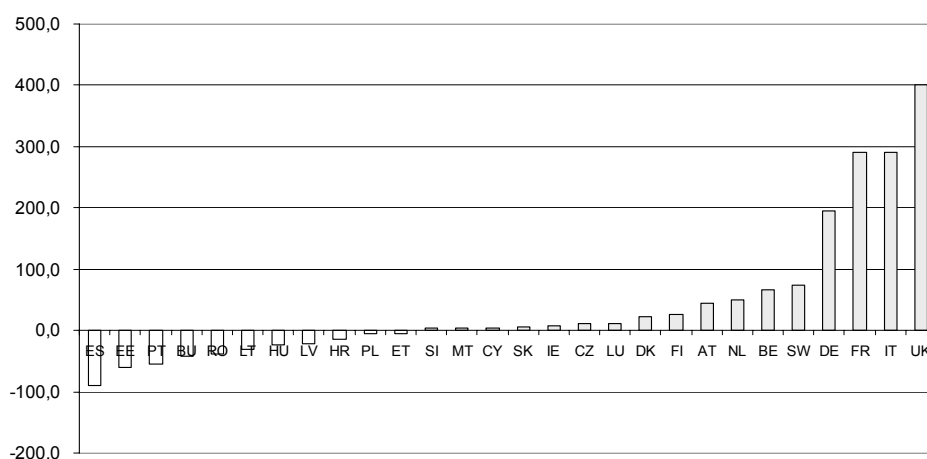
¹⁵ CY, CZ, ET, HU, LV, LT, MT, PL, SK, SI, BG, RO, and HR

In terms of demographic balance, EU-28 increased to 504582.5 people (at 1000) on January 1st 2013 as compared with 1st of January 2012.

The 2012-2013 population change registered positive values in twelve Western European countries (UK, IT, FR, DE, SW, BE, NL, AT, FI, DK, LU, and IE) compared with five CEE ones (CZ, SK, CY, MT, and SI). Referring to the contribution of natural change and net migration to population change in 2012, demographic growth was registered in IE and CY only due to natural change while in DE, IT, and AT it was only due to the positive net migration (and adjustment).

Negative values were noticed in three Western European countries (PT, EE, and ES) compared with eight CEE ones (ET, PL, HR, LV, HU, LT, RO, and BG). The 2012 decline was due only to natural change in HU, RO, and Serbia and only to negative net migration in ES and PL.

Figure 4 EU-28 population change 1st of January 2012-2013 (1000)



Source: Author's calculations based on Eurostat data

The positive values of population change showed dramatic differences while countries with negative differences have more similar values. The top three countries recording population growth were UK (400.8 at 1000 people) followed by FR and IT both with an increase of 291 persons per 1000 people. Top three negative values were registered in ES (-90.3), EE (-60.5), and PT (-55.1).

Looking at countries from the perspective of the three categories of EU member-states, one can notice that EU founder states are most attractive for people living and moving in or within the EU space. All six founder states registered positive demographic balance. Both FR and IT ranked the top highest values, each with a 291 growth per thousand persons. LU recorded a

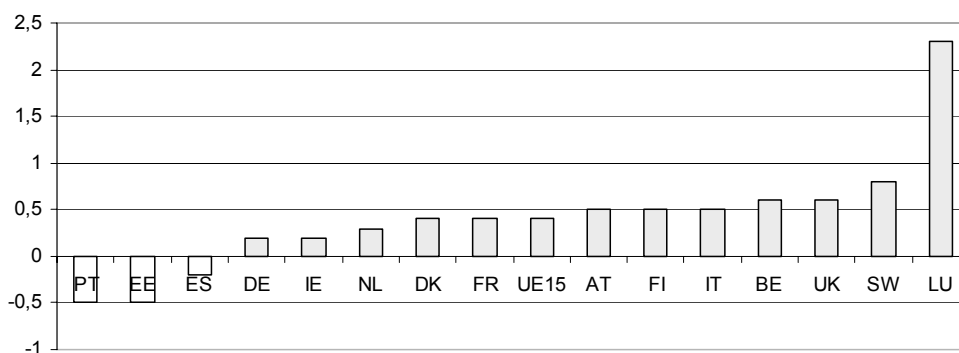
12.2 growth as the smallest registered value. The category of other old member-states than the EU founder states is represented for both top positive and top negative values registered in 2013 as compared with 2012. Top positive difference was noticed in UK (400.8). A third part of countries registered negative values: ES (-90.3), EE (-60.5), and PT (-55.1).

As briefly mentioned, five CEE countries showed positive differences in 2013 as compared with 2012. Top position was occupied by: CZ (10.7). The top negative value was in BG (-42.7).

The boundaries for the data analyses detailed above is that the comparison with respect to population change is made as pure numbers without taking into account the domestic context or any other influencing factors. From this perspective, we further compare above detailed 2012-2013 population change as percent of the total population registered on 1st of January 2012. As the figures bellow will show, the 2012-2013 population change distribution of EU-28 countries is different by this new element of comparison.

11 countries with negative values of 2012-2013 population change became ten as percent of the 2012 population. The difference is explained by PL's value which was almost 0. All 17 countries which registered positive values keep their positive percents. Still, the distribution among the two sets of countries is different but Western countries generally maintained their positions.

**Figure 5 2012-2013 population change as percent of 2012 population
in Western European countries**



Source: Author's calculations based on Eurostat data

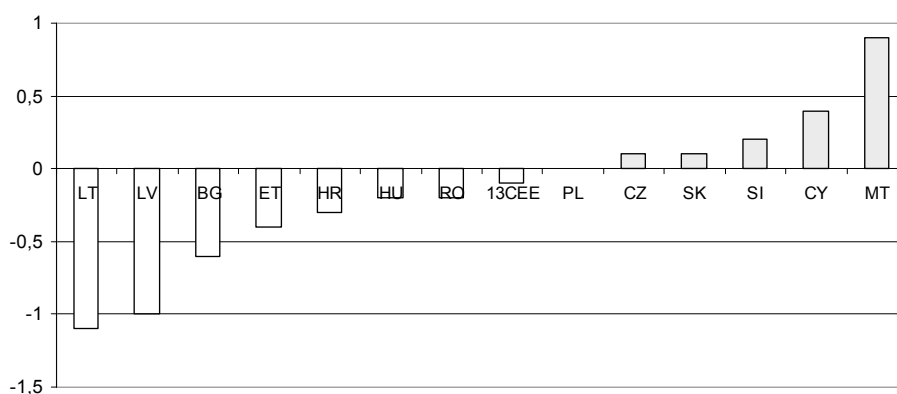
Five out of six EU founder states maintain their position. LU which registered the lowest population difference in 2012-2013 became the top one as the adjustments represented the equivalent of 2.3% of the 2012 population. BE which ranked on the third position for the 2012-2013 differences became top second country as these changes represented 0.6 % of the total population. IT with top

position as 2012-2013 population difference became the third top country as changes represented 0.5% of the total population. FR follows with 0.4% of the population. NL occupied the fifth position on both tops. DE, second top position as 2012-2013 population change occupies the sixth position in the second top with 0.2% of the 2012 population. Still, comparable percentages of population change are noticeable among these countries, except LU. On the other hand, one explanation for the LU differences could be related to the activity of the EU Commission's institutions but the testing of this research hypothesis is not the topic of the present chapter. For more details please see Annex 17: The 2012-2013 population change in the EU founder states.

Within the category of other old member-states than the EU founders, the changes are not so dramatic. SW and UK switch positions. SW, the second in the 2012-2013 population change became the top country as the difference represented 0.8% of the 2012 population. UK followed with 0.6%. AT, FI, DK, and IE maintained their position but AT and FI register the same % of 0.5 of the 2012 population. ES, EE, and PT change their positions. Even if ES registered the highest negative 2012-2013 population difference, this represented -0.2% of the 2012 population. It is to be noticed that even if EE registered a population difference of five million people compared to PT, in both countries this represented the same -0.5 % of the 2012 population. For more details please see Annex 18: The 2012-2013 population change in other old member-states than the EU founders.

None of the CEE countries kept its position on this second top. Previous 13 different positions merged in 11 as two pairs of countries registered the same values: CZ and SK on one hand, and HU and RO on the other hand.

Figure 6 2012-2013 population change as percent of 2012 population in Eastern European countries



Source: Author's calculations based on Eurostat data

The fourth 2012-2013 difference was in MT as the country occupied the first position with a growth of 0.9% of the 2012 population. The previously third country CY, became the second with 0.4% of the 2012 population. The fifth SI became the third one with 0.2%. The ones which took initially the first and second positions in the ranking (CZ and SK) occupied the fourth position with a 0.1% growth. The case of PL should be noticed where the demographic change of -5.1 (per 1000) represents 0% of the 2012 population. HU occupied the tenth position of the first top and the sixth on the second top with -0.2% of 2012 population. HR changes the previous eighth position with seven by -0.3%. ET previously number six became number eight with -0.4%. BG which registered the biggest negative 2012-2013 difference became number nine. LV which previously occupied the ninth position out of 13 scores in the second top the tenth position out of eleven with -1 % of 2012 population. LT previously the eleventh position out of thirteen occupies in the second top the eleventh position out of eleven with 1.1%. For more details please see the Annex 19: The 2012-2013 population change within CEE member-states.

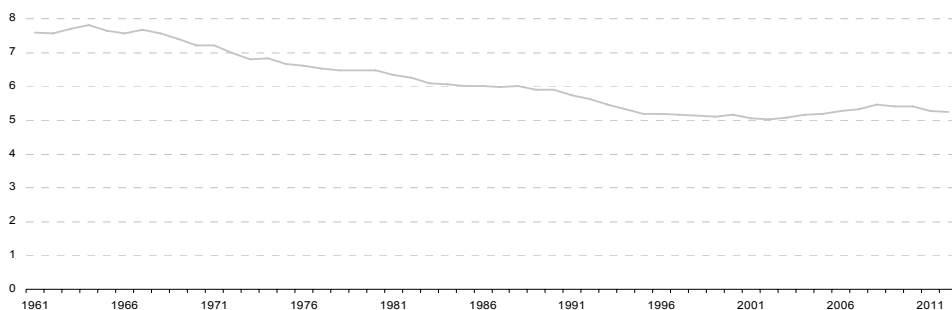
The 2013 population in EU-28 grew with a quarter compared with the 1960 value. The 2012-2013 population change reflects positive values in 17 member-states (twelve Western European countries and five CEE ones), and negative values in 11 member-states (three Western European countries and eight CEE ones). Top 2012-2013 population change in EU-28 per category of countries compared with top 2012-2013 population change as % of 2012 population reflect different positions especially in the case of CEE countries.

2. Fertility rate

Fertility is the key demographic phenomena focused on the most dynamic element of population movement (births) (Rotariu, 1993a:251).

The evolution in the number of EU-28 live-births for the period 1961-2012 showed continuous decrease followed by an increasing trend after 2002 when the smallest value was registered (5.03). Since 2009 the trend is again a decreasing one. The value of 5.47 births registered in 2008 represents the highest value recorded lately but it is to be mentioned that it is surpassed by all 1961-1992 data. Still, a comparable value of 5.45 births was registered only in 1993.

Figure 7 EU-28 live births 1961-2012

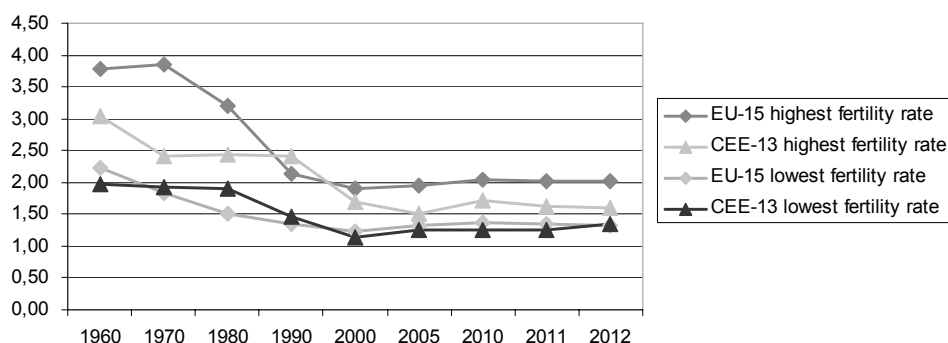


Source: Eurostat

Note: Excluding French overseas departments before 1998. Breaks in series: 2001, 2007 and 2010-12

The fertility rate for the period 1960-2012 is analysed by contrasting Western versus CEE member-states. Comparing highest values registered in the two categories of countries, the EU-15 values were constantly bigger than the ones registered in CEE-13. The year 1990 was an exception when CY registered the highest value at EU-28 level. The EU-15 lowest fertility rate in 1960 was bigger than the ones registered in CEE-13. Starting with 1970 the lowest fertility rate registered in CEE-13 had a bigger value than the ones in EU-15. For the period 2000-2011, the lowest value of fertility rate in EU-15 was again bigger than the lowest fertility rate registered in CEE-13. The situation switched again in 2012.

Figure 8 Highest and lowest values of fertility rates in EU-15 compared with CEE-13



Source: Eurostat

EU-28 highest fertility rates were registered three times in EU founder states (2000, 2005, and 2012), eight times in other old member-states than the EU founders (1960, 1970, 1980, 2000, 2005, 2010, 2011, and 2012), and only once in CEE member-states (1990). In 2000, as well as in 2012, the highest value among EU founders recorded the same values as the one from other old member-states. In both cases it was hared by FR and IE (Stănescu, 2015a:366). According to the Eurostat data, the highest value of fertility rate was registered in 1960 in IE with 3.78. The most frequent top countries by categories of member-states were: IE¹⁶ (eight times), FR¹⁷ (seven times), and ET (three times). In 1990 CY registered the highest EU fertility rate. Other countries which did not registered the highest EU fertility rate but occupied first position within their category of countries were: NL (twice), SK (twice); SW (once); RO (once); MT (once); and LT (once). For more details please see Annex 20: Highest fertility rates per categories of member-states of the European Union 1960-2012.

EU-28 lowest fertility rates were registered twice in EU founder states (1980 and 1990), twice in other old member-states than the EU founders (1970 and 2012), and five times in CEE member-states (1960, 2000, 2005, 2010 and 2011). The lowest EU-28 fertility rate was in 2000 in CZ. The most frequent top countries by categories of member-states were: DE (four times); ES¹⁸ (five times), and HU¹⁹ (four times). Other frequent countries with lowest fertility rate among their categories of countries were: LU²⁰ (three times); IT²¹ (three times); EE (twice); CZ (twice); FI²² (once); DK (once); ET²³ (once), SI (once); and PL²⁴ (once). For more details please see Annex 21: Lowest fertility rates per categories of member-states of the European Union 1960-2012.

The fertility decline in developed countries is influenced by macro social factors; awareness about birth control, and development of specific medical support (Rotariu, 1993a:251).

Without reducing the fertility at abortion, it is to be mentioned that its liberalisation developed differently in Western and in Eastern countries. The post-communist countries pioneered the liberalisation of abortion mainly due

¹⁶ Eight times both EU-28 highest fertility rate and seven times as top position among other old member states than EU founders

¹⁷ Three times as highest EU-28 fertility rate and seven times as top position among EU founders

¹⁸ One as lowest EU-28 fertility rate and five times as lowest value among other old member states than the EU founders

¹⁹ Twice the lowest EU-28 fertility rate and four times as top position among CEE countries

²⁰ Once EU-28 lowest fertility rate

²¹ Once EU-28 lowest fertility rate

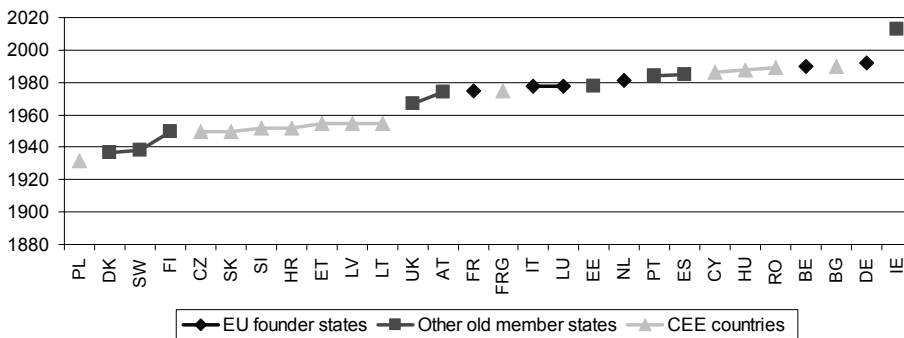
²² Once EU-28 lowest fertility rate

²³ Once EU-28 lowest fertility rate

²⁴ Once EU-28 lowest fertility rate

to ideological communist idea of full employment. ET, LV, LT, HU, RO and BG experienced its prohibition followed by a second liberalisation. The German Democratic Republic did not liberalise abortion during the communist period but only in 1992 after reunification with ex-Federal Republic of Germany and after long negotiations. Western European countries liberalised abortion later most probably supported by democratic debates involving public stakeholders, civil society, and the Church. MT continues to be the only European country where abortion is not allowed for any of the seven internationally recognised grounds²⁵ (Stănescu *et al*, 2015b:11-12).

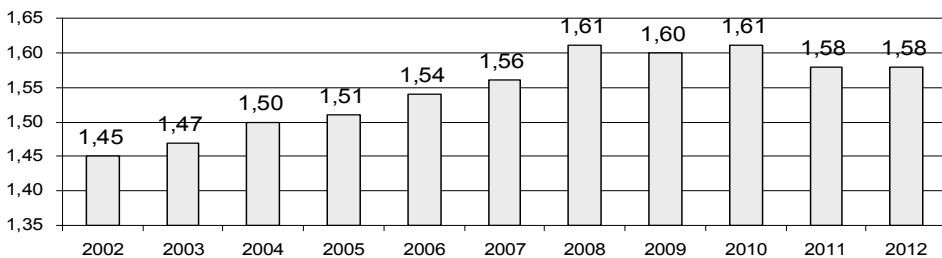
Figure 9 EU-28 liberalisation of abortion



Source: The Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat

For the period 2002-2012, EU-28 total fertility rates per women constantly increased as of 2008 and from when upwards and downwards trends started to be registered. The smallest value of 1.45 was registered in 2002 while the highest one 1.61 was recorded in both 2008 and 2010.

Figure 10 EU-28 total fertility rate (live births per woman)

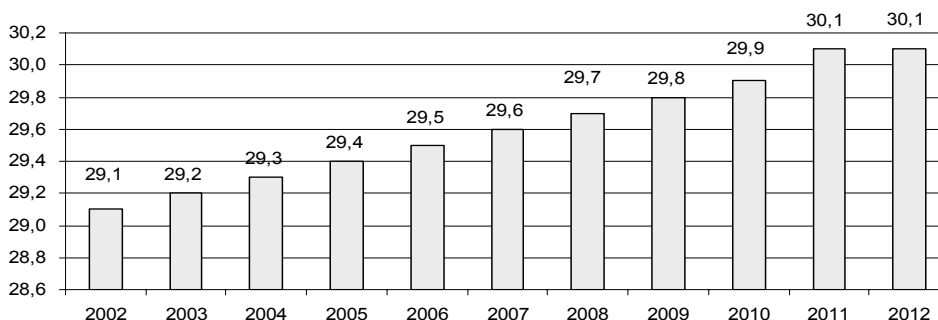


Source: Eurostat

²⁵ To save the life of the woman, to preserve physical health, to preserve mental health, in cases of rape or incest, foetal impairment, economic or social reasons, and available on request

According with EU-28 data for the period 2002-2012, the mean age of women at childbirth constantly increased and with the same value consecutively registered in 2011 and 2012.

Figure 11 EU-28 mean age of women at childbirth (years)



Source: Eurostat

EU-28 number of live births for the period 1961-2012 showed a decreased trend.

For the period 1960-2012 the highest values of fertility rates were registered in Western European countries compared with CEE except for 1990. The highest value of fertility rate was 3.78 in IE while the lowest one was 1.15 in CZ in 2000. Highest fertility rates at EU-28 level were mostly recorded in IE (eight times and twice with the same value as FR), twice in FR and once in CY. The lowest vales of fertility rates at EU-28 level were registered twice in HU and once in ET, FI, LU, IT, CZ, PL, and ES.

Among factors explaining fertility dynamic, the liberalisation of abortion happened differently in Western compared with Eastern member-states.

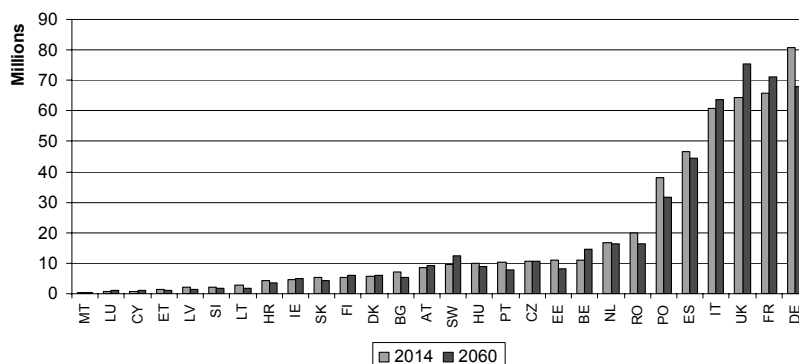
According with 2002-2012 Eurostat data, the total fertility rates is under 1.6 while the mean age of women at birth increase.

3. Looking to the future population

Demographic scenarios for the future are projected taking into account the life expectancy, fertility rates, and migration. This section analyses EU-28 population changes in 2060 in the case of a lower fertility rate scenario. Firstly we compare EU-28 as total figures. Secondly we compare the 2060 modifications as % of 2014 population by Western and CEE member-states.

As dynamic of the population change in 2014-2060, ten Western European countries and three CEE ones will register growth of population in 2060. Five Western countries and ten CEE ones will register decline of population in 2060. UK will register the highest population in EU-28. PL will have the larger population among CEE member-states.

Figure 12 EU-28 population change in 2060 by low fertility rate scenario



Source: Eurostat

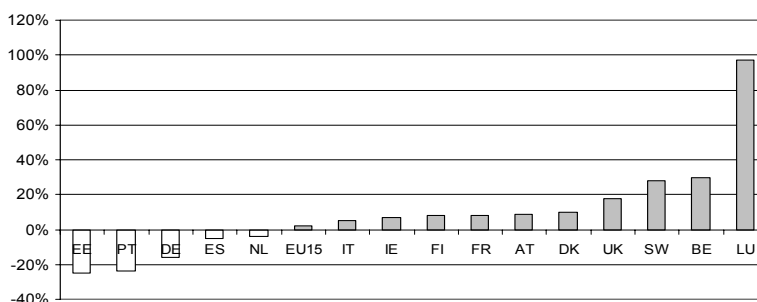
We further analyse 2060 population change as % of 2014 by Western and Eastern member-states. Among countries with positive trends for the population growth, the smallest value will be in IT (5%) followed closely by MT and IE with 7%. These two late countries are the most restrictive ones in terms of abortion liberalisation (Stănescu *et al*, 2015b:12). LU presents the most spectacular increased with 97%.

The smallest negative population change in 2060 will be registered in NL - 4 %. ES with - 5 % is the next country. LT will confront the highest value of decreased population with - 41 % LV will follow with -34 %.

The average of the EU-15 population in 2060 will increase with two % compared with 2014. The average in CEE-13 will represent -16 % in 2060 compared with 2014.

Looking at Western European countries, five countries will lose population while ten will have positive population change in 2060. The most dramatic population decline within EU-15 will happen in EE which will lose a quarter of population. PT with 24 % will follow.

Figure 13 The 2060 population change in Western European countries as percent of 2014 population

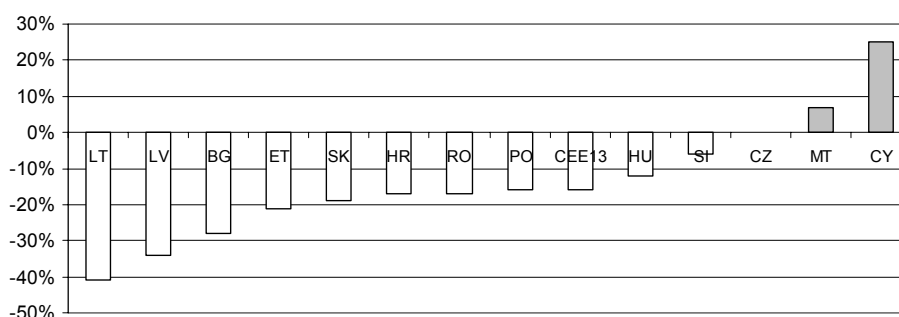


Source: Author's calculations based on Eurostat data

Per category of member-states, four EU founders will register positive values (IT, FR, BE, and LU) and two negative values (NL and DE). The category of other old member-states than the EU founders will also register rather positive values with six countries: IE, FI, AT, DK, UK, and SW. However, three states will have negative values: ES, PT, and EE.

11 out of 13 CEE countries will register negative values. Only MT and CY will register population increase. CY will gain in 2060 the equivalent of a quarter of 2014 population. The most dramatic loose of population will happened in LT It is to be noticed that the population of CZ will slightly increase with the equivalent of 0.26%.

Figure 14 The 2060 population change in Central and Eastern European countries as percent of 2014 population



Source: Author's calculations based on Eurostat data

Irrespective of the category of EU member-states, four pairs of countries with similar 2060 population changes were identified: HR and RO (-17 %); DE and PL (-16 %); MT and IE (7 %) and FR and FI (8 %).

In the most probable scenario of low fertility rate, the EU-28 population will decrease in 2060 mostly in CEE member-states. Among Western European countries, UK will host the highest numbers of population. Among CEE countries the same situation will be recorded in PL.

The 2060 population change as percent of the 2014 population will mostly affect LU by a positive change. EE and PT will lose a quarter of the 2014 population. Among CEE member-states, CY will gain in 2060 the equivalent of a quarter of the 2014 population. The most dramatic decline will take place in LT.

4. Conclusions

The chapter confirms the general tendency towards decreased fertility (Rotariu, 1993b:381; Popescu, 2009:163). During the period of 1960-2013 the

EU population grew at a constant rate due to increasing life-expectancy, while the number of live-births for approximately the same period, 1961-2012, underwent a continuous decrease. The highest EU-28 fertility rate was registered in IE in 1960 while the lowest one in CZ in 2000.

The decline of modern societies is explainable by the fertility decrease, the ageing population, and the lower numbers of people (Rotariu, 2009:102-104). This corresponds to the second demographic transition with low fertility and death rates in contrast with the high values registered within the first demographic transition (Warren, 1929; Notestein, 1945: 391-395; Kirk, 1996:361; Mureşan, 2008:440-441; Rotariu, 2010:61; Popescu, 2009:43-75).

The total population change 2012-2013 registered positive values in twelve Western countries and in five CEE ones. Negative values were noticed in three Western countries and in eight CEE ones. As demographic balance, for 2012-2013, the top three countries were UK, FR, and IT. At the opposite end, negative values were recorded in ES, EE, and PT.

The chapter further classified Western and Eastern member-states by two dimensions: as the total 2012-2013 change and as percent of the 2012 population. The first top of countries and the second one showed a different picture of EU-28. The most stable category of countries is represented by other old member-states than the EU founders. The most dramatic changes were registered in the CEE countries.

The chapter analysed the highest and lowest fertility rate registered by EU-28. Western European states have higher fertility rates than CEE ones. Comparing their lowest values of fertility rates, the CEE countries recorded bigger ones. In other words, the number of children in Eastern Europe is decreasing.

The decreased fertility reduces the number of children and increases the role of elderly population (Rotariu 2009:76-77). The total fertility rate per women constantly increased since 2002 till 2008, and from when upwards and downwards trends started to be registered. The mean age of women at birth increased.

In the scenario of low fertility rate, 15 EU member-states will register negative population change in 2060. CZ will remain almost unchanged and 12 countries will increase their population. Top three countries with positive growth will include LU, BE, and SW. The negative top includes LT (-41%), LV (-34%), and BG (-28%). Per category of member-states, positive values will be registered in four out of six EU founders, in six out of nine other old member-states than the founders, and in two countries from the category of CEE member-states.

The population change for the period 1961-2012 shows different trends among Western and CEE member-states. EU-28 started to confront the risk of low fertility. The demographic scenario for 2060 emphasised this risk. This will

affect national representations at the level of various EU institutions but also the capacity to procure the contributory needed labor market and last but not least to assure pensions.

Family planning, social and health policies towards fertility remain a national area of interest. In terms of social policy, both risks of increased life expectancy versus low fertility rate (Rotariu, 2010:95-110) will require suitable adjustments for contributory versus non-contributory systems. Besides, social policy interventions confront the challenges of a needed intervention to increase fertility alongside the concern to respect private life (Popescu, 2009:174). One possible solution could be represented by adopting child-oriented and families with children policy programs rather than increased fertility policy measures (Zamfir, 1999:174-179). Further harmonisation of social policies among EU-28 taking into account fertility rate but also migration could answer to the shared EU concern for finding sustainable answers to current demographic challenges.

CHAPTER IV

Liberalisation of abortion²⁶

Lifestyle changes and particularly the new roles of men and women in the family, especially the activation of women on the labor market, in the context of work-family and family-work role conflict, play a part in the fertility evolution in particular reflected as postponement of births after career development (Mihăilescu, 1993:240-241; Dan *et al.* 2009:76-77; Esping-Andersen, 2009; Popescu, 2009:43-75; Vasiluță-Ștefănescu *et al.*, 2012:91, 96-97; Bălan, 2014:7; Mureșan, 2014:147-148; Bălan *et al.* 2014:15-18; Stănescu, 2015a:365-367; Stănescu, 2015b:269-273; Stănescu, 2015c:183-184). The deliberate process of limiting the descendants' number is part of the demographic transition elements (Rotariu, 2010:51) and involves various contraceptive means and, very often abortion depending on religion, on the attitude that society has either of tolerance or intolerance on this issue (David, 1992:1; Lee, 2003:170; Ciocărlie *et al.*, 2013:34-35).

Demographic transition was interpreted as “the societies that experience modernization progress from a pre-modern regime of high fertility and high mortality to a post-modern one in which both are low” (Kirk, 1996:361). According to Notestein the hope for tackling the population growth crisis includes four elements: “national policies favouring family planning, the demonstrated public interest in limiting childbearing, the improvement of contraceptive technology, and (...) governmental programs to spread the practice of birth control (Notestein, 1967:170). Such fertility reducing tools should be known by population, largely disseminated, accessible, and affordable (Coale *apud* Rotariu, 2009: 233).

Understanding fertility transition in various social environments should take into account: the differing reasons; the mortality decline as a precondition of fertility decline; common elements of fertility regulations in pre-transitional and post-transitional population; as well as the impact of the decadal time scale choice (Oppenheim Mason, 1997:445-449). Postnatal controls depend on “the forms of control that are culturally, environmentally, or structurally available or acceptable (i.g. whether abortion or infanticide is morally acceptable”) (Oppenheim Mason, 1997:449).

The use of the term “second demographic transition” was considered inadequate due to its limits in explaining current changes (Rotariu, 2010: 61).

²⁶ A preliminary version of this chapter was published in Stănescu, Simona Maria; Nemțanu, Mirela 2015, Comparative analysis of abortion liberalisation in the European Union, in *Revista Calitatea Vieții*, anul XXVI, nr. 1, 2015, 3-15

Still, these demographic shifts are caused by changes of lifestyles, contraceptives and the sexual revolution, as well as by the gender division on the labor market (Lee, 2003: 174; Popescu, 2009: 43-75; Mureșan, 2008: 440-441; Bălan, 2013).

Fertility represents one of the active demographic factors with strategic influence on demographic growth (Rotariu, 1993:250-251; Shaw, 2002:6-11). Other factors influencing the population's evolution include nuptiality (i.g. marriages rate), mortality, and migration (Kirk, 1996:386; Rotariu, 2009:64-67).

The legal framework for women's choice to give birth within the member-states was structured from three perspectives: the chronological development of prohibition and liberalisation regulations, reasons for allowing abortions, and other related aspects commonly regulated.

The analyzed period covers 81 years, respectively as early as the year 1932 when PL allowed abortions, and the latest changes registered in 2013 in IE. In terms of methodology, this work uses secondary analysis of the Eurostat database, the statistical office of EU, and The Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat. Research results are presented by two categories of member-states: Western and CEE ones. Still, it is to be noticed that the present chapter is part of a series of papers focused on the comparative social security analysis within member states in relationship with the moment of joining the EU (Stănescu 2015a; Stănescu, 2015b; *Stănescu et al.* 2015a; Stănescu *et al.*, 2015b). From this perspective, three categories of member-states were identified: the EU founder states, other old member-states of the EU than the founders, and CEE member-states, also including the New Member-States. Despite the fact that the third category of countries actually includes ten CEE countries alongside two Mediterranean (CY and MT), we choose to refer to this category by a short operational label: CEE member-states. In some cases, research outputs are presented accordingly.

1. Prohibition of abortion

In the case of Western member-states, restrictive legal measures date back to the 19th century: ES (1800); the UK (1803); IE (1861); and PT (1886). PT was the only Western European country experiencing prohibition of abortion measures (1956) during the 20th century.

Among CEE member-states prohibition of abortion in MT date since 1854. Except the influence of the Union of Soviet Socialist Republics in its ex-satellites, the German Democratic Republic registered prohibition measures since 1926.

Table 6 Prohibition of abortions within the EU-28 member-states

	Prohibition		
	EU founder states	Other old member-states of the EU than the founders	CEE member-states
XIX century	-	ES, UK, IE, PT,	MT
1920s	-	-	German Democratic Republic
1930s	-	-	ET, LT LV
1940s	-	-	RO
1950s	-	PT	
1960s	-	-	BG, RO
1970s	-	-	HU

Source: The Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat.

As compared with the communist period, liberalisation measures were experienced in two ways: on a continuous base (PL, former Czechoslovakia, HR, SI, and CY), and based on a two steps approach (in ET, HU, BG, RO, and the Former German Democrat Republic). Referring to first category of countries, liberalisation measures were adopted in the early 1930s, during the 1950s and in late 1980s. It is interesting to see that both in the pioneering PL (1932) and in the last country to adopt it, CY (1986), abortion continues to be prohibited for economic and social reasons, and it is not available on request.

Referring to the second category of countries, the ex-satellites of the Union of Soviet Socialist Republics followed its rules. The death penalty for abortion dates in Russia back to 1649, and it was commuted subsequently, one of the latest changes being to a three years detention sanction in the Penal Code of 1903. In an additional change, Russia legalised abortion on demand in 1920 (Solodnikov, 2011:72, 74). Thereafter, during the Soviets' time, abortion was prohibited in 1936 in ET, LV, and LT but liberalised in 1955. Similarly, HU, RO, and BG experienced liberalisation of abortion measures followed by prohibition and a second wave of liberalisation in the late 1980s. Abortion was seen as a policy tool to control birth (Freedman apud Notestein, 1967:176; Manea, 1993:62-64; Mureşan, 2008:426; Solodnikov, 2011:75). Its prohibition alongside the lack of family planning and access to contraceptives due to the ideological attention paid to increase fertility exposed women to illegal abortion and higher rates of mortality and infertility as well as to the deterioration of health conditions (Notestein, 1967). The intervention of public expectations on intimate life and personal decisions in the case of unwanted pregnancies also had impact at the psychological level (stigma, depression). This could be interpreted as a violation of human rights as long as "a person's

control of his or her body, regardless of gender and application, is perhaps the sine qua non of rights generally" (Asal *et al.*, 2008:266).

Liberalisation of abortion measures led to decreased fertility rates in the communist countries as well as in post-communist HU and RO (Notestein, 1967:176; Zamfir *et al.*, 1994:13-15; Udvuleanu, 2002:267-268; Popescu, 2009). While the first liberalisation round was focused on women's labor insertion based on full-employment as supported by the communist ideology regarding labor force, the second liberalisation wave was rather a reactive social policy to address decreased fertility.

2. Liberalisation of abortion

None of the EU directives recommends member-states to regulate abortion but two directives are enforced: one with respect to in vitro diagnosis medical devices, and the Tissues and Cells Directive (Koffeman, 2014:2-3), both concerned with ensuring health and safety of potential mothers and infants.

First abortion regulations were adopted in the 1930s by three countries: PL (1932); DK (1937); and SK (1938).

Table 7 Liberalisation of abortion within the EU-28 member-states

	EU founder states	Other old member-states of the EU than the founders	CEE member-states
1930s	-	DK, SW	PL
1950s	-	FI	BG, CZ, HU, RO, SK, SI, HR, ET, LV, LT
1960s	-	UK	-
1970s	FR, Federal Republic of Germany, IT, LU	AT, EE	-
1980s	NL	PT, ES	CY, HU, RO
1990s	BE, DE	-	BG
2010s	-	IE	-

Source: The Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat

By categories of member-states taking into account the moment of EU accession, CEE member-states were the first ones to liberalise abortion. The comparison of abortion's chronological development is limited by background reasons: the communist ideology in CEE member-states versus religious and democratic decisions in Western member-states. The chapter does not approach this subject but it could be further researched.

Four out of six EU founder members changed legal frameworks during the 1970s: FR and the Federal Republic of Germany in 1975, and IT and LU in 1978. NL followed in 1981 and BE in 1990. Several changes were noticed in FR: 1979, 1980, and in 1988. In NL legislative updates were adopted in 1984.

Liberalisation of abortion happened first in Nordic countries: in DK in 1937, in SW in 1938, and in FI in 1950. UK changed its abortion related policy in 1967; AT in 1974, EE in 1978, PT in 1984, and ES in 1985. Due to the fact that a satisfactory abortion law was passed with delay in ES, women travelled to England, Wales, and NL (Peiro, 2001: 190–191).

Measures of abortion liberalisation were adopted in communist countries save for the former German Democrat Republic, Albania (Notestein, 1967:176), and MT (where the situation is unchanged till today). MT is the only European country where abortion is restricted for all seven grounds presented further below, in the chapter. Public debates and negotiations after the unification with the Federal Republic of Germany where abortion was liberalised in 1975, led to legal changes in 1992 updated subsequently in 1993 and in 1995.

Different trends were identified with respect to the liberalisation policies of abortion among the EU-28 member-states. A group of three countries pioneered in the 1930s while other eight followed during the 1950s. After more than a decade another country joined the trend of liberalising abortions in 1967. Starting with 1974, the rest of 16 countries followed: six during the 1970s; six during the 1980s; and three during the 1990s. Latest adjustments date from 2013 in IE. The case of the Indian dentist Savita Halappanavar who died in 2012 because of septicaemia after being denied the abortion of a 17 weeks' old foetus was one of the driving engines for these changes. First legal abortion carried out in Dublin approached a similar situation in the case of an 18 weeks-old pregnancy.

Three times simultaneous changes were noticed in three pairs of countries: in 1950 (FI, SK, and CZ); in 1955 (ET, LV, and LT); and in 1978 (IT, LU, and EE). Similar changes in pairs of two countries were remarked in 1952 (SI and HR); in 1975 (FR, and in the Federal Republic of Germany); and in 1990 (BE and BG). Referring to the 1990 category it should be mentioned that RO liberalised abortions on 26th December 1989 as the fourth post-revolution change (David, 1992:13).

Once the liberalisation of the abortion measure was adopted, follow up regulations were carried out in 19 countries, save for UK, AT, IT, LU, CY, and BE. In the case of post-communist countries, once the measure of prohibiting abortions was taken, follow up regulations were not adopted in four countries save for RO and BG. PL registered seven follow up pro-abortion measures, the biggest number among analysed countries. Four sets of follow up measures were adopted in SW, CZ, SI, and FR. For more details please see Annex 22: EU-28 abortion regulations by the chronology of liberalisation.

3. Grounds for allowing abortion

In accordance with the national reports available within the Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, seven grounds for allowing abortion were identified worldwide and apply in the EU-28 member-states: to save the life of the woman, to preserve physical health, to preserve mental health, in cases of rape or incest, foetal impairment, economic or social reasons, and available on request.

From the viewpoint of the rationale in allowing abortions “to save the life of the woman” is the most widespread one (27 member-states except MT). At the opposite end, “available on request” is applicable in 21 countries (except LU, FI, IE, UK, CY, MT, and PL). 26 EU member-states (except IE and MT) allow abortion for the same three grounds: to preserve physical health; to preserve mental health; and foetal impairment.

Table 8 Grounds on which abortion is permitted by categories of member-states of the European Union

	Permitted			Not permitted		
	EU founder states	Other old member-states	CEE member-states	EU founder states	Other old member-states	CEE member-states
To save the life of the woman	BE, DE, FR, IT, LU, NL	DK, IE, EE, ES, AT, PT, FI, SW, UK	BG, CZ, ET, HR, CY, LV, LT, HU, PL, RO, SI, SK	-	-	MT
To preserve physical health		DK, EE, ES, AT, PT, FI, SW, UK			IE	MT
To preserve mental health		DK, EE, ES, AT, PT, FI, SW, UK			IE	MT
Rape or incest		DK, EE, ES, AT, PT, FI, SW			IE, UK	MT
Foetal impairment		DK, EE, ES, AT, PT, FI, SW, UK			IE	MT
Economic or social reasons		DK, EE, ES, AT, PT, FI, SW, UK				
Available on request	BE, DE, FR, IT, NL	DK, EE, ES, AT, PT, SW	BG, CZ, ET, HR, LV, LT, HU, RO, SI, SK	LU	FI, IE, UK	CY, MT, PL

Source: United Nations, 2014

EU founder states support six out of the seven grounds listed above, as LU registers one restriction (available on request). Within the category of other old member-states than the EU founder states, the most restrictive country is IE (six grounds are not applicable), followed by UK (abortion is not permitted on grounds of rape or incest alongside available on request), and PT (abortion prohibited for economic and social reasons, and for available on request). Among CEE countries, MT is the most restrictive (none of the seven grounds is enforced), followed by CY and PL where abortion is prohibited for the same two grounds: economic and social reasons, and available on request.

From the perspective of the analysed countries, the most restrictive ones are MT (top position with prohibition for all seven grounds in force), IE (second top position six grounds are prohibited), UK and PL (third position with two prohibition grounds), followed by FI, CY and LU (fourth position with one ground prohibited).

In order to save the life of the woman, abortion is allowed in 27 member-states: in all six EU founder states, in all nine other old member-states, and in 12 out of 13 CEE member-states (except MT). Three grounds (to preserve physical health, to preserve mental health, and foetal impairment) are acceptable in 26 member-states (except IE and MT). Rape or incest is reason for abortion in 25 member-states (except IE, UK, and MT). The rationale on economic or social grounds for proceeding with an abortion is accepted in 24 member-states. Exceptions are registered in IE, CY, MT, and PL. Abortion is available on request in 21 countries out of the EU-28: save for LU, FI, IE, UK, CY, MT, and PL.

Chronologic statistics on cross-border abortions or cross-border reproductive care are generally lacking. Spanish women asking for abortion in England, Wales, and NL before the abortion was liberalised in ES continued to travel for this purpose even after the abortion law was passed in ES. As a direct effect abortion became locally available but cross-border movements continued (Peiro *et al*, 2001:193–194).

Such practices have a legal impact on states confronted either with welcoming other states' practice or in the stronger protection of domestic regulations (Koffeman, 2014:2). Among states' reactions should be mentioned: prevention of cross-border movement by travel ban or criminal prosecution for involvement in the treatment obtained; refusal to recognise the legal effects of foreign treatment options; refusal of reimbursement for treatment obtained abroad; or refusal of follow-up care upon return (Koffeman, 2014: 9-13).

4. Other regulations

The pregnancy period during which induced abortion is allowed varies among the EU-27 Member-States but generally refers to the first trimester. According with the World Health Organisation under the United Nations, the understanding of that period is between 12 and 14 weeks (WHO, 2014: 3). Still, slight differences are noticed between countries regulating 10 weeks (HR, FR, and SI); three months (AT); 12 weeks (BE, CZ, DK, ET, FI, Germany (DE), HU, IT, LV, LT, LU, NL, PL, PT, SK, and ES); 14 weeks (RO); and 18 weeks (SW). In BG the period is 12–20 weeks. In CY it is not specifically mentioned by the law but abortion is performed up to 28 weeks. In FI, if the woman is under 17 years of age the abortion can be performed up to the twentieth week of pregnancy. Still, a maximum period of pregnancy is regulated in the case of therapeutic abortion in PT (16 weeks); in ES (12 weeks in the case of rape, 22 weeks for severe physical or mental defects of foetus); in FI (24 weeks); and CZ (up to 26 weeks). Six months distance from a previous pregnancy is required in SK.

Abortion is performed by a certification in writing of the mother and if the physicians are convinced about mother's determination in BE and HR. Both woman and physician sign such a certificate in IT and PT. Only the woman gives her written agreement in Luxemburg.

Abortion for medical reasons is allowed in specific circumstances and generally requires medical approval and supervision. It is the case of a medical commission (CZ, DK, ET, and FI); a State Medical Board in FI, two physicians (FR); special authorization (LV and LT); special approval (NL); approval on behalf of the National Board of Health and Welfare (for more than 18 weeks pregnancy in SW); approval from two physicians (UK). In SI it involves a special authorization by a commission composed of a gynaecologist/obstetrician, a general physician or a specialist in internal medicine and the attendance of a social worker or a psychologist is required, as well. In the case of rape, CY allows a certification by the police.

Abortions are performed only by specialised health care staff in approved hospitals. References to human resources involved are: an additional physician to confirm grounds for abortion (EE, LU, PT, and ES); a psychiatrist for mothers with mental risks (EE); a medical specialist in resuscitation in the case of medical abortion (BG); registered practitioner (CY); licensed gynaecologist (CZ); an obstetrician or gynaecologist who has passed the national proficiency tests (PL); an obstetrician-gynaecologist (RO); a licensed medical practitioner (in SW); and two registered medical practitioners or only one in an emergency (UK).

In the case of under-aged young individuals, written consent from a parent or guardian is to be obtained in EE; in IT; in PT; in SK; and in SI.

Pre-abortion counselling is regulated in DE and in SK. Specific allocated time is mentioned in NL (five days); in BE (six days), in IT and LU (a one-week reflection).

The draft legislation focused on the setting up, functioning, and organisation of pregnancy crisis counselling offices was initiated in 2012 in RO and opened public debates. Among the “against” arguments, similarities with an anti-abortion law were mentioned. Additionally, the relationship between the rights of the women to interrupt the pregnancy *versus* the right of the foetus was reconsidered, as recognized by the European Court: only in the case of born children (not born children are not considered persons by the European Court). An additional legal argument was the lack of harmonisation with the European Convention of Human Rights. More exactly it was considered that the passing of such a law would expose RO to the infringement of three articles: article 3 guaranteeing the right of not being subjected to torture, inhuman or degrading treatments; article 8, which protects the right to private and family life; and article 9, meant to defend freedom of thought, of conscience and religion (Andreescu, 2013:6-16). The provision of contraceptive counselling services could lead to the diminishment of repeat abortions as contraceptive measure (Manea, 1993:63). In a demographic scenario of fertility reverse by maintaining fertility to current values, there would be necessary over 65 years for rebuilding the structure on ages of the population and for the numbers of births to be higher than the one of deaths. Yet, the trends regarding the development of the fertility rates show that the stability at an average value of 2.1 children cannot be guaranteed. It is considered that the “reversal to the replacement level in populations where fertility declined considerably under this threshold is not possible” (Ghețău, 2012:17, 60-62).

5. Conclusions

The chapter analysed the liberalisation of abortion legislation within the member-states of the EU from the chronological perspective as well as regulations involved (reasons for allowing abortion, period of time, human resources involved, counselling and so on).

The liberalisation of abortion in EU-28 started in 1932 with PL while latest changes date since 2013 from IE. Surprisingly, abortion was first liberalised in post-communist countries. Some of those countries experienced prohibition measures adopted during the communist regime. In enumerating the reasons, religious considerations did not represent the topic of this chapter, but this issue could be further developed.

Save for MT, abortion is allowed by other EU-27 Member-States for a different number of reasons detailed in the chapter. Seven grounds on which abortion is permitted were identified in accordance with national reports

available on The Population Policy Data Bank maintained in the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat. The most frequent ground is to save the life of the woman applicable in 27 member-states. With the exception of IE and MT, 26 member-states apply the following three abortion grounds: to preserve physical health; to preserve mental health; and foetal impairment. Abortion is allowed in the case of rape or incest in 25 countries except for IE, UK, and MT. 24 member-states regulate abortion in the case of economic and social reasons with the exception of IE, MT, CY, and PL. 21 EU countries allow abortion on request.

The most restrictive country in abortion issues is MT where abortion is strictly forbidden followed by IE (only one ground is allowed). Other restrictive countries are both UK and PL (two grounds are prohibited); FI, CY and LU provide for prohibition only for one ground.

The abortion is generally performed in authorised hospitals and by specialised staff, and as time during the first quarter but various terms provided therefore are regulated. Therapeutic abortion requires special approval. Other common elements identified among member-states refer to human resources involved; the maximum duration; conditions for performing therapeutic abortion; and last but not least the pre-abortion counselling. As liberalisation of abortion contributes among other factors to population change, future research directions include the effects of liberalisation abortion procedures in each of the member-states. This is supported by the West-East convergence trends in low abortion rates despite differences in contraceptive use (Kocourkova, 2015:5-11).

Regulations on abortion remain a domestic social and health policy matter. Still, in line with the European law, minimum alignment obligations for member-states in terms of better harmonisation of domestic reproductive regulations could be further developed and include: recognition of legal effects of foreign treatment options; information provision, reimbursement and follow-up care (Koffeman, 2014:13-17, 19). Further harmonisation among EU-28 Member-States would offer a sustainable answer to current demographic challenges.

CHAPTER V

Changes of marital status²⁷

Current families are challenged by labor market participation of women, gender distribution, lifestyle, increased time dedicated to education, postponement of marriage and decision to have children, family support policy, and liberalisation of abortion policies (Mihăilescu, 1993:238-245; Popescu, 2009; Mureșan, 2014:137-149; Stănescu, 2014a:363-375; Stănescu *et al*, 2015a:9-11; Stănescu *et al*, 2015b:269-273). Research on families emphasises two contradictory movements: emphasizing family's privacy on one hand, while giving even more publicity to it and its value in all social circumstances (Seganel, 2011:408). Case studies on assortative mating when choosing a spouse emphasised the role of the education system as a marriage market, the decision model of marital choice, changes of gender-specific preferences, and mechanisms of social origin (Blossfeld *et al*, 2003:3-12). American studies on reasons for choosing a single life include: shifting values encouraging singlehood (reality versus idealized images of marriage, growth and change versus culturally set roles, great expectations versus settling for something less), growing number of practical alternatives (women's changing economic and social needs, anonymity of sexual freedom, convenience) (Bird *et al*, 1994:118-120). The chapter contributes to a cross-national comparative analysis of current distribution of marital statuses.

The chapter is based on the secondary analysis of the population by marital status reflected by the Eurostat data, the statistical office of the EU. The chapter is part of a post-doctoral programme focused on social policy changes underwent as outcome of the EU accession. In this respect, the EU-28 is analysed by three categories: EU founder states²⁸, other old member-states than the EU founder states²⁹ (first four accession wave countries); and CEE member-states (last two accession wave countries)³⁰.

²⁷ A preliminary version was published in Stănescu, Simona Maria 2015. Changes of marital status: a 1991-2012 comparative analysis in member states of the European Union, in *Review of Applied Socio-Economic Research*, vol. 9, issue 1/2015, 101-115, http://reaser.eu/RePec/rse/wpaper/REASER9_10Stanescu_P103-115.pdf

²⁸ In alphabetic order: BE, FR, DE, IT, LU, and NL

²⁹ In both chronologic order of EU accession, and alphabetic in case of the same EU accession year: DK, IE, and UK (1973); EE (1981); PT, and ES (1986); AT, FI, and SW (1995)

³⁰ The fifth EU accession wave: CY, ET, LV, LT, MT, PL, CZ, SK, SI, and HU (2004); BG, and RO (2007); and the sixth accession wave: HR (2013)

Due to available data limitations, the original intention to analyse the marital status change in EU-28 was transformed to horizontal analysis for: 1991 (EU-15), 2003 (11 countries), and 2012 (14 countries). Marital dynamic is researched for two separate decades: 1991-2003 (four countries), and 2003-2012 (six countries), and for two consecutive decades 1991-2012 (seven countries). The selection of the years 1991 and 2012 was done in order to cover the largest period of time. As a limit of the research, data are not available for all EU member-states or for the same countries in selected years. Consequently, conclusions only apply for the countries referred to in the chapter. Per category of member-states, the 1991-2003 analysis covers three EU founders (BE, FR, and DE), and one other old member-state then the EU founders (SW). The 2003-2012 section is focused on six CEE member-states; SI, LT, SK, HU, CZ, and RO. The 1991-2012 part refers to four EU founders (FR, DE, IT, and NL), and three other old member states (DK, FI, and SW).

The 1991 database includes five categories of marital status: “single persons” (never in a legal union); “married persons”; “widowed persons”; “divorced persons”; and “separated persons”. Only ES and IT registered “separated persons” in 1991. A further harmonization of this definition would either allow for more accurate data collection, or would support the adjustment of marital categories. All 1991 marital categories were kept in 2003 and 2012 Eurostat databases. Four new categories were added: “persons in registered partnership”; “persons whose legal union ended with the death of the partner”; “persons whose legal union was legally dissolved”, and “persons with unknown marital status”. “Persons in registered partnerships” were only recorded in 2012 in five out of 14 analysed countries. No data for “persons whose legal union ended with the death of the partner”; or “persons whose legal union was legally dissolved” were registered in 2003, and in 2012. “Persons with unknown marital status” were recorded in 2003 only in SI, and in 2012 in metropolitan FR. Only IT registered “separated persons” in 2012. The total population for each EU member state was only recorded in 1991 and is composed exclusively by the analysed marital categories. We recommend the addition of the total population in 2003 and 2012 alongside info on people not answering and of people not knowing the answer.

1. Marital statuses in 1991, 2003 and 2012

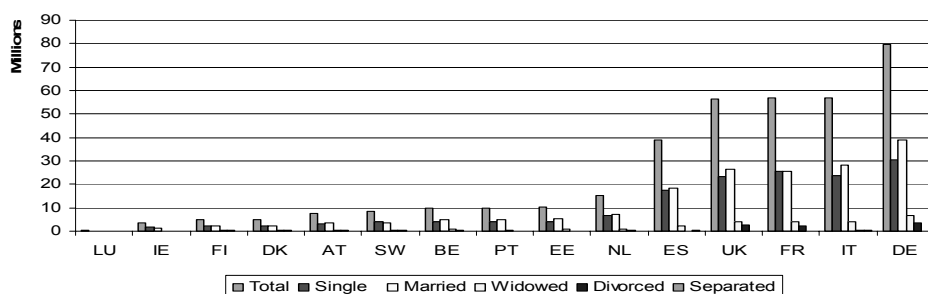
Available 1991 data is focused on EU-15. 2003 includes four EU founders (BE, FR, DE, and NL); one other old member state than the EU founders (SW); and six CEE countries (CZ, HU, LT, RO, SK, and SI). Available 2012 data covers four EU founders (FR, DE, IT, and NL); three other old member-states (FI, DK, and SW); and seven CEE countries (CZ, HU, LV, LT, RO, SK, and SI). Six CEE countries (BG, HR CY, ET, MT and PL) are not included in the Eurostat

data base. Further consolidation of the Eurostat data base with data on current missing years and EU member-states will support an extended European comparative analysis.

Marital statuses in 1991 in EU-15

The research is focused on Western European countries: on the six EU founders (BE, FR, DE, IT, LU, and NL), and all nine other old member-states (DK, IE, UK, EE, PT, ES, AT, FI, and SW). The most frequent distribution of marital status (11³¹ countries) includes (by decreasing order): married persons, single, widowed, divorced, and separated. Three countries³² registered the distribution: separate persons, married, widowed, and divorced. Only SW had the profile: single persons, married, divorced, and widowed.

Figure 15 Distribution of population by marital status in 1991 for 15 EU Member-States



Source: Eurostat database Population by sex, age and marital status

The first frequent marital status in 1991 was “married persons” in eleven EU member-states and “single persons” in four countries. The lowest percent of married persons was in IE (38% of the total population) and the highest in EE (52%). Four pairs of countries had the same percent of married people: AT and FR (45%); NL and UK (47%); LU and ES (48%) and BE and IT (50%). DE had the lowest percent of single persons (38%) and IE the highest (55%). Two pairs of countries had a similar percent of single persons as percent of the total population: DK and FR (45%), and FI and SW (46%). No commonly shared values of single and married people were identified. Still slight differences were noticed for three pairs of countries:

- ES and FR: 45% and 47% single persons, 45% married persons;
- IT and PT: 41% and 50% single persons, 51% married persons;
- UK and NL: 43% single persons, and 47% and 41% married.

³¹ By the total number of population in ascending order: LU, AT, BE, PT, EE, NL, ES, UK, FR, IT, and DE

³² By the total number of population in ascending order: IE, FI, and DK

Within the eleven EU member-states with a higher number of married persons than single ones, the smallest difference was in ES (2%) while the biggest was in BE and EE (12%). In FR the number of marriages is slightly higher than that of single persons: 44.75% compared with 44.70%. Three pairs of countries with larger number of married people than single ones registered common differences: LU and IT (8%); PT and DE (10%), and BE and EE (12%).

DK had the lowest difference with 3% more single persons than the married ones. IE had the most dramatic 1991 difference with 18% more singles persons than the married ones. The third position as marital status in 1991 is occupied by widowed persons in all analysed countries. The lowest value was 5% in IE. The highest value was 8% recorded in AT, BE, DE, and LU.

Divorced persons represent the fourth marital status in EU-15 in 1991. The lowest number was in ES with 0.4% of the total population. In DK and in SW the number of widowed persons was equal to the divorced representing 7% of the total population. This represents the highest 1991 value for EU-15 divorced persons. The number of widowed persons was (almost) doubled than divorced in LU, BE, FR, and DE. Four pairs of countries sharing common values were identified:

- EE and IT (7% widowed persons, and 1% divorced);
- DK and in SW (7% widowed persons, and 7% divorced);
- BE and LU (8% widowed persons, and 4% divorced);
- AT and DE (8% widowed persons, and 5% divorced).

Separated persons were only registered in ES and in IT as 1% of the total population. For more details please consult Annex 23: Population EU-15 by marital status as percent of the total population in 1991.

Marital statuses in 2003 for 11 EU Member-States

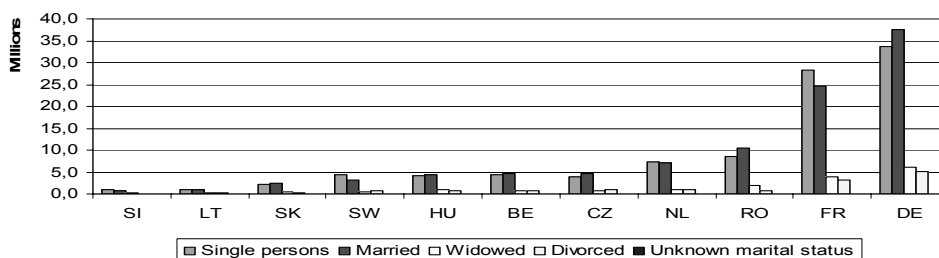
The research is focused on eleven member states including five Western European countries (four EU founder states - BE, FR, DE, and NL, one other old member state-SW); and six CEE member-states: LT, CZ, SK, SI, HU and RO. The most frequent distribution (five countries³³) of marital statuses by decreasing order was: married persons, single, widowed and divorced. Three countries³⁴ registered the distribution: single persons, married, divorced and widowed. Two countries³⁵ registered the distribution: single persons, married, widowed and divorced. The distribution in HR was: married persons, single, divorced and widowed.

³³ By the total number of population in ascending order: SK, HU, BE, RO, and DE

³⁴ By the total number of population in ascending order: LT, SW, and NL

³⁵ By the total number of population in ascending order: SI, and FR

Figure 16 Distribution of population by marital status in 2003 for 11 EU Member-States



Source: Eurostat Population on 1 January by age, sex and legal marital status

The first marital status as percent of the total population was married persons in six countries. The lowest value (35%) was in SW, while the highest (48%) in RO. Four pairs of countries with an identical percent of married persons were identified: LT and FR (41%); SI and HU (42%); SK and BE (45%); and CZ and DE (46%).

The second most frequent marital status in 2003 was “single persons”. The lowest number was in CZ (38%) and the highest (50%) in SW. Two pairs of countries registered similar values of single persons: HU and RO (40%); LT, BE, and DE (41%).

The percent of married people as percent from the total population and single population was equal (41%) in LT. The most dramatic difference was in SW where single persons were 15% higher than married persons. No pairs of countries sharing common proportions of married compared with single persons were identified in 2003. Yet slightly similar percentage values were recorded in: BE (41% of single persons, 45% married); and DE (41% of single persons, 46% married).

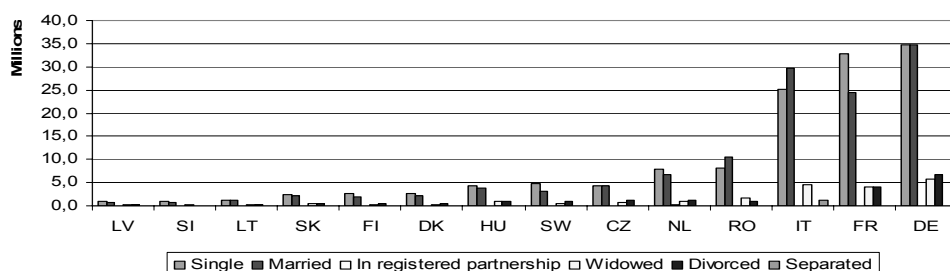
The lowest % of widowed persons (5%) in 2003 was in NL while the highest one (10%) was in HU. The lowest number of divorced persons (4%) was in SI and RO and the highest (10%) in LT. The number of widowed and divorced persons represent almost the same value in BE (7%); and in CZ (8%). The number of widowed persons in RO was double than that of divorced ones, and almost double in SI. One pair of countries sharing the same values was identified: SK and FR with 7% widowed persons compared with 5% divorced. For more details please consult Annex 24: Population by marital status as percent of the total population in 2003.

Marital status in 2012 for 14 EU Member-States

This section is focused on four EU founder states (DE, FR, IT, and NL); three other old member states (DK, FI, and SW), and seven CEE countries (CZ, HU, LT, LV, SI, SK, and RO). The most frequent distribution of marital statuses

by decreasing order was: single persons, married, divorced, widowed, in registered partnership and separated (seven countries³⁶). Three countries³⁷ had the distribution: married persons, single, widowed, and separated. Two countries³⁸ registered the distribution: married persons, separate, divorced, and widowed. Other two countries³⁹ had the distribution: separate persons, married, widowed, and divorced.

Figure 17 Distribution of population by marital status in 2012 for 14 EU Member-States



Source: Eurostat, Population on 1st of January by age, sex and legal marital status

The first most frequent marital status was single person in nine countries and married one in five. The lowest % of single people (38%) was recorded in RO while the highest (52%) was in SW. Three pairs of countries shared similar proportion of single persons: LV and DE (42%); SK and HU (43%), and DK, FI, and NL (47%).

Among the analysed countries, the lowest value of married people (34%) was in SW while the highest one (50%) was in RO. Three pairs of countries recording similar numbers of married persons as % of the total population were identified: FI, FR and LV (37%); SI and NL (40%); and CZ, DE, LT, and SK (42%).

In DE married people (42.4%) was similar single people (42.3%). The lowest value of divorced rates (5%) was in RO while the highest (12%) was in LV. No divorced persons were recorded for 2012 in IT. Three pairs of countries sharing the same % of divorced persons were identified: FR and SI (6%); DK and DE (8%); and FI and SW (10%).

DK, FI, UK, and SW scored the smallest values (5%) of widowed persons. The highest 10% was recorded in LT and HU. Three pairs of countries sharing

³⁶ By the total number of population in ascending order: LV, SK, FI, DK, HU, SW, and NL.

³⁷ By the total number of population in ascending order: LT, RO, and IT

³⁸ By the total number of population in ascending order: CZ, and DE

³⁹ By the total number of population in ascending order: SI, and FR

common values of widowed persons were identified: CZ, DE, SK, and SI (7%); IT and RO (8%); and HU and LT (10%).

The most dramatic difference between widowed and divorced persons was in SW where divorced persons were by 5% more. One pair of countries (DE and SK) sharing common values was identified: 8% divorced persons and 7% widowed. The number of divorced and widowed persons was equal in FR (6%) and HU (10%). The proportion of divorced persons was double than widowed in FI and SW. The number of widowed persons was almost double than divorced in RO. For more details please consult Annex 25: Population by marital status as percent of the total population in 2012.

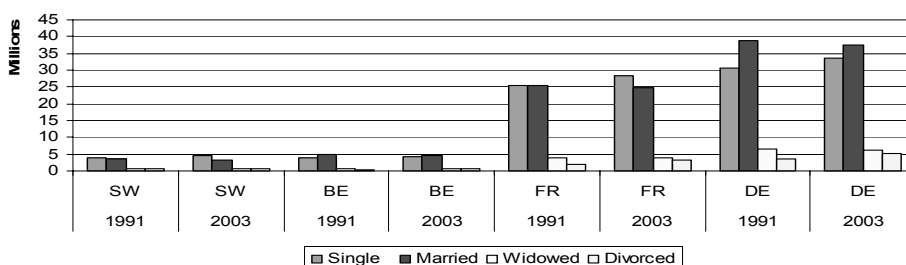
2. The marital statuses dynamic 1991-2012

This section includes three parts: 1991-2003 (BE, FR, DE, and SW), 2003-2012 (CZ, HU, LT, SK, SI, and RO), and 1991-2012 (NL, IT, FR, DE, FI, DK, and SW). The comparative analysis for 1991-2012 does not include all analysed EU Member-States due to lacking information. Further consolidation of Eurostat data with comparative information on all missing member-states would allow for a detailed and comprehensive comparative analysis of changes in marital status.

Dynamic of marital status 1991-2003 in four EU Member-States

This section is focused on three EU founder states (BE, FR and DE), and other old member-states than the EU founder states (SW). Research results are presented by the share of marital categories from the total population in 1991.

Figure 18 Marital changes in 1991 and 2003 as percent of the total population



Source: Eurostat database Population by sex, age and marital status

BE, FR and DE shared in 1991 the marital distribution: married persons, single, widowed and divorced. At the opposite end is SW with: single persons, married, divorced and widowed. 2003 data shows different four marital profiles in analysed countries.

Table 9 Country profiles by decreased distribution of marital status
(1991, 2003)

	M S W D	M S D W	S M W D	S M D W
1991	BE, FR, DE	-	-	SW
2003	DE	BE	FR	SW

Source: Author's calculations based on Eurostat database Population by sex, age and marital status

Note: M=married persons S=single (never in a legal union) W=widowed D=divorced

No commonly shared profile for the period 1991-2003 was identifiable. With slight differences of the share of marital category as percent of the total population, SW and DE preserve their domestic distribution. BE maintained the first two positions (married and single), but switched in 2003 the rankings between divorced and widowed people. FR switched in 2003 the rankings for single with married persons but kept the same order as top position for both widowed and divorced persons.

For the changes in the period 1991-2003 regarding the marital status as share in total population, common trends were identified. Single and divorced persons increased, while the number of married people decreased.

Figure 19 Marital changes for the period 1991-2003 as percent of the total population



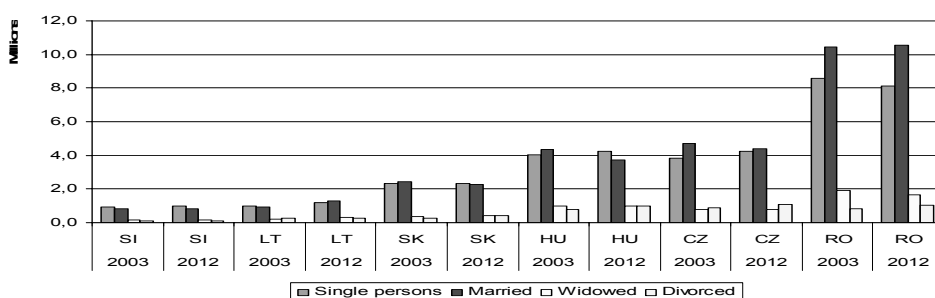
Source: Author's calculations based on Eurostat database Population by sex, age and marital status

The most dramatic negative changes in 1991-2003 were for married people in SW and BE where the numbers decreased in 2003 by 5% of the total population. The top 1991-2003 positive change was in SW with an increased 4% of single people. Slight 1991-2003 changes were recorded for widowed persons. The share did not record any changes either in BE or FR. In both SW and DE the number of widowed persons decreased by 1%.

Dynamic of marital status 2003-2012 in six EU Member-States

This section is focused on six member-states from the fifth EU enlargement wave: CZ, HU, LT, SK, SI, and RO. Research results are presented in increasing order by the 2003 population. Further consolidation of the Eurostat database with information for 2003 LV, and 2003 and 2012 data for new EU Member-States (BG, HR, CY, ET, MT, and PL) would allow for further comparative analysis. Single and married persons were the most frequent marital status and maintained this order in the top positions in 2012 compared with 2003 in CZ, SI and RO. In HU, LT and SK the two marital statuses switched their top positions.

Figure 20 Marital changes in 2003 and 2012 as percent of the total population



Source: Eurostat database Population by sex, age and marital status

The most frequent 2003 distribution of marital statuses in three out of six analysed countries was (in decreasing order): married people, single, widowed and divorced. In 2012 a pair of two countries shared this distribution while another pair of two countries registered: single, married, divorced, and widowed persons. CZ and SI kept the same marital profile in 2003 and 2012.

Table 10 Country profiles by decreased distribution of marital status (2003, 2012)

	M S W D	M S D W	S M W D	S M D W
2003	SK, HU, RO	CZ	SI	LT
2012	LT, RO	CZ	SI	SK, HU

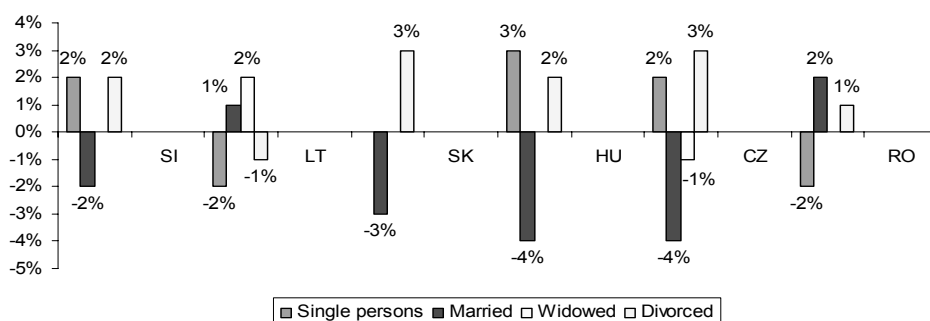
Source: Author's calculations based on Eurostat database Population by sex, age and marital status

Note: M=married persons S=single (never in a legal union) W=widowed D=divorced

No commonly shared dynamic profile for 2003-2012 was identified. RO, CZ and SI maintained the same marital profile. The remaining three countries switched between both the first and the second top positions, and the third and fourth one. SK and HU shared similar marital change directions in 2003 compared with 2012. LT registered two opposite marital profiles as none of the fourth marital statuses kept its position in 2012 compared with 2003.

As common directions, except for LT, the number of divorced people increased. Proportion of widowed was constant except for LT (2% more in 2012) and CZ (1% more in 2012). Growing number of single people and decreased married persons were recorded in SI, HU, and CZ. The number of married people increased while singles decreased in LT and in RO. Only in SK, the number of 2012 married people was lower compared with 2003.

Figure 21 Marital changes for the period 2003-2012 as percent of the total population



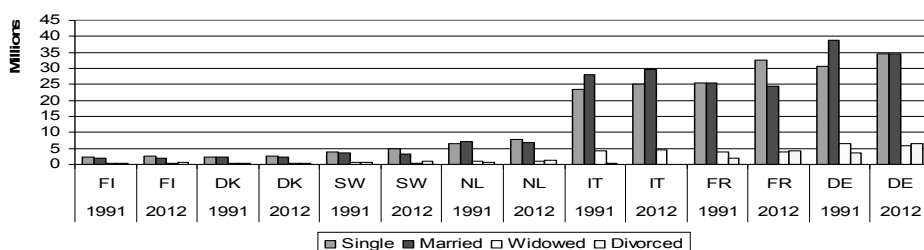
Source: Author's calculations based on Eurostat database Population by sex, age and marital status

The most dramatic negative change was in HU and CZ with -4% married people in 2012. The highest value of positive marital changes was in SK and CZ with 3% more divorced people in 2012. HU registered 3% more single persons in 2012. Widowed persons scored the lowest variations. No 2003-2012 differences were noticed in SI, SK, HU and RO.

Dynamic of marital status 1991-2012 in seven EU Member-States

The analysis refers to four EU founders (NL, IT, FR and DE), and three other old Member-States (FI, DK and SW). As methodology, we overviewed the distribution of marital statuses in 1991 and in 2012, and we analyzed these differences as share of the total population and compared the changes in the distribution of the marital status. Complementary available 2003 data were used for FR, DE, NL, and SW.

Figure 22 Marital changes in 1991 and 2012 as percent of the total population



Source: Eurostat database Population by sex, age and marital status

The most frequent 1991 distribution of marital status was (in decreasing order): married people, single, widowed and divorced. The most frequent 2003 and 2012 distribution was: single, married, divorced, and widowed. In other words, no single marital status kept its position in the top. The domestic profile of single persons, married, widowed, and divorced was in 1991 in FI and DK and in 2003 and 2012 in FR. As new 2012 entry, DE registered: married persons, single, divorced, and widowed.

Table 11 Country profiles by decreased distribution of marital status (1991, 2003, 2012)

	M S W D	M S D W	S M W D	S M D W
1991	NL, FR, IT, DE	-	FI, DK	SW
2003	DE	-	FR	NL, SW
2012	IT	DE	FR	FI, DK, SW, NL

Source: Author's calculations based on Eurostat

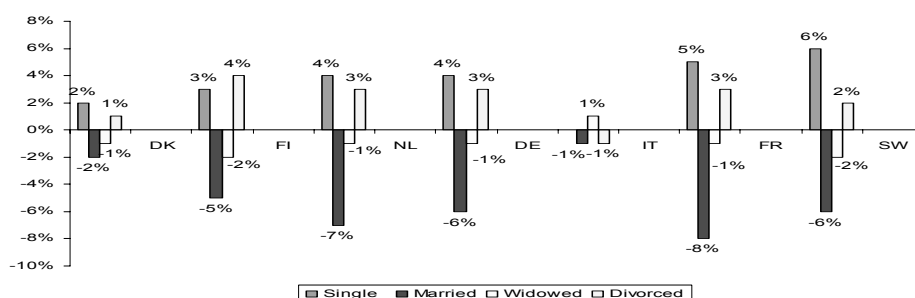
Note: M= married persons S=single (never in a legal union) W=widowed D=divorced

The 1991-2012 research outputs do not support the idea of a shared marital change dynamic. Two countries (IT and SW) preserved the same profile in 2012 compared with 1991.

DE, FI, and DK maintained the same order of the two top positions (single and married persons), but switched the third and the fourth ones (widowed and divorced persons). FR kept the third and fourth marital positions (widowed and divorced persons), but switched the first two positions (married and single persons). In the case of NL, all four marital statuses changed their positions in 1991 compared with 2012. This change occurred since at least 2003 (as data are not available for other years covering the period between 1991 and 2003). The 2012 marital profile was changed since 2003 in FR and NL but not in DE. Collection of 2003 marital statuses related data for FI, DK and IT would have provided useful complementary information.

As common trends, the number of married persons decreased, while the number of single grew. Save for IT, widowed persons decreased and the number of divorced persons increased.

Figure 23 Marital changes for the period 1991-2012 as percent of the total population



Source: Author's calculations based on Eurostat.

The highest value of a negative marital change was in FR where the number of divorced people decreased by 8% in 2012 compared with 1991. The highest value of a positive marital change was in SW where the % of single people increased in 2012 by 6% in comparison with 1991. Widowed persons registered the smallest variations in 2012 compared to 1991. The only unchanged marital status was for single persons in IT. The analysis of the potential objective constraints or personal reasons behind these changes in marital statuses is not the topic of the current chapter but it could be further developed.

3. Conclusions

The initial research aim to analyse changes of marital statuses in EU-28 was redesigned due to available data. In this respect, a part of the chapter is focused on marital statuses in 1991, 2003, and 2012 while the second part is focused on changes occurred between 1991-2003, 2003-2012, and 1991-2012. For more details please see Annex 26: Available data on marital profiles within analyzed EU member-states

The most widespread EU-15 marital status in 1991 by the decreasing order of frequencies as percent of the total population was: married people, single, divorced, widowed, and separate persons. The category of married people was the first marital status in eleven countries: the six EU founders (BE, DE, FR, IT, NL, and LU), and five other old member-states (AT, EE, ES, PT, and UK). The highest percentage of married people (52% of the total population) was in EE. The marital status of 'single persons' was the first marital status in 1991 in four EU member-states: DK, FI, IE, and SW. IE registered both the lowest percent of

married people (38%) and the highest value of single ones (55%). Lowest percent of single persons (38%) was in DE. Widowed persons represented in 1991 the third marital status in EU-15 except for SW. The smallest percent of widowed persons (5%) was in IE while the highest (8%) was in AT, BE, DE, and LU. Divorced persons represented the fourth marital status except for SW. The lowest number of divorced people (0.4%) was in ES while the highest (7%) was in DK and in SW.

The most frequent 2003 distribution of marital status in 11 EU member-states was by decreasing order of frequencies: married persons, single, widowed, and divorced. Married represented the first marital status in six countries: two EU founders (BE and DE), and four CEE countries (SK, HU, RO and CZ). The lowest value (35%) was registered in SW while the highest (48%) in RO. Single persons represented the first marital status in five countries: FR, NL, SW, SI, and LT. CZ registered the lowest (38%) value of single people while SW the highest (50%). Widowed persons represented the third position in six countries: FR, DE, SK, HU, RO, and SI. The lowest value of widowed persons (5%) was recorded in NL, while the highest (10%) in HU. Divorced persons represented the third position in five EU member-states: BE, NL, SW, CZ, and LT. The lowest percent (4%) was in RO and SI and the highest (10%) in LT.

The 1991-2003 research of marital status was focused on four EU member-states: BE, FR, DE, and SW. As common trends, the number of married persons decreased while single and divorced ones increased. The proportion of widowed persons remained constant in BE and FR and decreased in SW and DE. As 1991-2003 dynamic, DE and SW kept their distribution of marital statuses. By top marital positions as percent of total population, FR switched in 2003 married persons with single ones, while BE switched in 2003 divorced with widowed persons.

The 2003-2012 research included six countries: CZ, HU, LT, SK, SI, and RO. The number of married people decreased and single ones increased except for LT and RO. Divorced persons increased except for LT. The proportion of widowed persons remained constant except for LT and CZ where it decreased. RO, CZ and SI kept their distribution of marital statuses. LT on one hand and HU and SK on the other hand switched their marital distribution in 2012 compared with 2003.

The 1991-2012 analysis of the marital status was focused on seven EU member states: NL, IT, FR, DE, FI, DK, and SW. As common trends, the number of married and widowed persons decreased while single and divorced increased. As an exception, in IT the proportion of divorced persons decreased, widowed people increased and no single persons were registered as such in 2012. The most frequent distribution of marital status in 1991 was shared by four countries (NL, FR, IT, and DE): married persons, single,

widowed and divorced. The most frequent 2012 distribution was shared by four countries (NL, FI, DK, and SW): single persons, married, divorced and widowed. SW is the only country which kept the same distribution of marital status in 1991, 2003 and 2012. The same marital profile was registered in DE (1991 and 2003), in FR (2003 and 2012), and NL (2003 and 2012). FR and NL switched the first top position of married in 1991 with single in 2012. DE, FI, and DK switched the third position of widowed in 1991 with divorced in 2012. For more details please see Annex 27: Distribution of marital profiles within analysed EU member-states.

A further consolidation of the Eurostat database with data on all EU member-states starting at least with the time of their accession to the EU would allow consolidation of obtained research results. In this respect, we recommend conceptual clarifications of categories for the marital statuses used (i.e. single persons, widowed versus persons whose legal union ended with the death of the partner). However in 2003 and 2012 no data were recorded for the categories of “Persons whose legal union ended with the death of the partner”, “Persons whose legal union was legally dissolved”, and “Separated persons”. In this respect, a methodological decision should be taken about the appropriateness to maintain them in future databases. The harmonisation of “registered partnership” among EU member-states is to be further prospected. We recommend that the total population per country is included alongside explanations for non-answers, and don’t know answers.

As future research, identification of trends in marital status will support the investigation of the impact of different demographic scenarios within the EU Member-States for the perspective on medium- and long-term (2020, 2040, and 2060) and the subsequent adjustment of the EU and domestic regulations in the field of social policy.

PART III

SOCIAL PROTECTION OF FAMILY

CHAPTER VI

Family benefits⁴⁰

In recent years, the public attention for families is supported by reconsidering its role, and the one of the market and state in providing welfare in post-fordist societies (Esping-Andersen, 1990; Leibfried, 1993; Pierson, 1996; Korpi *et al*, 1998; Esping-Andersen, 1999; Koch, 2006). Families are faced with a global context characterised by various “erosion” factors such as: demographic decline, decreasing marriages and births, increasing number of divorces and new forms of families, delaying the age of the first marriage, lifestyle changes, improved access to long term education and vocational training (Korpi, 2000; Popescu, 2009, Mureşan, 2014:137-149). Childcare paradigm changes and new circumstances require integrative suitable parent-education system approaches in tackling low school performance and even school drop-out and delinquent children (Pânzaru *et al*, 2013; 21-36; Băluţă, 2014;227-242; Tomiţă, 2014:67-85).

Family relations have new dimensions added: ethno-cultural particularities are shaping the conflicts among parents and children (Turliuc *et al*, 2013:42-46), school performance and adoption, (Băluţă, 2014:42-46). Parents’ needs with respect to childcare support could be resumed at: day care, and a friendlier working environment (Hirdman, 1994:25) but both women and men tend to give priority to their career as an individual answer to transition from “welfare to workfare”.

On-going accession of new candidate countries to EU requires on-going adjustment of the *acquis communautaire* towards Europeanization of sovereign social protection systems and challenges the principles included in the European Social Model (Vaughan-Whitehead, 2004; Vonica, Radutiu *et al*, 2004; Stănescu, 2006; Kvist *et al*, 2007; Stănescu, 2013).

The configuration of family policies became a strategic element in answer to the weaker national capacity to support social costs. One of the latest shared trends among EU Member-States is the financial improvement of the family situation (European Commission, 2012:4). The concern for better family policies is reflected by institutional settings and regulatory frameworks; leave-of-absence policies, care services, and cash and tax benefits (Blum *et al*, 2010:6-11). The more attention is paid to efficiently adjust family policies, the

⁴⁰ A preliminary version was published in Stănescu, Simona Maria; Nemţanu, Mirela 2015. Family Benefits in Member States of the European Union: a comparative perspective, in *European Review of Applied Sociology*, Universitatea de Vest din Timişoara, issue 10, June 2015, 29-41

better chances are to increase fertility, to secure the work-life balance, and to protect children from social exclusion.

This chapter assesses the current state of affairs in providing family benefits at EU level.

In terms of methodology, the chapter is based on primary and secondary analysis of 28 sets of national data provided through MISSOC on 1st of July 2014. Four categories of family benefits were identified: child-benefits, child-raising allowances, child care allowances and other benefits. Within this last category, five distinct types of allowances were analysed: birth and adoption grants, allowance for single parents, special allowances for children with disabilities, advance on maintenance payments and other allowances. Common definitions for the above mentioned categories of family benefits are not officially recognised at EU level. Yet, embedded common actions allow us to compare the family benefits despite the lacking common theoretical approach.

By time allocated in this respect, three categories of countries were identified: six founder members of the EU; the following nine other “old” member-states; and 13 CEE new member-states (the two steps 2004⁴¹ and 2007⁴² fifth EU enlargement wave and the sixth 2013⁴³ wave). Researched countries are enumerated in chronologic order when referring to the EU accession moment, in alphabetic order when referring to the European overview and additionally, by these three types of countries in the case of complementary in-depth analysis.

The first part of the chapter looks at the chronological development of national regulations with impact on family benefits. The analysis of the historical socio-economic and cultural roots for the identified changes does not represent the subject of this part but it could be further researched. The second part looks at regulations of family benefits in connection with the moment of joining EU. The main question is if current regulations regarding family benefits were adopted before or after the accession to the EU. Assessment of the strong and weak points in adopting the *acquis communautaire* is not included. The third part analyses comprehensively various forms of legislation for family benefits in the EU-28. The research of the main subjects of regulation in the field of family benefits offers a detailed picture on social policy and common trends in approaching family. The last part of the chapter looks at the coverage of the identified eight categories of family benefits provided within EU-28.

⁴¹ CY, CZ, ET, HU, LV, LT, MT, PL, SK, and SI on the 1st of January 2004

⁴² BG, and RO on the 1st of May 2007

⁴³ HR on the 1st of July 2013

1. National regulations

One of the first questions analysing the subject of family benefits is: to what extent are they flexible to adapt to current challenges? In other words, how frequent are their changes and since when is the last one in force? From this perspective, we looked at two years, respectively when the latest legislative changes entered into force, and the moment of joining the EU. The period starting with 1990 is closer analyzed due to the fall of communist regime in CEE and its impact on social policy configuration. During the documentation phase, an unexpected additional reason supported this methodological option as we noticed that the MISSOC data base does not provide information on the applicable statutory basis before 1989 in the CEE member-states.

From the perspective of the applicable statutory basis, the oldest regulations with impact on family protection relevant today date back to 1939 (BE⁴⁴), 1955 (IT⁴⁵), 1958 (EE⁴⁶), and 1967 (AT⁴⁷). The most recent legal developments in the field date from 2014 (BG). Regularly updates of the amounts of family benefits were noticed in EU Member-States. Taking a closer look, family related regulations adopted before the '90s were chronologically noticed in IT (1961 and 1988); in NL (1962⁴⁸); in DE (1964 and 1979); in BE (1976); and in EE (1980, 1983, 1984, and 1985).

Starting with 1992 but except 1996, yearly legislative changes were adopted in both EU Member-States and candidate countries at that time. Changes during '90s were registered in all three categories of countries: in one EU founder state (IT), in three other old member-states (FI, ES, and UK), as well as in four CEE member-states (BG, CZ, HU, and RO). A more detailed picture is presented below:

- in 1992: FI and UK;
- in 1993: RO;
- in 1994: ES;
- in 1995: CZ and HU;
- in 1997: HU;
- in 1998: HU and IT,
- in 1999: BG, CZ, and IT.

⁴⁴ Lois coordonnées relatives aux allocations familiales pour travailleurs salariés 19 Decembre 1939

⁴⁵ Decreto del Presidente della Repubblica 30 Maggio 1955, n. 797 - Testo unico delle norme concernenti gli assegni familiari

⁴⁶ Legislative Decree (ΝΟΜΟΘΕΤΙΚΟ ΔΙΑΤΑΓΜΑ) No. 3868/58

⁴⁷ Families' Compensation Act (Familienlastenausgleichsgesetz) of 24 October 1967

⁴⁸ http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=69216

With reference to the period 2000-2010, legislative updates were registered mainly in the first half. It was the case of one EU founder state (DE), seven other old member-states (except DK and FI), and 11 CEE member-states (except CZ and HU). Changes of family regulations were noticed in:

- in 2000: MT;
- in 2001: AT and HR ;
- in 2002: BG, CY, ET, and UK;
- in 2003: BG, HR, CY, PL, PT, and SK;
- in 2004: BG, HR, ET, EE, LT, and RO;
- in 2005: IE, SK, SI, and ES;
- in 2006: PT and SI;
- in 2007: CY, ET, and DE;
- in 2008: SK and SW;
- in 2009: BG, DE, LV, and SK.

Changes of family benefits were constantly registered after 2010 in all three types of EU Member-States. Noticeable is the singular case of one founder state of the EU (IT), a moderate presence of four other old member-states (DK, EE, PT, and SW), and almost half of the latest member-states.

- in 2010: CY, PT, RO, SI, and SW;
- in 2011: BG, CY, and DK;
- in 2012: HR, CY, DK, IT, and SI;
- in 2013: BG, DE, EE, IT, and SK;
- in 2014: BG.

Family benefits changed with almost the same intensity in both other old member-states than the EU founders and in the New Member-States of CEE. The most frequent changes per category of analysed countries were registered in IT (as founder state of the EU), in PT (as other old member-states), and in BG (among newly member-states).

Early national regulations with impact on family policies had a rather general approach by adopting the Social Security Codes (FR and LU); and Child Benefit Acts (a Federal one in DE, and a General one in NL). More specific visions were reflected by adopting the General Act on Child Benefits (BE 1939) and the Decree of the President of the Republic no. 797 (IT 1955).

In terms of the longest time since the last update of the regulations regarding family benefits as compared to the time of becoming an EU member state, BE is one of the most “conservative” countries. Its current legislative

framework with impact on family dates back to 1976. At the opposite end, FR (2014), DE and IT (2013) continue to adjust their national frameworks. It should be taken into account that on one hand, the assessment of the effectiveness of family policies is not the main core of this chapter, and on the other hand, regular updates of the amounts for family benefits adopted all over EU are not considered as modification of the hard legislation. A particular situation is represented by FR where data regarding the adoption of the Social Security Code is not available within the MISSOC data base, but yearly organic laws on budgetary allocation support and its implementation are mentioned. We recommend that the MISSOC database should harmonize and collect complementary information on available national financial tools both in terms of regular amounts and financial implementation mechanisms.

Table 12 Recent regulations of family benefits within founder member-states of the European Union

No.	Country	EU	Latest regulations
1.	FR	1951	2014 ⁴⁹
2.	DE	1951	2013
3.	IT	1951	2013
4.	NL	1951	2004 ⁵⁰
5.	BE	1951	1976
6.	LU	1951	2008

Source: MISSOC data base

Among other old member-states except EU founder members, the most “conservative” one is FI where the current regulations regarding family benefits are in force already since three years before its EU accession. Latest developments were registered in DK and EE in 2013.

Eight out of nine old member-states continue to change their family regulations after they joined the EU: 40 years after in the case of DK; 32 years after in the case of both IE and EE; 29 years after in UK; 24 years after in PT; 15 years after in SW; and six years after in AT. Further research on explaining this period needed per country should take into account strategic elements related to the development of the social goals agreed at EU level.

⁴⁹ <http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006073189>

⁵⁰ http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=69216

Table 13 Recent regulations of family benefits within other old member-states except founder states of the European Union

No.	Country	Latest regulations	EU accession	Latest regulations
1	DK	-	1973	2013
2	IE	-	1973	2005
3	UK	-	1973	2002
4	EE	-	1981	2013
5	PT	-	1986	2010
6	ES	-	1986	2005
7	AT	-	1995	2001
8	FI	1992	1995	-
9	SW	-	1995	2010

Source: MISSOC data base

Among CEE member-states, LT is the most “conservative” as it preserved regulations adopted ten years before accession. At the opposite end, BG adopted modifications in 2014. Five countries follow family related regulations adopted before joining EU: LT (ten years before), HU (six years), CZ (five years), MT (four years), and PL (one year). Seven states continued their national updates after EU accession: ET and RO (three years after), LV (five years), BG (seven years); CY and SI (eight years), and SK (nine years).

Table 14 Recent regulations of family benefits within Central and Eastern member-states

No.	Country	Latest regulations	EU accession	Latest regulations
1.	CY	-	2004	2012
2.	CZ	1999	2004	-
3.	ET	-	2004	2007
4.	HU	1998	2004	-
5.	LV	-	2004	2009
6.	LT	1994	2004	-
7.	MT	2000	2004	-
8.	PL	2003	2004	-
9.	SK	-	2004	2013
10.	SI	-	2004	2012
11.	BG	-	2007	2014
12.	RO	-	2007	2010
13.	HR	2004	2013	-

Source: MISSOC data base

2. Forms of national legislation

Looking at the forms used in adopting legislative modifications, five distinct categories were identified: acts, laws, decrees, codes and other acts. They are represented in all three types of member-states. Per each category of both regulations and countries, laws are the most frequent in founder members of the EU, acts in other old member-states and equivalent acts and laws in the CEE countries.

Table 15 Domestic regulations of family benefits within the European Union

No.		EU Founder members	Other old member-states	CEE member-states
1.	Acts	DE, NL	AT, DK, FI, IE, ES, SW, UK	BG, HR, CZ, ET, HU, MT, SI
2.	Laws	BE, DE, IT	EE, PT	BG, CY, LV, LT, PL, RO, SK
3.	Decrees	BE, IT	EE, PT, ES	BG
4.	Codes	FR, LU	SW	BG
5.	Other	-	-	MT, RO

Source: MISSOC data base

The most frequently used piece of regulation is the act. They are mostly dedicated to children (AT, HR, CZ, DK, FI, DE, HU, SW, NL, and UK), and family (AT, BG, HR, DK, ET, HU, and SI⁵¹). Other identified acts are focused on the following topics:

- taxation acts (HR, HU, SI, and UK);
- parental acts (ET, DE, and SI) ;
- maintenance benefit acts (ET, DE, and SI) ;
- social welfare act (HR and IE);
- social security act (MT and ES).

Subjects of other national acts are: state social support (CZ), labor (HR), homeland war veterans and members of their families (HR), social services (DK), day care (DK), benefits of compulsory health insurance (HU), exercise of rights to public funds (SI), kindergarten (SI), and child-related allowances (NL). Laws are mainly focused on:

⁵¹ Parental Care and Family Benefits Act

- children (BE, CY, LT, RO, and SK);
- allowances (BE, IT, LV, RO, and SK);
- family (IT, PL, and SK);
- state social insurance (BG and LV);
- taxation issues (DE and SK).

Other laws refer to: self-employed (BE), paternity (IT), integration of people with disabilities (BG), the indexing reference of social support (PT), maternity and sickness insurance (LV), and alternative alimony (SK).

Decrees (BG, IT, and PT), presidential decrees (EE) and royal decrees (BE and ES) are in force. Five codes are applicable: social insurance code (BG and SW), social security code (FR, LU), and family code (BG). Other types of national legislation identified in the analysed countries are: emergency ordinance (RO) and regulation (MT).

3. Main subjects of domestic regulations

First five top topics of family regulations are: child (15 countries), family (13 countries), allowances / benefits (12 countries), taxation (seven countries), and paternity (six countries). Six EU Member-States are missing: two EU founder states (FR and LU); three other old member-states (IE, EE, and ES); and one New Member State (MT).

Table 16 Focus of family benefits within Member-States of the European Union

No.	Country	Child	Family	Allowance / benefit	Taxation	Paternity
1.	AT	x	x	-	-	-
2.	BE	-	x	-	-	x
3.	BG	x	x	x	x	-
4.	HR	x	x	x	x	-
5.	CY	x	-	x	-	-
6.	CZ	x	-	-	-	-
7.	DK	x	x	-	-	-
8.	ET	-	x	x	-	-
9.	FI	x	-	-	-	-
10.	DE	x	-	-	x	-
11.	HU	x	x	x	x	x

No.	Country	Child	Family	Allowance / benefit	Taxation	Paternity
12.	IT	-	x	-	-	-
13.	LV	-	-	x	-	x
14.	LT	x	-	x	-	-
15.	PL	-	x	x	-	-
16.	PT	-	x	-	-	-
17.	RO	x	x	x	-	x
18.	SK	x	x	x	x	x
19.	SI	-	x	x	x	x
20.	SW	x	-	-	-	-
21.	NL	x	-	x	-	-
22.	UK	x	-	-	x	-

Source: MISSOC data base

Social security is subject of family related regulations in four countries: FR, LU, ES, and MT. Other subjects are: social services (DK, SK, and SI); social support (PT, CZ, and SI); and social protection (CZ, HU, and RO).

Subjects approached in pairs of member-states are noticed in the case of employment (BE and HR); welfare (IE and HR); social insurance (SW and BG); and health insurance / sickness (HU and LV). There are seven cases of unique use of other topics when referring to family related regulations: European Union obligations (IT); self-employed (BE); gender equality bonus (SW); alternative alimony (SK); rights to public funds (SI); people with disabilities (BG); and homeland war and members of their families (HR).

Taking a closer look at the frequent topics per category of analysed EU Member-States, child family and taxation are commonly used by all three categories of countries. Except FR and LU, the four EU founder member-states are equally distributed among identified topics. The subjects of allowance / benefit, and paternity are not identified in other old member-states than EU founders.

Except MT, all CEE member-states are using some of the five subjects within national regulations. By frequencies, the picture is as follows: HU and SK (all topics); SI, BG, RO, and HR (four topics from which family and allowance / benefit are common); and CY, LT, ET, and PL (two topics from which allowance / benefit is common).

Table 17 Main subjects for family benefits by category of Member-States of the European Union

No.		EU founder states	Other old member-states	CEE member-states
1.	Child	DE, NL	DK ⁵² , UK, AT, FI, SW	CY ⁵³ , CZ, HU, LT, SK, BG, RO, HR
2.	Family	IT, BE	DK, PT, AT	ET, HU, PL, SK, SI, BG, RO, HR
3.	Allowance / benefit	NL	-	CY, ET, HU, LV, LT, PL, SK, SI, BG, RO, HR
4.	Taxation	DE	UK	HU, SK, SI, BG, HR
5.	Paternity	IT, BE	-	HU, LV, RO, SK, SI

Source: MISSOC data base

Closely analyzing the founder members of the EU, no common theme related to family issues was identified in the six countries. Still, family and paternity are supported in both IT and BE; child in DE and NL; and social security in FR and LU. As partially mentioned above, other singular subjects identified in family related regulations are: EU obligations (IT); taxation (DE); employment (BE), and self-employment (BE).

Table 18 Main subjects for family benefits within founder members of the European Union

	Country	Family	Child	Social security	Paternity
1.	FR	-	-	x	-
2.	DE	-	x	-	-
3.	IT	x	-	-	x
4.	NL	-	x	-	-
5.	BE	x	-	-	x
6.	LU	-	-	x	-

Source: MISSOC data base

In the case of other old member-states except the EU founders, child is the main focus of family regulations followed by family. As briefly mentioned above, other singular topics are: social services (DK), welfare (IE), taxation (UK), social security (ES), and gender equality bonus (SW).

⁵² Following the order of accession to the EU

⁵³ Following the order of accession to the EU

Table 19 Main subjects for family benefits within other old member-states than the founders of the European Union

No.	Country	Child	Family
1.	DK	x	x
2.	UK	x	-
3.	PT	-	x
4.	AT	x	x
5.	FI	x	-
6.	SW	x	-

Source: MISSOC data base

When referring to CEE member-states, allowance / benefit is the most frequent subject in family related regulations. Next positions are occupied by: child and family (each in eight countries), paternity (six countries), and taxation (five countries).

Table 20 Main subjects for family benefits within Central and Eastern European member-states

No.	Country	Allowance / benefit	Child	Family	Paternity	Taxation
1.	CY	x	x	-	-	-
2.	CZ	-	x	-	-	-
3.	ET	x	-	x	-	-
4.	HU	x	x	x	x	x
5.	LV	x	-	-	x	-
6.	LT	x	x	-	-	-
7.	MT	-	-	-	-	-
8.	PL	x	-	x	-	-
9.	SK	x	x	x	x	x
10.	SI	x	-	x	x	x
11.	BG	x	x	x	-	x
12.	RO	x	x	x	x	-
13.	HR	x	x	x	x	x

Source: MISSOC data base

As summarily mentioned above, other singular subjects are: social protection (CZ, HU, and RO); social services (SK and SI); social support (CZ and SI); and health insurance / sickness (HU and LV). In only one country case other registered subjects are: employment (HR), social security (MT); welfare (HR); social insurance (BG); alternative alimony (SK); rights to public funds (SI); people with disabilities (BG); and homeland war veterans and members of

their families (HR). We notice the last two vulnerable groups which require a better attention paid to them by the state.

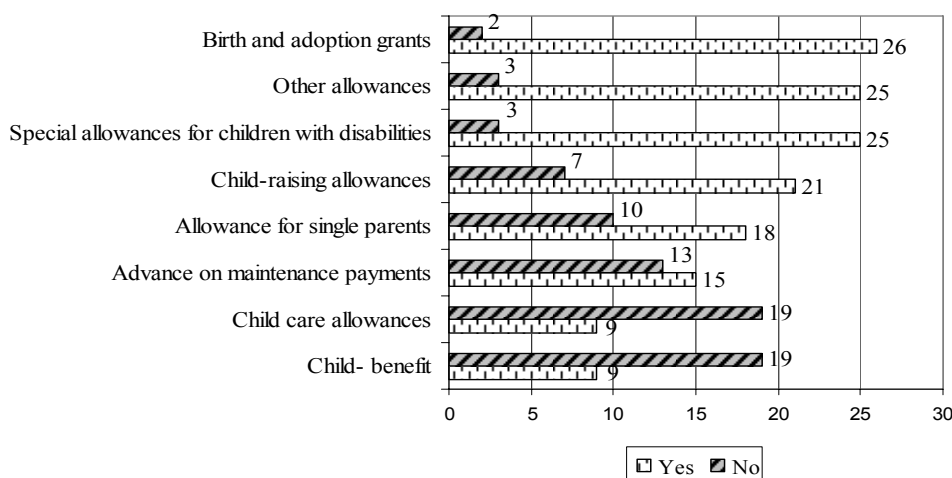
4. Coverage of categories of family benefits

Family benefits provided in EU-28 are classified in four categories including eight different allowances: child-raising allowances, child-benefit, child care allowances, and other benefits (birth and adoption grants, allowance for single parents, special allowances for children with disabilities, advance on maintenance payments and other allowances).

The child raising allowance is the most frequent form to support families being provided in 21 out of EU-28. Exceptions are registered in: one founder member of the EU (NL), four other old member-states (DK, EE, IE, and UK), and two CEE member-states (CY and MT).

In nine EU Member-States, both child-benefit and child care allowances are provided. It is the case of two EU founders states (FR and NL) despite the fact that family regulations focused on child and family were adopted also in DE, IT, and BE (see previous section of the chapter). Similarly, the two types of allowances are provided for just in three (DK, FI and UK) of the six other old member-states of the EU, leaving aside the founder states of the EU, even though regulations focused especially on child and family are also enforced in AT, PT and SW. Just four from the CEE countries (HU, RO, SK and SI) provide for two allowances despite the fact that child and family are the subjects of enforced regulations in other seven CEE countries (CY, CZ, ET, LT, PL, BG, and HR), as well.

Figure 24 Provision of family benefits in EU-28



Source: Authors' calculations based on MISSOC data base

When referring to the category of other benefits, top position is occupied by birth and adoption grants provided in 26 member-states (except AT and IE). The next frequent other family benefit is special allowances for children with disabilities which is provided in 25 countries (except CY, DE, and IT). Also 25 countries finance other types of allowances (except CY, ES, and NL).

The category of other types of allowances includes a variety of forms of financial support: accommodation and housing allowances (AT, FI, FR, DE, and SW); forms of tax credit especially for dependent children (AT, HR, HU, LU, and UK); flat-rate allowances (AT and BE).

Family regulations for children are focused on:

- children in day-care centres (HR, CZ, ET, LT, MT, and SK);
- orphans / abandoned children (IE, LT, and MT);
- foster care (LV and LT);
- start of school year supplement (FR, LU; and PL);
- children at school (BG and PT).

Transport of children is subsidized in CZ and SK. Transport and accommodation of children at school is financed in PL (Child Education out of the Place of Residence supplement) and in SK.

Support for parents in various circumstances is covered in the case of:

- conscript's and alternative civilian (ET and LT);
- parents who stopped working to take care of a child with special needs (PL and ES);
- studying or during an internship and school term (DK);
- parental leave (LU);
- parents back to work earlier after giving birth (RO).

Large families with more than three children are financially supported by special regulations (PL and SI). Grandparents raising children are entitled to financial support in DE.

Returning to the top of most frequent eight allowances provided in the EU-28, allowance for single parents is accessible in only 18 countries while advance on maintenance payments is regulated in 15 member-states. No allowance for single parents is financed in four founder members of the EU (BE, DE, LU, and NL), one other old member-states (ES), and five new member-states (BG, HR, CZ, LV, and SK).

Advance on maintenance payments is not regulated in 13 member-states: three founder members of the EU (BE, IT, and NL), four other old member-states (EE, IE, PT, and ES), and six new member-states (HR, CY, CZ, LV, LT, and RO).

Taking a closer look at the provision of the analysed eight types of family benefits they are fully provided in only four countries: one EU founder state (FR); one other old member state (FI); and two CEE member-states (HU and SI). At the opposite end the smallest number of family allowances is provided in two of the category other old member-states than the EU founder states: in IE (allowance for single parents, and special allowance for children with disabilities), and in ES (child-raising allowances, birth and adoption grants, and special allowance for children with disabilities). In CY as CEE New Member State only birth and adoption grants and allowance for single parents are provided.

Four founder members of the EU provide four family benefits (BE, DE, IT, and NL) and LU provides five. Within this category of countries, the most frequent is birth and adoption grants (all six countries); child-raising allowances (five countries except NL); other allowances (five countries except NL); special allowance for children with disabilities (four countries except DE and IT). Advance on maintenance payments is provided in FR, DE, and LU. Child-benefit and child-care allowances are provided in FR and NL. Allowances for single parents are provided in FR and IT. For more details please see Annex 28: Provision of family benefits in member states of the European Union.

Among the categories of other old member-states than EU founder states, DK and UK cover seven family benefits, SW six, while IE and ES provide three. The most frequent family benefits are: special allowance for children with disabilities (in all nine countries); allowance for single parents, and other allowances (eight countries except ES); birth and adoption grants (seven countries except AT and IE). Child-raising allowances are provided in five countries (except DK, EE, IE, and UK). Advance on maintenance payments is regulated in five countries (except EE, IE, PT, and ES). Child-benefit and child care allowances are provided in DK, FI, and UK.

Birth and adoption grants are regulated in all 13 CEE member-states. Next frequent family benefits are: special allowance for children with disabilities, and other allowances (each in 12 countries except CY). Child-raising allowance is provided in 11 countries (except CY and MT). Allowance for single parents is not regulated in five out of 13 states: in BG, HR, CZ, LV, and SK. Advance on maintenance payments is available in seven out of 13 countries: BG, ET, HU, MT, PL, SK, and SI. Child-benefit and child care allowances are covered in four out of 13 countries: HU, RO, SK, and SI.

5. Conclusions

As free movement of workers is a fundamental right guaranteed within the EU-28 and the number of out-side EU migrants is on steady increase, the chapter tackles a current topic of interest for policy makers and citizens.

National regulations with impact on family policies were analysed by three dimensions: time of the latest developments in comparison with the year of joining the EU, forms of national regulations, and variety of subjects covered by legislative developments. From a historical perspective, earliest regulations on family benefits are from two founder members of the EU (BE 1939 and IT 1955), and from one other “old” member state (EE 1958). Except 1996, yearly modifications were noticed starting with 1992 in all three categories of member-states. Latest legal modifications in the field of family benefits date from 2013 for both founder members of the EU (DE and IT), and for other “old” member states (EE), and since 2014 for BG as representative for the category of the new CEE member-states.

Referring to the moment of joining the EU, 21 member-states continued to update their regulations on family benefits after becoming a member. It is the case of all founder members of the EU, eight other “old” member-states (except FI), and seven out of 13 new CEE member-states (except CZ, HU, LT, MT, PL, and HR). Per category of countries, the most “preserved” legislation regarding family benefits are from BE with the latest modifications brought about in 1976 (as EU founder member); FI since 1992 (as other old member state), and LT since 1994 (as one of the latest member-states).

Four types of national regulations when referring to family benefits were identified in all three categories of countries: acts, laws, decrees, and codes. Other particular forms were only identified in new member-states (emergency ordinance in RO and regulations in MT). Acts are the most frequent form of a national regulations and they are mainly focused on children (ten countries), and on family (seven countries). Laws are focused on children (five countries), and allowances (five countries). Decrees (including presidential and royal ones) are in force in six countries. Three types of codes are enforced in five countries: on social insurance (BG and SW), on social security (FR and LU), and the family code (BG).

First three topics of the family benefits regulations are: child (15 countries), family (13 countries), and allowance / benefits (12 countries). Still, child, family and taxation are used in all three types of member-states. Allowance /benefit, and paternity are not identified as subjects of family benefits regulations in other “old” member-states than the EU founders. National regulations of all CEE member-states (except MT) are using child, family, allowance / benefit, taxation, and paternity.

Among categories of family benefits, birth and adoption grants are provided in 25 member-states (except AT, and IE). Special allowances for children with disabilities are provided in 25 countries (except CY and DE). Other kinds of family allowances are provided in 25 countries (except CY and ES). Child raising allowance is provided in 21 countries. Allowance for single parents is regulated in 18 countries. Advance on maintenance payments is provided in 15 member-states. Both child care allowance and child-benefit are

provided within the same nine member-states: DK, FI, FR, HU, RO, SK, SI, NL, and UK.

Analysed family benefits are fully provided in four member-states: one EU founder state (FR); one other old member state (FI); and two CEE member-states (HU and SI). The smallest number of family allowances is provided in two of the category other old member-states: in IE and in ES. In CY as New Member State only birth and adoption grants and allowances for single parents are provided.

In line with the child protection policy which was ideologically supported during the communist period, all 13 CEE member-states regulations provide birth and adoption grants, 12 countries provide special allowance for children with disabilities, and 12 countries provide other allowances.

From the methodological viewpoint, it should be remarked that by using the MISSOC data base we arrived to the conclusion that a better understanding of family development in the latest member-states would be supported by including information related to the applicable statutory basis before 1989 in the CEE member-states. Another relevant piece of information refers to the complete set of comparable data as complementary source of information. These were used in the case of the years of the latest updates in FR and NL and regarding the content of legal modifications in the case of IT and EE. Last but not least, differences between updates when referring to main legislation in the field of family benefits and updates when referring to amounts of family benefits should be further clarified.

The chapter originally contributes to the comparative analysis regarding the provision of family benefits in the EU-28. As future research, the assessment of the national strong and weak points in adopting the *acquis communautaire* could support testing the research hypothesis that among other social policies, the development of family measures was progressively shaped by the national commitment towards achievement of the EU goals. Results obtained so far in the area of family benefits development could be continued by analysing the historical socio-economic and cultural roots of changes; the effectiveness of covered family benefits, and strategies of building up family resilience strategies.

CHAPTER VII

Maternity/paternity leave⁵⁴

Harmonisation of the *acquis communautaire* in the social field in the framework of the accession process to the EU of each candidate country, and further commitment towards achieving common targets (Europe 2020) question the post-accession development of national frameworks. On one hand, the European social model is challenged by newly entered member-states, and on the other hand, the EU accession shapes their social policy design (Vaughan-Whitehead, 2004:496-501; Vonica, Răduțiu *et al*, 2004:55-56; Stănescu, 2006:101-102; Kvist *et al*, 2007:246-248; Uzlau *et al*, 2009:26-29; Cerami *et al*, 2009:124-126; Stănescu, 2013:173-177; Aidukaite, 2014:217-218; Stănescu, 2014b:191-192). From this perspective, the chapter provides a comparable comprehensive picture regarding the provision of maternity/paternity leave as strategic elements in supporting the EU-28 fertility policy.

The “Incomplete revolution” draws attention to the way public institutions respond to the new role of women in society (Esping-Andersen, 2009). Current family is challenged by demographic trends (Rotariu, 2009:102-107; Popescu, 2009:177-181; Ghețău, 2012, 56-58); postponement of marriages and children (Kuronen, 2010, 9; Muresan, 2014:147-148), precarious work and unemployment especially for women from vulnerable groups (Preoteasa, 2013:165-166; Bălan *et al*, 2014:17-18; Vlase, 2014:253-255), family conflicts (Turliuc *et al*, 2013:42-46), the quality of community life (Mihalache, 2011:138-139), migration (Bălan *et al*, 2013:78); provision of cash benefits and social services and the orientation of family support policies (Stănescu, 2014a:779-782). The degree of appropriateness answers to needs in taking care of the children and has a direct consequence on children at risk of being neglected or abused, to drop out of school or to become delinquent (Neamțu, 2007:212-233; Cojocaru, 2009:70; Pânzaru *et al*, 2013:33; Luca, 2014:37-41; Tomiță, 2014:83-84).

The first part of the chapter analyses the demographic trends in EU-28 for the period 1960-2012: number of births and deaths, population change,

⁵⁴ A preliminary version was published in Stănescu, Simona Maria 2015. Back to work with Small Children Comparative Analyses of Maternity/Paternity Leave in the Member States of the European Union, in *Mediterranean Journal of Social Sciences*, vol. 6, nr. 2 S 5, April 2015, 363-375

demographic drivers, and fertility rates (live births per women). The second part focuses on national regulations adopted in EU-28 with respect to maternity/paternity leave as chronological development of national regulations, basic principles, types of benefits (in kind, cash); and duration of leave. The third part of the chapter is focus on conclusions and further research directions.

In terms of methodology, secondary analysis and content analysis were used for Eurostat, the statistical office of the EU and the Mutual Information System on Social Protection (MISSOC) database of the European Commission, Directorate-General for Employment, Social Affairs, and Equal Opportunities. Desk research allowed for double-checking national information and adding improved updates.

Compared EU-28 research outputs were presented in relation to the countries time of accession to the EU by the following typology: the EU founder states⁵⁵, other old member-states than the EU founders⁵⁶, and the CEE member-states⁵⁷ (Stănescu 2015a; Stănescu 2015b; Stănescu *et al.* 2015a; Stănescu *et al.*, 2015b). The chapter continues previous research about the EU-28 member-states regarding family benefits as part of a post-doctoral programme as acknowledged.

1. Demographic trends1961-2012

According to Eurostat data for the period 1961-2012, the number of EU-28 births continues to decrease while the number of EU-28 deaths is slowly increasing.

The highest value of births was registered in 1964 with 7.81 million while the lowest one was recorded in 2002 with 5.03 million. In 2012, the number of births was 5.23 million representing the lowest since 2006, and one of the lowest for the period 1961-2012.

The number of deaths scored the highest value in 1993 with 5.03 million, and the lowest one in 1961 with 4.14 million. Both in 2012 and 1985, the second highest EU-28 value of deaths was registered: 5.01 million.

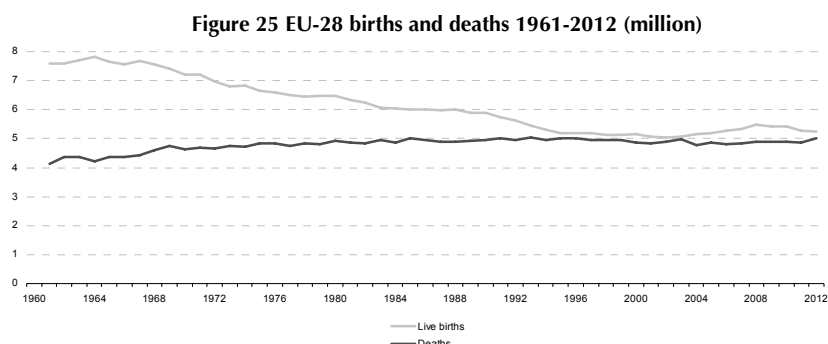
The EU-28 natural change as the difference between live births, and number of deaths registered top three highest values during the 1960s: 3.6 million in 1964, 3.5 million in 1961, and 3.3 million in both 1963, and in 1965. Lowest values of natural change were recorded starting with the mid

⁵⁵ FR, DE, IT, NL, BE, and LU

⁵⁶ DK, IE, UK, EE, PT, ES, AT, FI, and SW

⁵⁷ CY, CZ, ET, HU, LV, LT, MT, PL, SK, SI, BG, RO, and HR

1990s: 0.1 million in both 2002 and 2003; and 0.2 million for the period 1995-1999, for 2001, and for 2012.



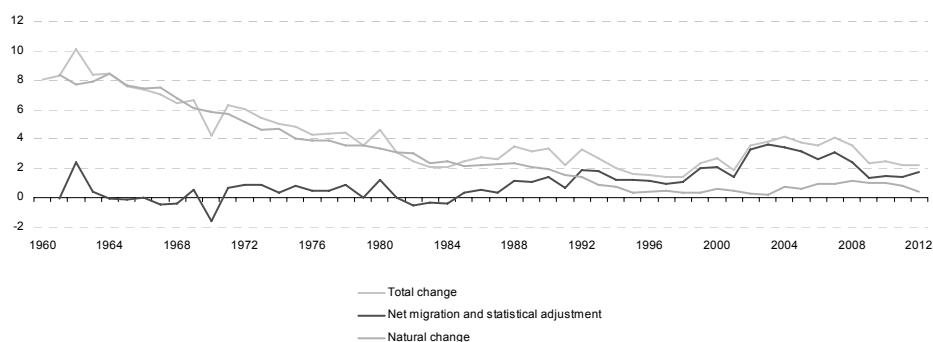
Source: Eurostat

Note: 1960 not available. Excluding French overseas departments up to and including 1997

The EU-28 total population change for the period 1960-2012 registered the highest three values during the 1960s: in 1962 with 10.16 per 1000 inhabitants; in 1964 with 8.43; and in 1963 with 8.35. Lowest values of total population change were recorded during the second half of the 1990s: in 1997 with 1.39; in 1998 with 1.44, and in 1996 with 1.53.

Net migration and statistical adjustment as the total change minus natural change registered the highest EU-28 values during the 2000s: 3.66 in 2003, 3.41 in 2004, and 2.63 in 2006. To the contrary, the lowest values were registered in 1970 (-1.60), in 1982 (-0.52), and in 1967 (-0.49).

Figure 26 EU-28 population change by component (annual crude rates) 1960-2012 (per 1000 inhabitants)



Source: Eurostat

Note: 1960 not available for net migration, and statistical adjustment, and for natural change. Excluding French overseas departments up to and including 1997. Breaks in series: 2001, 2007 and 2011-12

In respect to the EU-28 population change between 1st of January 2012 and 2013 by the three analysed categories of EU Member-States, demographic drivers led to growth. It was the case of all six EU founder states; five out of nine other old member-states than the EU founders, and five out of 13 CEE member-states. Growth due only to natural change was not registered in any EU founder states, but this was the case of IE and CY. None of the CEE countries registered positive population change because the population growth was faced with the negative net migration (and adjustment).

No population decline was registered in the six EU founder states. In the case of other old member-states, the population decline was not due to natural change but, similar to the New Member-States, some of these states (EE, PT, and ES) recorded decline because of net migration (and adjustments), and due to negative migrations (and adjustments).

**Table 21 Contribution of natural change and net migration
(and statistical adjustment) to population change, 2012**

Contribution	Population growth			Population decline		
	EU founder states	Other old member-states	CEE member-states	EU founder -states	Other old member-states	CEE member-states
Only to natural change	-	IE	CY	-	-	HU, RO
More to natural change	FR, NL	UK	SI	-	-	BG, HR
More to net migration (& adjustment)	BE, LU	DK, FI, SW	CZ, MT, SK	-	EE, PT	ET, LV, LT
Only to negative net migration (and adjustment)	DE, IT	AT	-	-	ES	PL

Source: Eurostat

For the period 1960-2012, the highest values of fertility rates as live births per woman developed different trends among the three categories of EU Member-States. The top position for the EU founder states was shared by two countries: NL and FR.

The category of other old member-states than EU founders was the most stable one with the same country taking the top position except for one year. IE had the highest values of fertility rates except for 1990 when SW registered 2.13 (comparable with 2.11 in IE). It is to be mentioned that abortion is allowed in IE only to save the life of the woman. At EU-28 level, abortion

restrictions in IE are surpassed only by MT where even the above-mentioned ground is strictly forbidden (Stănescu *et al*, 2015b:8).

The situation of fertility rates in the CEE member-states is differentiated as six out of the 13 countries ranked on top positions. The highest values were registered three times in ET (2005, 2010, and 2011); twice in SK (1960 and 1970); and once in RO (1980); in CY (1990); in MT (2000); and in LT (2012). A slight difference was noticed in the case of HR which registered a rate of 1.50 in 2005 as compared with the top 1.52 for ET.

Regarding the highest rates of fertility by category of member-states of the EU, among the founding states the value of the fertility rate was of 3.12 in NL in the year 1960. Among the other old member-states, other than the founder ones, the highest value of the fertility rate of 3.85 was recorded in IE in the year 1970. Among the CEE countries the highest fertility rate of 3.04 was registered by SK in 1960. At the opposite end, the lowest values recorded for the fertility rate were: 1.78 in 1990 in FR (one of the founder states of the EU), 1.86 in the year 2005 in IE (another old member-state other than the EU founder states) and of 1.52 in the year 2005 in ET (as CEE member state).

Table 22 Highest values of fertility rates per categories of member-states of the European Union

Year	EU founder states	Other old member-states	CEE member-states
1960	3.12 NL	2.78 IE	3.04 SK
1970	2.57 NL	3.85 IE	2.41 SK
1980	1.95 FR	3.21 IE	2.43 RO
1990	1.78 FR	2.13 SW	2.41 CY
2000	1.89 FR	1.89 IE	1.70 MT
2005	1.94 FR	1.86 IE	1.52 ET
2010	2.03 FR	2.05 IE	1.72 ET
2011	2.01 FR	2.03 IE	1.61 ET
2012	2.01 FR	2.01 IE	1.60 LT

Source: Eurostat

We analyse bellow the lowest values registered for the fertility rate looking at top ranked countries and their recorded values. Looking at the EU founder states, LU occupied this position three consecutive times (1960, 1970, and 1980), and then IT follows for three times in this ranking (1990, 2000, and 2005). Starting with 2004, DE is constantly the EU founder state with the lowest fertility rate.

Lowest fertility rates in other old member-states than the EU founder states were recorded in two northern countries (in 1970 in FI and in 1980 in DK), followed by two southern countries EE (1960, 2005, and 2012); and ES (1990,

2000, 2010, and 2011). The slight value difference can be noticed which was registered in ES in respectively 1.33, as compared with 1.32 in EE.

Five out of the 13 CEE member-states, registered lowest values of fertility rates: three times in HU (1980, 2000, and 2011); twice in CZ (1970 and 2000); twice in PL (2005 and 2012); and once in ET (1960); and in SI (1990). ET is the only country which was present in both top rankings: as the country with the lowest fertility rate in 1960 and the highest one in 2005, 2010, and 2011. An in-depth national analysis of the reasons behind this change is not the topic of the present chapter but these findings could be further developed and could support the identifying process of best practices in the pro-fertility field that would have the potential to be adjusted for other EU national contexts.

Table 23 Lowest values of fertility rates per categories of member-states of the European Union

Year	EU founder states	Other old member-states	CEE member-states
1960	2.29 LU	2.23 EE	1.98 ET
1970	1.97 LU	1.83 FI	1.92 CZ
1980	1.50 LU	1.55 DK	1.91 HU
1990	1.33 IT	1.36 ES	1.46 SI
2000	1.26 IT	1.23 ES	1.15 CZ
2005	1.34 IT	1.32 EE	1.24 PL
	1.34 DE		
2010	1.39 DE	1.37 ES	1.25 HU
2011	1.36 DE	1.34 ES	1.26 HU
2012	1.38 DE	1.32 ES	1.30 PL
		1.34 EE	

Source: Eurostat

Differing statistical data are provided by Eurostat for SK and for CZ before 1989. Still, while SK held the top position in 1970, CZ registered the lowest values among CEE countries. The differences due to different regulations in supporting families are not approached in this chapter but they could bring further insights in this matter.

2. National regulations

Recent updates in maternity/paternity leave in 24 analysed countries date since 2000. The four exceptions are: AT with regulations from 1967; UK back in 1992; and BE and HU since 1997. The newest EU-28 legislative modifications were adopted by BG in 2014.

Among EU founder states, BE preserves its regulations since 1997 while latest changes were registered in 2012 in DE and in IT. In the case of FR the modifications in maternity/paternity leave are affected also due to the Social Security Code which is regularly updated and which has an impact on them.

Table 24 Recent regulations of maternity/paternity leave within founder members of the European Union

No.	Coun try	EU	Latest regulations
1.	FR	1951	2015
2.	DE	1951	2012
3.	IT	1951	2012
4.	NL	1951	2005
5.	BE	1951	1997
6.	LU	1951	2008

Source: MISSOC data base

Within other old member-states than the EU founder states, AT is the only case where latest regulations date before its accession to the EU. The newest ones are in DK, as of 2013, 30 years after becoming a member state. In comparison with the moment of joining the EU, latest regulations date 32 years after EU accession in IE; 23 years after in both ES and PT; 19 years after in UK and EE; 15 years after in SW; and nine years in FI.

Table 25 Recent regulations of maternity/paternity leave within other old member-states except founder states of the European Union

No.	Country	Latest regulations	EU accession	Latest regulations
1.	DK	-	1973	2013
2.	IE	-	1973	2005
3.	UK	-	1973	1992
4.	EE	-	1981	2000
5.	PT	-	1986	2009
6.	ES	-	1986	2009
7.	AT	1967	1995	-
8.	FI	-	1995	2004
9.	SW	-	1995	2010

Source: MISSOC data base

Four CEE countries provide maternity/paternity leave following updated regulations adopted before their EU accession. It is the case of: HU and HR (seven years before), LT (four years before), and ET (two years before).

Eight CEE countries changed their regulations after joining EU: PL and SK in 2004; CZ and RO (three years after); BG (seven years after); and CY, LV, and SI (nine years after). Maternity/paternity leave in MT is governed by the Social Security Act.

Table 26 Recent regulations of maternity/paternity leave within Central and Eastern European member-states

No.	Country	Latest regulations	EU accession	Latest regulations
1.	CY	-	2004	2013
2.	CZ	-	2004	2008
3.	ET	2002	2004	-
4.	HU	1997	2004	-
5.	LV	-	2004	2013
6.	LT	2000	2004	-
7.	MT	-	2004	-
8.	PL	-	2004	2004
9.	SK	-	2004	2004
10.	SI	-	2004	2013
11.	BG	-	2007	2014
12.	RO	-	2007	2010
13.	HR	2008	2013	-

Source: MISSOC data base

3. Applicable statutory basis and basic principles

Depending on the national legislative frameworks, maternity/paternity leave is governed by various normative types such as: acts, codes, laws, emergency ordinances, and decrees. No common trend was identified in the EU-28 analysed countries.

Still, dedicated normative acts on the subject of maternity/paternity are in force in 14 member-states. The detailed picture is as follows: three EU founder states (BE, IT, and NL); four other old member-states (DK, FI, PT, and SW); and seven CEE member-states (HR, LV, LT, PL, RO, SK, and SI). Laws on protecting working mothers were adopted in DE and in IT.

Maternity/paternity leave is also regulated under complementary legislative acts for various subjects such as:

- health care (BE, CZ, DK, ET, FI, HU, IE, IT, LV, LT, PL, SK, SI, and NL);
- social insurance (AT, BG, CY, CZ, EE, LV, LT, PL, SK, and SW);

- labor (BE, BG, DK, FR, MT, PT, SK, SI, ES, and NL);
- social security (FR, DE, LU, MT, ES, and UK);
- equal treatment between men and women (IT and ES);
- family (AT);
- social welfare (HU);
- child care/protection (RO).

The main principle in providing benefits in kind and cash benefits related to maternity leave is the affiliation to the compulsory social insurance scheme. In DK is enforced the universal public health service for benefits in kind, and the universal protection scheme for cash benefits. A similar situation is in FI. Voluntary insurances are available for self-employed persons in BG, in CZ, and in SK. In NL not insured self-employed can apply for cash benefits. In FI, PT, ES, and UK special cash benefits are available for parents who do not satisfy the minimum conditions for ordinary maternity/paternity support.

A residency criterion is specifically mentioned in BG, FR, IE, IT, LV, MT, PL, PT, SK, SW, NL, and UK. A further research on eligibility criteria for being socially insured in other EU member-states than the above-mentioned ones would probably support the idea of residency for more countries than the ones explicitly mentioned as reference. In NL working non-residents are entitled for benefits in kind. Unauthorised foreigners in ES are entitled to receive health care during pregnancy, birth and postpartum.

Other expressions used when referring to potential beneficiaries of maternity//paternity leave are:

- all inhabitants (DK, FI, IE, IT, LV, PT, and RO);
- members of the family (BE and ES);
- active population and assimilated groups (PL and ES);
- national (BG);
- certain categories of citizens (CY);
- female dependants (EE);
- various other groups (HU);
- employees and assimilated (IT);
- spouse of residents (MT).

The profession related insurance approach for maternity/paternity leave is applicable in one EU founder state (FR), and two CEE member-states (LT and SK). In the case of benefits in kind in FR the difference is made between the compulsory social insurance scheme with affiliation based firstly on professional criteria and secondly based on residency. Similarly, special schemes applies for certain professional categories in LT (officers of the police, state security, defence and related services financed by the state), and in SK (for policemen, soldiers, and customs officers).

4. Benefits in kind and cash benefits

Half of the EU-28 does not request any qualifying condition for benefits in kind. It is the case of three EU founder states (DE, LU, and NL); three other old member-states (AT, FI, and ES); and eight CEE countries (HR, CZ, ET, HU, LV, PL, RO, and SI).

Frequent eligibility criteria for benefits in kind are: residence (CY, DK, IE, PT, SK SW, and UK); previous contribution to the insurance scheme (BE, FR, EE, and MT); working status (SW). In CY citizenship as eligibility criteria is not applicable for beneficiaries of public assistance. In IT the beneficiary should be registered with the National Health Service.

Various forms of benefits in kind are offered in the analysed EU-28 member-states. They include free medical services/midwife care during the pregnancy, birth, and postpartum; pharmaceutical products; or forms of exemption or reimbursements of payments of various patients' fees and contributions. Monitoring and assistance during labor, and delivery at home are provided in BE. In slightly different conditions due to recent changes they are also available in HU. Home care is offered in DE. In SI this includes two visits of the nurse. In EE childbirth benefit is provided for women giving birth out of hospital facilities (for example at home). Different amounts are supported for hospitalisation in private clinics in EE depending on their contracts with the National Health System. A maternity package with necessities for child care (or its 140 euro equivalent) is offered in FI.

Six EU Member-States do not request any qualifying conditions for cash benefits: two EU founder states (IT and NL); one other old member state (AT); and three CEE countries (LV, PL, and MT).

The most frequent condition for receiving cash benefits is the previous contributions to the insurance scheme (BE, BG, HR, CY, DK, FR, EE, HU, IE, LT, PT, RO, SI, and SW). The insurance period varies between 26 weeks (CY); to six months (BE, LU, and PT), 240 days (SW); 270 days in the last two years (CZ and SK); and 12 months (BG, HR, and LT).

Insurance contributions with interruptions are accepted in HR (18 months during last two years); in DK (120 hours worked in previous 13 weeks); in EE (200 days during last two years); in IE (39 contributions paid or credited one year before for employees and 52 contributions within last, second last or third last year for self-employed); in LT (12 months insurance during past 24 months); in RO (one month in the last 12 months); and in ES (180 contributions in the previous seven years before birth or 360 contributions days in the whole working life).

Other eligibility conditions include: working status (ET); and determined period of previous residency (FI). No minimum working contribution is required in ES in the case of workers under 21 years of age.

Other eligible categories of beneficiaries include unemployed entitled to unemployment insurance, persons finalising a vocational course within the previous 18 months, beneficiaries of activation measures on the labor market, students in paid internship, or people in a flexible job. A ten days benefit is paid in SW for parents who refrain from work because of the death of their child who is less than 18 years of age.

5. Duration

The analysis includes two dimensions: before and after the period of birth, and support measures allocated by gender.

By categories of EU Member-States, the EU founder states is the most stable category providing similar pre-natal and post-natal coverage of maternity/paternity leave. The following category is represented by the CEE member-states.

All EU founder states provide pre-natal and post-natal maternity leave. None of them provides pre-natal paternity leave. Post-natal paternity leave is provided in all six countries except DE.

As for the category “other old member-states” than EU founders, pre-natal maternity leave is regulated in all of them, except ES. Pre-natal paternity leave is not provided while the post-natal one is provided in five countries: DK, ES, PT, FI, and UK.

Pre-natal and post-natal maternity leave are regulated in all CEE member-states. ET is the only EU country providing pre-natal paternity leave which optionally could be taken after the birth. Post-natal paternity leave is provided in nine CEE states.

Table 27 Provision of maternity/paternity leave in EU-28 Member-States

	EU founder states	Other old member-states	CEE member-states
Pre-natal maternity leave	BE, DE, FR, IT, LU, NL	DK, IE, EL, AT, PT, FI, SW, UK	BG, CZ, ET, HR, CY, LV, LT, HU, MT, PL, RO, SI, SK
Pre-natal paternity leave	-	-	ET
Post-natal maternity leave	BE, DE, FR, IT, LU, NL	DK, IE, EL, ES, AT, PT, FI, SW, UK	BG, CZ, ET, HR, CY, LV, LT, HU, MT, PL, RO, SI, SK
Post-natal paternity leave	BE, FR, IT, LU, NL	DK, ES, PT, FI, UK	BG, ET, LV, LT, HU, MT, PL, RO, SI

Source: Author's calculations based on MISSOC data base

Two cases of pre-birth maternity leave were identified: either a precise period of time is mentioned, or a total amount of time to be split between pre-natal and post-natal periods. Countries from the first category are: BE, HR, DK, FR, DE, LT, LU, RO, SK, ES, and SW. The second category includes: AT, BG, CY, CZ, ET, FI, EE, HU, IE, IT, LV, MT, PL, PT, SI, NL, and UK. Some countries from the first category offer the possibility to add the remaining pre-natal maternity leave to the post-natal one. It is the case of BE, FR, DE, and RO. A further research on this particular aspect would support a better understanding of pre-natal common trends in EU-28.

Table 28 Provision of pre-natal maternity leave by regulated amount of time

	EU founder states	Other old member-states	CEE member-states
Fixed	BE, FR, DE, LU	DK, ES, SW	HR, LT, RO, SK
Flexible	IT, NL	AT, PT, FI, ES, IE, UK	BG, CY, CZ, ET, HU, LV, MT, PL, SI

Source: Author's calculations based on MISSOC data base

Maternity leave in EU-28 provides for different periods of time as follows:

- eight weeks (AT);
- 14 weeks (BE, DE, MT, and SW);
- 15 weeks (FI and SI);
- 16 weeks (FR, LV, LU, ES, and NL);
- 17 weeks (EE);
- 18 weeks (CY, DK, LT, and RO);
- 20 weeks (ET and PL);
- 24 weeks (HU);
- 26 weeks (IE);
- 28 weeks (CZ);
- 34 weeks (SK);
- 52 weeks (UK);
- 120 or 150 days (PT);
- five months (IT);
- seven months (HR);
- 420 days (BG).

The compulsory maternity leave period is mentioned rather after the birth than before the birth. Still, compulsory pre-natal leave varies between minimum one week in BE and a maximum of four weeks in NL. Regardless the

two above-mentioned categories of time regulation, other recommended periods of pre-natal leave are:

- two weeks (IE);
- four weeks (DK, ET, HU, IT, PT, SI, and NL);
- five weeks (MT);
- six weeks (BE, BG FR, and DE);
- seven weeks (SW);
- 56 days (EE and LV);
- 30-50 days (FI);
- 63 days (RO);
- Between the nine days and two weeks (CY);
- Six to eight weeks (CZ, PL, and SK);
- 11 weeks (UK);
- 70 days (LT).

Special cases (multiple births, complication, premature, hospitalisation, and Caesarean) imply additional periods of leave in AT, BE, HR, CZ, FR, DE, PL, LV, LT, and in ES. Benefits for risk during pregnancy are provided in PT and in ES.

When regulated, the compulsory post-natal maternity leave could include: four weeks (IE); six weeks (CZ and RO); or nine weeks (BE). For more details please consult Annex 29: Duration of maternity/paternity leave in member-states of the European Union.

The only country mentioning conditions for paternity leave is ET where ten days can be taken either before or after the delivery. The minimum numbers of days for post-natal paternity leave is one compulsory day in IT while the maximum is 54 days in FI. Other allocated amounts of time are:

- two days (LU, MT, and NL);
- five days (HU and RO);
- one or two weeks (UK);
- ten days (BE, ET, LV, and PT);
- 11 days (FR);
- 14 days (DK and PL);
- 15 days (BG and SI);
- 18 days (FR in the case of multiple births);
- four weeks (LT and ES);
- 54 days (FI).

Additional days for paternity leave are available: two days in IT; ten days in both RO (if the father graduates an infant care course) and PT; and 75 days in SI.

No post-natal paternity leave is regulated in AT, HR, CY, CZ, DE, EE, IE, SK, and SW. Still, in some of these countries fathers are supported by other means. In HR, the father can continue the maternity leave but only after 70 days as of the birth. In IE some employers provide paid leave even if it is not compulsory in the country. Reduced working hours are available in EE for parents after an additional special maternity leave (which follows the ordinary maternity leave and can be up to six months).

Some countries support the involvement of both mothers and fathers in the child care during first months. Two sets of measures were identified: either by the possibility to transfer the remained time from not used maternity leave to the father; either by common parental leave (32 weeks in DK before the 9th birthday of the child, 158 days in FI, and three months in PT). The Slovenian father can take 75 days unpaid leave till the third anniversary of the child. The Romanian father could take one month out of the 12 months' child raising leave which follows the maternity leave.

Difference between employed and self-employed people when approaching the topic of maternity benefits is made in both BE and FR. Special maternity allowance is offered for Finish mothers if the working environment exposes them to chemical substances, radiation, or to an infectious disease. Austrian post-natal benefit and leave are provided for eight weeks, and the duration of an individual employment prohibition (for various reasons). Reduced working hours for parents are regulated in DK, EE, and SW. A benefit for risk is paid for Spanish breastfeeding working mothers till the child reaches nine months of age.

The Finish maternity/paternity leave includes consecutive calendar days except Sundays. Calendar days are also mentioned in LV and in LT.

Portuguese grandparents are entitled to substitute parents in leave if special conditions are accomplished (i. e. living in the same household or parents less than 16 years of age).

Adoption maternity/paternity leave is regulated in 21 EU Member-States as follows: five EU founders (BE, FR, IT, LU, and NL); eight other old member-states (DK, FI, EE, IE, PL, PT, ES, and UK); and eight CEE countries (BG, HR, CY, CZ, ET, HU, SK, and SI).

Regarding the continued payment of maternity/paternity leave by the employer, no statutory continuation is regulated in 21 EU member-states: half of the EU founder states ((BE, LU, and NL); seven other old member-states (AT, DK, FI, IE, PT, ES, and SW), and 12 CEE countries (except MT). The employer is involved in the payment for differences in the case of poor employees (AT); or for the differences between maternity benefits and salary (FR and DE).

Payments are also supported by the employer in line with additional conditions included in collective agreements (CY and ES). Certain periods of time are supported by employers from BE (first three days of the paternity/adoption leave); from EE (15 days/one month depending on the number of completed worked days); and from MT (14 weeks of maternity leave, and two days of paternity leave).

6. Conclusions

The first part of the chapter overviews demographic trends in the EU-28. The Eurostat 1960-2012 data showed a decreased number of births and an increased number of deaths. EU-28 births in 2012 scored the lowest value since 2006 while the number of deaths was the second highest one since 1960. Demographic drivers led to population growth in 17 member-states: in all EU founder states, six other old member-states than the EU founder states, and five CEE countries. No growth only due to the natural change was registered in the EU founder states. No population decline only due to, or more because of the natural change was recorded in the category of other old member-states than the EU founder states. The 1960-2012 fertility rates showed different patterns within the three categories of member-states. The top position regarding highest fertility rates within other old member-states was occupied by IE (except for 1990); while NL and FR shared top positions among EU founder states. Six CEE countries occupied this position among which ET three for three consecutive periods of time. The highest value for 1960-2012 was 3.85 registered in 1970 in IE, a country where abortion is only allowed to save the life of the woman.

The second part of the chapter compares the provision of maternity/paternity leave in the EU-28 by the three categories of EU Member-States. Analysed aspects were the following: national regulations, applicable statutory basis, basic principles and qualification conditions in providing benefits in kind and cash benefits as well as the duration of the maternity/paternity leave.

Updated regulations for maternity/paternity leave date from 2000 in 24 member-states of the EU-28. Among other old member-states than the EU founder states, AT is the only country which still follows pre-accession adopted regulations. The same applies for four CEE member-states: ET, HU, LT, and HR.

From the applicable statutory basis, special legislative acts on maternity/paternity leave were adopted in 14 member-states: three EU founder states, four other old member-states, and seven CEE countries. Complementary

regulations with impact on maternity/paternity leave refer to various issues such as health care, social insurance, labor, social security, equal treatment between men and women, family, social welfare, and child care.

The main basic principle in providing benefits in kind and cash benefits related to maternity/paternity leave is the affiliation to the compulsory social insurance scheme. Some countries accept contribution periods with interruptions. Half of the EU-28 Member-States do not request qualifying conditions for providing benefits in kind. Still, eligibility criteria include residence, previous contribution to the insurance scheme, or working status. Six EU Member-States don't request qualifying conditions for cash benefits. Still, the most frequent condition is previous contribution to the insurance scheme.

The duration of the maternity/paternity leave was analyzed as pre-natal and post-natal maternity leave regulated for both mothers and fathers. Per category of EU Member-States, CEE countries covered all four types of leave (pre-natal and post-natal leave for both men and women).

Two cases of before birth maternity leave were identified: either a precise period of time is mentioned, or a total amount of time to be split between pre-natal and post-natal periods. Detailed analyses for each category are included in the chapter.

21 EU member-states regulate adoption maternity/paternity leave as follows: five EU founder states (except DE); eight other old member-states (except AT); and eight CEE countries (except LV, LT, MT, PL, and RO).

Continued payment of maternity/paternity leave is not regulated in 21 member-states. In other states, the employer is involved in the payment related to income differences or to regulated periods of time.

Research on maternity/paternity leave should be continued with the analysis of complementary family benefits. Some questions arise: To what extent are the current maternity/paternity leaves related regulations suitable in the child delivery and care process? Which elements are to be further adjusted? Are the parents really supported in the process of having and nurturing a child? Can parents with small children at home go back to work?

Despite the common interest and concerns for families considering the current demographic trends, the design of family support policies is to be further tackled and, in this respect, one of first steps is a better harmonization of maternity/paternity leave among EU-28. The home-work struggle for balance and the population change call both for a friendlier approach of the designed social policy measures. One cannot dream about a sustainable demographic scenario without paying proper attention to the efficiency of the child delivery and care process.

PART IV

ANTI-POVERTY MEASURES

CHAPTER VIII

Unemployment benefit⁵⁸

The swift transition from the welfare state to the workfare one emphasised the relevance of individual responsibility in ensuring a decent standard for quality of life (Mărginean, 1993:439). Recent regulations adopted at the EU level (Lisbon Strategy, Europe 2020) underpin the need to support employment at all ages. Unemployment was differently perceived during various periods of time. For Beveridge it was the subject of policy interventions as employment was the main source of a decent life standard. Full employment was approached by Keynes as topic of economic policies while Titmuss considered this topic rather as an economic than a social one, yet this undoubtedly reflected the success of social policies especially regarding the promotion of social inclusion (Resiman, 2001:58; Cace, 2004b:118; Zamfir *et al*, 2007:240, 249; Aidukaite, 2014:67). Unemployment during the communist time was not officially recognised in most CEE member-states except SI and HU, and exploded in the early transition period (European Commission, 2003:199-207; Vonica Răduti, 2006:121; Stănculescu, 2009:47, 55-56, Stănescu, 2013:108-111, Vasile, 2011, Bălan, 2015:). The simplification of work and the increased consumer demand accelerated the ways of controlling workers, rather than the work efficiency (Zamfir, 1993a:378-379; Koch, 2006:25-30).

The chapter contributes to the analysis of the current state of affairs regarding the coexistence between employment policy measures in the Western welfare states of the developed countries, alongside post-communist social policy measures adopted in the early 1990s in order to meet the necessities triggered by the high unemployment rates. Further harmonization of unemployment related measures is requested considering the current challenges of the labor market as well as the common commitment towards achieving the Europe 2020 socio-economic goals (75% of the 20-64 year-olds to be employed by 2020 and at least 20 million fewer people in or at risk of poverty and social exclusion).

⁵⁸ A preliminary version was published in Stănescu, Simona Maria 2015. Unemployment benefits in member states of the European Union: a comparative analysis, in *Internal Audit & Risk Management*, anul X, nr. 2 (38), iunie 2015, 191-201, <http://univath.ro/aimr/>

In line with the International Labour Organisation's definition, the unemployed person is defined by Eurostat as: someone aged 15 to 74 years (in IT, ES, UK, Iceland, Norway: 16 to 74 years); without work during the reference week; available to start work within the next two weeks (or has already found a job to start within the next three months); actively having sought employment at some time during the last four weeks⁵⁹.

1. National regulations

From the viewpoint of accession to the EU, three categories of countries were taken into consideration: six EU founder states, nine other old member-states, and 13 CEE member-states.

Unemployment updates date since '70s (AT); 80s (IT), '90s (BE, HU, UK, DE, SW, and FI); and 2000: the first decade (RO, ES, CZ, PL, SK, IE, ET, LU, HR, LV, LT, and PT), and the second decade (CY, BG, EE, SI, DK, and FR)⁶⁰. Within the first category, IT is the one preserving its regulations for the longest period of time. FR has the most recent unemployment regulations (2014).

Table 29 Recent unemployment regulations within EU founder states

No.	Country	EU	Latest updates
1.	FR	1951	2014
2.	DE	1951	1997
3.	IT	1951	1988
4.	NL	1951	1986 ⁶¹
5.	BE	1951	1991
6.	LU	1951	2006

Source: MISSOC data base

From the second category of EU member-states, AT is still following the pre-accession unemployment regulations. The newest updates are from DK (2014).

⁵⁹ <http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Unemployment>

⁶⁰ By chronological order and alphabetic in the case of the same year

⁶¹ http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=2872&p_country=NLD&p_count=2273&p_classification=15.04&p_classcount=64

Table 30 Recent unemployment regulations within other old member-states

No.	Country	Latest updates	EU accession	Latest updates
1.	DK	-	1973	2014
2.	IE	-	1973	2005
3.	UK	-	1973	1995
4.	EE	-	1981	2012
5.	PT	-	1986	2009
6.	ES	-	1986	2003
7.	AT	1977	1995	-
8.	FI	-	1995	1998
9.	SW	-	1995	1997

Source: MISSOC data base

Among countries which joined EU in the fifth (2004 and 2007) and sixth (2013) enlargement waves, HU, RO, and HR follow unemployment regulations adopted in pre-accession phase. The most recent ones are from BG (2012).

Table 31 Recent unemployment regulations within Central and Eastern European member-states

No.	Country	Latest updates	EU accession	Latest updates
1.	CY	-	2004	2010
2.	CZ	-	2004	2004
3.	ET	-	2004	2006
4.	HU	1991	2004	-
5.	LV	-	2004	2009
6.	LT	-	2004	2009
7.	MT	2003 ⁶²	2004	-
8.	PL	-	2004	2004
9.	SK	-	2004	2004
10.	SI	-	2004	2013
11.	BG	-	2007	2012
12.	RO	2002	2007	-
13.	HR	2008	2013	-

Source: MISSOC data base

⁶² http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=65354&p_country=MLT&p_count=323&p_classification=10&p_classcount=1

Regardless the category, four countries⁶³ (AT, HU, HR, and RO) follows unemployment regulations adopted in pre-accession phase. Three countries (CZ, PL, and SK) change them in the year of EU accession. The rest of countries adopted latest unemployment regulations after joining the EU⁶⁴.

As applicatory statutory basis, budget related acts are frequently mentioned. Most probably these updates rather refer to yearly amounts of unemployment benefits than modifications (i.g. eligibility conditions). We recommend the further consolidation of the MISSOC data base with explicative notes about the types of unemployment updates, as well as years of the latest updates (MT, NL are currently missing).

The most frequent types of unemployment regulations are acts (14 EU member-states⁶⁵) and laws (ten countries⁶⁶). Other enforced pieces of regulations include: codes (BG, FR, DE, LU, and PT), decrees (four countries⁶⁷), regulations (BG, CY); ordinance (BG); convention (FR), and decision (EE).

The most frequent subjects of domestic regulations are: unemployment (15 countries⁶⁸), insurance (13 countries including eight referring to unemployment insurance⁶⁹ and five to social insurance⁷⁰); and employment (11 countries⁷¹). Regulations in nine EU member-states include social protection related issues: social security (MT and ES); security (FI, DE); social assistance (LT); assistance (FR); social affaires (SK); protection system (PT); and social welfare (IE). Other concepts are labor (seven countries⁷²), benefit (seven countries⁷³), financing (six countries)⁷⁴, and unemployment beneficiaries (five countries⁷⁵). Other concepts are: special support (AT); social insurance contribution (CY); state administration bodies (SK); and training services (MT).

⁶³ AT 18 years before EU accession, HU 13 years, HR seven, and RO five years

⁶⁴ In acceding order: two years SE & ET; three years FI; five years BG, LV & LT; six years CY; nine years SI; 17 years ES; 22 years UK; 23 years PT; 31 years EE; 32 years IE; 37 years IT; 40 years BE; 41 years DK; 46 years DE; 55 years LU; and 63 years FR

⁶⁵ AT, HR, CZ, DK, ET, FI, HU, IE, MT, SI, ES, WE, NL, and UK

⁶⁶ BG, CY, EE, IT, LV, LT, PO, RO, SK, and ES

⁶⁷ EE, PT, BE - royal and ministerial, and ES – royal

⁶⁸ AT, BE, BG, HR, DK, ET, FI, FR, DE, HU, LT, PT, RO, SW, and NL.

⁶⁹ HR, DK, ET, FR, DE, LV, RO, and SW

⁷⁰ BG, CY, LV, LT, and SK

⁷¹ BG, HR (job placement), CZ, HU, IT, LT, MT, PL, RO, SK, and ES

⁷² FR, LU, PT. PL (labor market institutions), ET (labor market services), IT & SI (labor market)

⁷³ Unemployment benefit (BG, DE, FI, ET, and LV), social insurance benefit (CY), cash social assistance benefit (LT)

⁷⁴ Financing (FI); fiscal balance (SI); budget (BG); funds (SW); payment (LV); and income (IT)

⁷⁵ Jobseekers (DE, UK); employed workers (PT); poor residents (LT); and family (SK)

2. Basic principles and field of application

The most frequent principles when providing unemployment benefits are the compulsory social insurance scheme (24 countries⁷⁶) and the voluntary insurance (11 countries). The latest is applicable in DK (voluntary unemployment insurance scheme), SW (unemployment insurance scheme composed by a voluntary insurance and a basic insurance), in AT and ES (for self-employed), in BG (for sailors), in CY (for people working abroad in the service of Cypriot employers); in FR (under certain circumstances), in DE⁷⁷, in LV, in SI, NL (under exceptional circumstances). Voluntary unemployment contribution is not possible in 11 EU member-states: AT (except for self-employed); CZ, ET, EE, IE, IT, LT, MT, PL, PT, and UK. Other principles in providing unemployment benefits are the unemployment allowance scheme (LU), and the social insurance scheme (FI) which includes two parts: basic unemployment insurance and optional earning-related allowance.

As field of application, unemployment benefits are generally available for all employees (25 EU member-states⁷⁸). In BG one should work for more than five working days or 40 hours per calendar month. As the Bulgarian eligibility criteria for unemployment benefits include at least nine months during the last 15 ones, hence, again, we recommend a further clarification between the two sets of MISSOC data. Beneficiaries should be insured with the Labour Employment Office in EE. In SW, the persons should insure themselves, and fulfil the membership and working conditions.

Despite the fact that innovative flexible types of employment are promoted, unemployment for self-employed is regulated in only nine EU Member-States: AT, CZ, DK⁷⁹, FI, HU, LU⁸⁰, RO⁸¹, SI, and ES. The self-employed person in IE is not subject of unemployment insurances and no voluntary insurance is possible. Unemployment benefits for people working abroad are regulated in CY, LT, RO, and SI.

⁷⁶ AT, BE, BG, HR, CY, CZ, ET, FR, DE, EE, HU, IE, IT, LV, LT, MT, PO, PT, RO, SK, SI, ES, NL, and UK

⁷⁷ Carers who care for family members at least 14 hours per week, self-employed persons working at least 15 hours per week, persons employed outside the EU or associated countries

⁷⁸ AT, BE, HR, CY, CZ, DK, ET, FI, FR, DE, HU, IT, IE, LV, LT, LU, MT, PO, PT, RO, SK, SI, ES, NL, and UK

⁷⁹ DK: Self-employed persons and their assisting spouse

⁸⁰ LU self-employed persons who had to cease their activities and are in search of employed work

⁸¹ IRO: Self-employed, including their spouses contributing to the activity

People enrolled in training programs, including vocational rehabilitation are eligible for unemployment benefits (AT, BG⁸², DK, FI, DE, and IT); as well as the conscripts/active individuals in military services (BG; DK; and LT); civil servants (BG, HR, and RO); and members of cooperatives (BG, IT). Eligible for unemployment are persons holding a public office (e.g. members of Parliament) or a municipal office (DK), show-business employees (IT), young persons unemployed after their studies are entitled to unemployment benefits (LU), persons insured with the social security system on the basis of non-agricultural economic activities can also apply (PL). Other eligible categories in BG are employees in elective offices, judges, servants of the Bulgarian Orthodox Church and other registered religions having clerical rank; managers and authorized representatives of companies, sole traders and their branches, members of a board of directors, management executives and those in control of commercial companies. Unemployment beneficiaries in LT include: unemployed who have taken a childcare leave from the 1st until the 3rd birthday of the child; one of the parents (including adoptive parents) of a disabled person or a person appointed to be a guardian of the disabled person, providing permanent nursing at home. In SI categories eligible for unemployment benefits are: recipients of Unemployment Benefit, of Sickness Benefit, Paternity Benefit and Childcare Benefit after termination of employment, family assistant entitled to Partial Payments for Loss of Income and some other categories of persons, and persons whose employment contract is suspended (voluntary insurance).

Categories excluded from unemployment benefits are pensioners (SI), civil servants recruited before April 1995 (IE), and women who chose before April 1977 not to be insured are except from unemployment benefits (UK).

3. Main conditions

Frequent conditions to receive unemployment benefits are: registration with the labor office (24 EU member-states⁸³), capability of working (21 countries⁸⁴), active searching for a job (17 countries⁸⁵), age, residency, and how the labor contract has ended. 17 countries (BE, HR, ET, FI, FR⁸⁶, EE, IE, IT, LU, MT, PL, PT, RO, SK, ES, NL, UK) only cover involuntary unemployed.

⁸² Postgraduates receiving remuneration according to the agreement for medical specialty training and candidates for junior judge and junior prosecutor

⁸³ AT, BE, BG, CY, CZ, DK, ET, FI, DE, EE, HU, IE, IT, LU, MT, PL, PT, RO, SK, SI, ES, SW, NL, and UK

⁸⁴ AT, HR, CY, DK, ET, FI, FR, DE, EE, IE, IT, LV, MT, PL, PT, RO, SK, SI, SW, NL, and UK

⁸⁵ BE, BG, HR, DK, ET, FI, FR, DE, HU, IE, LV, PT, RO, SK, ES, NL, and UK

⁸⁶ Not to have left previous employment voluntary, without good cause

Seven countries (AT, BG, CY, DK, HU, LV, and LT) cover both voluntary and involuntary unemployment. We recommend further MISSOC data base clarifications in this respect for countries mentioning just unemployment: CZ, DE, SI, and SW.

The way of terminating the labor contract is influencing the provision of unemployment benefit. 17 EU member-states provide exclusively for involuntary unemployed: BE, HR, ET, FI, FR⁸⁷, EE, IE, IT, LU, MT, PL, PT, RO, SK, ES, NL, and UK. Seven EU member-states provide unemployment benefits for voluntary or involuntary unemployment: AT, BG, CY, DK, HU, LV, and LT. We recommend that further clarifications will be included within the MISSOC data base in the case of the counties mentioning just unemployment circumstances: CZ, DE, SI, and SW.

16 EU member-states have age regulations related to unemployment:

- 15 years LV; HR (till 65 years), and DE (till the standard retirement age);
- 16 LT, LU (under 65 years), and till retirement age ET, RO, ES, CY⁸⁸;
- 17 years FI (till 64 years);
- 18 years PL (under 60 for women and 65 for men), BE, DK (till 65 years), IE (till 66 years), and UK (under pensionable age).
- 20 years SW (below 65 years).

13 EU member-states⁸⁹ mention residency as eligibility condition. Polish claimers should have Polish, EU, EEA or Swiss citizenship. Other conditions are: availability of active measures undertaken by job office, no additional other benefits (i.g. invalidity, early or old-age pension); the eligible volume of part-time working periods, and no enrolment with any educational programmes.

4. Qualifying period

The qualifying period to access unemployment benefits includes the compulsory insured period and the previous period within the compulsory insured period. The previous insurance period is defined: by compulsory years (SK, UK); months (12 countries⁹⁰), weeks (eight countries⁹¹); days (seven

⁸⁷ Not to have left previous employment voluntary, without good cause

⁸⁸ 16-63 years or 65 for not entitled to an old-age pension

⁸⁹ BE, DK, ET, FI, FR, DE, IE, LU, PT, NL, RO (or domicile), SK (permanent or temporary), and UK (three months residence prior to the claim since January 2014)

⁹⁰ BG, HR, CZ, ET, FR, DE, IT, LV, LT, RO, SI, and SW

⁹¹ AT, CY, FI, IE, IT, LU, MT, and NL

countries⁹²) and by hours (DK, SW, and NL). Correlations are made in SW between months, weeks, and hours, in FI and NL between working weeks and hours, and in FR and IT between weeks and months.

Two years of previous contributions are regulated in SK and UK. The period measured in months varies between four (FR) to 18 (LT). Other regulations include: six months (SW); nine months (BG, HR, LV, SI); and 12 months (CZ, ET, DE, IT, RO). The 26 weeks contribution is the most frequent in: AT (under 25 years), CY, FI, LU, and NL. The shortest period is 13 weeks (IT). At the opposite end are MT (50 weeks) and IE (104 weeks). As days, the most frequent period is 360 (HU, PT, ES). Other periods are 122 days (FR), 125 (EE), and 265 (PL). The unemployment period depends in BE on the age of the individuals and on the time worked, that is between 312 to 624 working days.

Other types of complementary unemployment support are provided: unemployment assistance (AT, FI, IE, PT, and ES). Three forms of unemployment assistance are in ES: allowance, active integration income, and professional requalification programme. Access to earning-related funds is provided under the condition of membership to an unemployment insurance fund (FI), and provided that it is of at least 12 months (DK and SW). Other unemployment forms of support are: (unemployment insurance benefit, unemployment allowance (ET); unemployment insurance and allowance of specific solidarity (FR); unemployment insurance and basic security benefit for jobseekers (DE); employment social allowance, mini ASpl, and mobility allowance (IT); contribution-based Jobseekers' Allowance and income-based Jobseekers' Allowance (UK). People with family responsibilities are supported within the unemployment assistance (DE, LT, SI, and ES).

From the perspective of the age of the applicant, different contribution periods are settled in AT (under 25 years), BE, FR (50 and over); SI (younger than 30); and ES (over 55 years eligible for unemployment allowance).

5. Waiting period and determinant factors

No provided waiting period for receiving unemployment benefits is regulated in 19 EU member-states: AT, BE, BG, HR, CZ, DE, HU, LU, MT, PL, PT, RO, SI, NL, FR (unemployment assistance), IE (insurance immediately prior to claim), DK and LV (involuntary unemployment), ES (insurance and among assistance except the allowance). Unemployment waiting periods are measured by days: three (CY, IE, and UK); five (FI - working)⁹³; six (EE); seven

⁹² BE, FR, EE, HU, PL, PT, and ES

⁹³ During eight consecutive weeks for insurance & labour market support. 90 days for the person resigned job without a valid reason or the employment was terminated through his/her fault

(FR, SW), calendar (ET⁹⁴, PL), eight (IT, LT - calendar); and 30 (CY)⁹⁵. For voluntary unemployment, the waiting weeks are three DK (voluntary unemployment, self-employment), four (AT), 12 (DE), and 21 (FI for people entering the labor market for the first time, except graduates of vocational training programs). The waiting period for voluntary unemployment and due to employee's misconduct is two months (LV) and six (MT).

Frequent determinant factors when establishing the unemployment benefit are: employment history, previous earnings, previous contributions paid, and flat-rate benefits, means-tested (unemployment assistance), and reasons for becoming unemployed, age, and family situation (Esser, 2013:10).

The amount of unemployment benefits is differently established. 19 countries take into account the average earnings for an established period of time. This can include three months (HR, CZ, DK, and LU); 180 days (ES); eight months (SI); nine months (ET); one year (AT, FR, DE, HU, LV, PT, RO, and SW); two years (IT, BG, and SK); or 36 months (LT). Last salary earned is considered in BE, and NL. The unemployment benefit is not based on previous earnings in five countries: FI, IE, MT, PL, and UK. Insurable earnings of the previous year are calculated in CY.

The ceiling for unemployment benefits is regulated in AT, BE, BG, HR, CY, ET, FR, DE, IT, LV, SK, SW, ES (unemployment insurance). No ceiling is settled in FI (earning related unemployment allowance, self-employed persons), DK, PT, RO, and SI. We recommend further MISSOC clarifications for CZ, EE, HU, LT, LU, and NL.

As lengths of time for unemployment benefit, three categories are identified: no limit for eligible beneficiaries (three countries⁹⁶); fixed duration regardless of previous conditions (seven countries⁹⁷), and different duration (20 countries⁹⁸).

6. Conclusions

National regulations applicable to unemployment were updated after EU accession except for five countries (AT, HU, MT, RO, and HR). Three countries (CZ, PL, and SK) updated their regulations in the year of becoming EU member-states. The most frequent types of domestic regulations are acts and

⁹⁴ For unemployment insurance benefit & unemployment allowance. 60 calendar days for daytime for full-time study at an educational institution

⁹⁵ For voluntary abroad contributors

⁹⁶ BE, FI (unemployment assistance), and IE (unemployment assistance till 66 years)

⁹⁷ CY, MT (156 days), DK, LT (9 months), LU, NL (3 months), and UK (182 days)

⁹⁸ AT, BG, HR, CZ, ET, FI, FR, DE, EE, HU, IE, IT, LT, PL, PT, RO, SK, SI, ES, and SW

laws covering common subjects such as unemployment, insurance, and employment.

The main basic principles when providing for unemployment benefits are compulsory and voluntary social insurance. Just nine EU member-states regulate unemployment benefit for self-employed. Main conditions for unemployment benefits are: registration with the job office, capability of working, active search for a job, termination of the labor contract, age, and residency. 17 EU member-states provide unemployment benefits only for involuntary unemployment while other seven countries also cover the voluntary one.

Qualifying periods are quantified by years, months, weeks, days, and hours. Further steps could be made towards better harmonisation. No waiting period for unemployment benefits is regulated in 19 countries. Employment history, previous earnings, and contributions paid are the most frequent determinant factors for unemployment benefits. 19 EU member-states use the average earnings for determined periods of time while five countries provide for unemployment regardless of the previous earnings. The unemployment ceiling is regulated in 13 countries. The duration of unemployment benefits is established either without limit for the eligible ones, or with fixed limit taking into account the previous employment history, or irrespective of the latter.

The chapter contributes to a better understanding of the common views and differences within the EU-28 in this respect. Further harmonization would support adjustment of domestic policies with impact on the quality of life for the EU citizens and for the achievement of the Europe 2020 socio-economic goals.

CHAPTER IX

Minimum income guaranteed schemes⁹⁹

The chapter is focused on screening the provision of the guaranteed minimum resources in the EU-28. Understanding social policy regulations nowadays, at both EU and at the domestic level of each of the member-states, implies an assessment of the last social protection network for the ones in need. The welfare state defined as “*gouvernants*” and “*gouvernes*” in the contractual tradition functions by its sovereign attributes (Boudon *et al*, 1982:236-237). It can also be interpreted as an essential correlation “between the idea of society and the idea of government, a certain conception of social harmony” (Compte, 1995:114).

Social programmes for guaranteed income include: credit income tax, negative income tax, MIG, and earned income tax credit (Pop, 2002:594). Other complementary concepts in understanding MIG schemes are guaranteed minimum resources, poverty, minimum wage, low paid work, subsistence minimum and minimum of decent life which takes into consideration elements of personal development and social affirmation (Briciu, 2002:43-44; Arriba *et al*, 2002:16-18; Mihăilescu, 2004:15; Ștefănescu, 2013:117-118; Mihăilescu, 2014:132-133; Mihăilescu, 2015a:157; Mihăilescu, 2015b:158).

MIG is subject of two complementary visions: as assistance supported by a universal substitute allowance and as a complementary preservation of obtained advantages in terms of allowances, pensions and guaranteed resources (Ferréol, 2000:163). Provision of MIG supports social inclusion especially by its benefits promoting active inclusion on the labor market (Zamfir, 2002:55-57; Ilie *et al*, 2004:14; Stănescu *et al*, 2012:257-258; Stănescu *et al*, 2013:14-16). Still, the low level of minimum income is a demotivating factor for labor insertion, people preferring to continue to access social assistance benefits through various guaranteed minimum resources rather than working for a low salary (Stanciu *et al*, 2011:15).

As methodology, MISSOC data bases are used. Research outputs are presented in three categories: the EU founder states¹⁰⁰, other old member-states

⁹⁹ A preliminary version of this chapter was published in Stănescu, Simona Maria 2015. Comparative Analysis of Minimum Income Guaranteed Schemes within the Member States of the European Union, in *Romanian Journal of European Affairs*, vol. 15, no. 3, September 2015, 31-50

¹⁰⁰ FR, DE, IT, NL, BE, and LU

than the EU founders¹⁰¹, and CEE member-states¹⁰². The research hypothesis, on which this classification is based, is that the accession to the EU shaped the design of the domestic social policy, and is owned to the largest post-doctoral programme of which this chapter is an integral part.

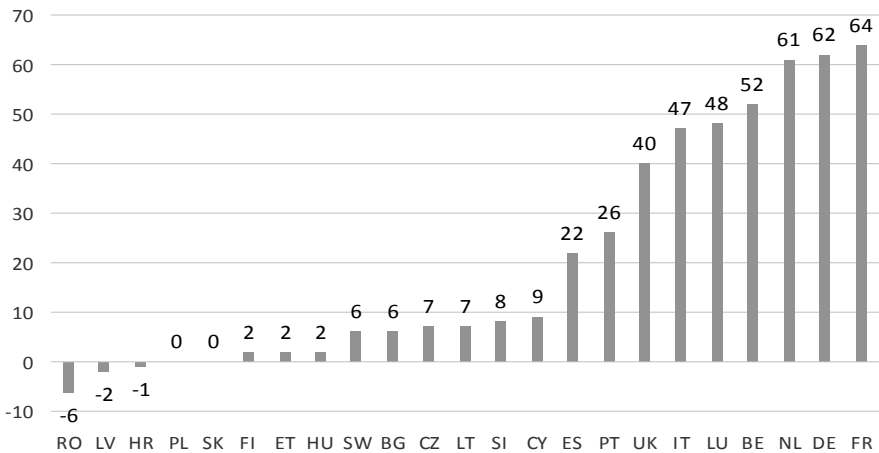
1. Applicable statutory basis

This section of the chapter analyses the applicable statutory basis for MIG from three perspectives: the chronological development in relation to the moment of becoming an EU member state, types of regulations and subjects approached.

According to the MISSOC data base, 25 out of the EU-28 member- states updated or adopted MIG related regulations within the last decade of the 1990s (three countries), the first decade of 2000s (ten countries), and the second decade of 2000s (12 countries).

In comparison with the moment of becoming an EU member state, three countries follow MIG related regulations adopted before, two countries changed these regulations in the year of EU accession, and 20 countries after the respective moment. Referring to the last category of countries, nine countries recorded MIG changes in less than ten years after joining EU, while four after more than 50 years (that is, old member-states, and other old member-states).

Figure 27 Latest regulations of guaranteed minimum income by the moment of becoming an EU member-state (years)



Source: MISSOC 1st of January 2014

¹⁰¹ DK, IE, UK, EE, PT, ES, AT, FI, and SW.

¹⁰² CY, CZ, ET, HU, LV, LT, MT, PL, SK, SI, BG, RO, and HR

As extreme values, RO regulated MIG six years before the EU accession, while FR continues to update regulations 64 years after joining EU. The purpose of this chapter is not to analyse the reasons behind these legislative changes. Still, one recommendation in this respect is that the MISSOC data base should register differently domestic changes due to the provision conditions and to the updated amounts of MIG. The latest aspect is an element which does not essentially modify the general scheme of distributing the MIG.

Within the category of EU founders, IT and LU follow MIG related regulations that were adopted a longer time ago (1998 and 1999), while the latest related regulations adopted date from FR and MT in the year 2015.

Table 32 Recent regulations of minimum income guaranteed within founder members of the European Union

No.	Country	EU	Latest regulations
1.	FR	1951	2015
2.	DE	1951	2013
3.	IT	1951	1998
4.	NL	1951	2012
5.	BE	1951	2003
6.	LU	1951	1999

Source: MISSOC 1st of January 2014

Looking at the category of EU member-states “other old member-states than the EU founders”, EE is the only country where MIG was not nationally provided in 2014. Two unsuccessfully attempts (2000 and 2005) to set up MIG were followed by a pilot programme implemented in 13 municipalities (Liargovas, 2014:6, 24-27).

It is expected that the MISSOC follow-up data in 2015 will bring relevant information in this respect. Nine different acts of the Landers are in force in AT while correlated information is not available in the MISSOC data base. As chronological development, FI preserves its regulations since 1997, and the latest are as of 2013 and were adopted in UK. All seven countries (except AT and EE) adopted MIG related regulations after joining EU. On the one hand, the lowest values were registered by FI (two years after EU accession) and SW (six years), while the highest ones belong to UK (40 years), and DK (39 years).

Table 33 Recent regulations of minimum income guaranteed within other old member-states except founder states of the European Union

No.	Country	Latest regulations	EU accession	Latest regulations
1.	DK	-	1973	2012
2.	IE	-	1973	2005
3.	UK	-	1973	2013
4.	EE	-	1981	2012 ¹⁰³
5.	PT	-	1986	2012
6.	ES	-	1986	2008
7.	AT ¹⁰⁴	-	1995	-
8.	FI	-	1995	1997
9.	SW	-	1995	2001

Source: MISSOC 1st of January 2014

All 13 CEE member-states adopted MIG related regulations in the 2000s: six in the first decade, and seven in the second decade. Three countries adopted them before joining the EU: RO six years before, LV two years before and HR one year. PL and SK adopted these regulations in the year of EU accession (2004). Latest regulations, respectively as of 2013 date from CY and BG, and 2015 from MT.

Table 34 Recent regulations of minimum income guaranteed within Central and Eastern Europe member-states

No.	Country	Latest regulations	EU accession	Latest regulations
1.	CY	-	2004	2013
2.	CZ	-	2004	2011
3.	ET	-	2004	2006
4.	HU	-	2004	2006
5.	LV	2002	2004	-
6.	LT	-	2004	2011
7.	MT	-	2004	2015 ¹⁰⁵
8.	PL	-	2004	2004
9.	SK	-	2004	2004
10.	SI	-	2004	2012

¹⁰³ Law 4093/2013

¹⁰⁴ No information available

¹⁰⁵ <http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8794>

No.	Country	Latest regulations	EU accession	Latest regulations
11.	BG	-	2007	2013
12.	RO	2001	2007	-
13.	HR	2012	2013	-

Source: MISSOC 1st of January 2014

Seven types of MIG regulations are in force in the EU-27 member-states (except EE): act, law, decree, code, regulation, constitution, and emergency ordinance. The most frequent national regulations focused on MIG are acts (15 countries), followed by laws (ten countries), and decrees (six countries). These three types of regulations are present in all three categories of EU member-states. In 12 EU member-states the regulation of MIG is under one single domestic act (NL, AT, DK, FI, IE, SW, HR, and MT), law (LU, LV, and PL) or code (DE). In the other countries, regulations are constituted from different pieces of regulations but belonging to the same category: acts (UK, ET, and SI), laws (LT and SK) or codes (FR). Currently enforced decrees are ordinary decree (PT and BG), royal decree (BE and ES), legislative decree (IT), or government decree (CZ).

Table 35 Domestic regulations of minimum income guaranteed in EU-27¹⁰⁶

Type of regulation	EU founders	Other old member-states	CEE member-states
Act	NL	AT, DK, FI, IE, ES, SW, UK	HR, CZ, ET, HU, ML, SI
Law	BE, LU	PT	BG, CY, LV, LT, PL, RO, SK
Decree	BE, IT	ES, PT	BG, CZ
Code	FR, DE	-	-
Regulation	-	-	BG, HU
Constitution	-	-	CY
Decision	-	-	CY
Emergency ordinance	-	-	RO

Source: MISSOC 1st of January 2014

Within the category of other old member-states than the EU founders, the most frequent MIG related regulation is represented by an act, while the law is the most frequent within CEE countries. Other forms of MIG domestic legislation in force are: codes (FR and DE), regulations (BG, and HU),

¹⁰⁶ Except for EE

decisions (CY), and emergency ordinances (RO). The Cypriot Constitution mentions “the right to a decent standard of living and social security”.

Per category of domestic regulations focused on MIG, the most frequent subjects of the acts are social assistance (AT, FI, SI, and NL), social welfare (HR, ET, and IE) and social security (MT, ES, and UK). The law of social assistance concerns MIG in five post-communist countries (BG, LV, LT, PL, and RO).

As main topics included within the MIG domestic regulations, the most frequent concepts are social (23 countries), and assistance (ten countries).

“Social” is the most frequent concept present in MIG domestic regulations adopted by 23 EU member-states: four EU founder states (BE, FR, DE, and NL), seven other old member states (AT, DK, FI, IE, ES, SW, and UK), and 12 CEE countries (BG, HR, CY, ET, HU, LV, LT, MT, PL, RO, SK, and SI).

“Assistance” is used in ten EU member-states within MIG related regulations mostly as part of “social assistance” (BG, FI, LV, PL, RO, SI, and NL), but also as “assistance in material need” (CZ and SK) and public assistance (CY).

The concept “benefit” is identifiable in BE, ET, HU, ES, and UK. Next to it, allowance is mentioned in BE (disabled persons), in BG (heating), and in UK (contribution).

Services are mentioned as social services (LV and SW), social welfare services (CY), labour market services (ET), and employment services (SK). Work is mentioned as labor (FR), employment (SK), and work (NL). Pension is mentioned in BG, CY (social), and UK (state pension credit). Need is a concept mentioned in the MIG related regulations from ES, as well as in the ones from CZ and SK where it is included in the expression “material need”. The concept of “right” appears with reference to social integration (BE) and to public funds (SI).

References to “social policy” include: social assistance (BG, FI, LV, PL, RO, SI, NL, and SI), social security (FR, MT, ES, and UK), social welfare (HR, ET, and IE), social protection (RO), active social policy (DK), social integration (BE), and social action (FR).

MIG is mentioned in BE (guarantee of income), BG, CZ (living and subsistence minimum), LT, RO, and SK (subsistence minimum).

Types of beneficiaries are mentioned as family (BE and FR), elderly (BE and BG) and persons residing abroad and returnees (ES).

References to social administration are named in HU, IT, SK and UK. Financial related subjects are identifiable within MIG related regulations as: indexation (CZ), financial social assistance (SI), fiscal balance (SI), and public funds (SI).

The basic principle in providing guaranteed minimum resources is to help people in need which are not able to support their daily expenses by personal effort so they could have a decent life standard. Higher amounts of MIG are provided for special categories of vulnerable people in: AT (in some regions for persons with disabilities, chronically ill persons), in CY (social welfare services

depending on the income, number of dependent persons, special needs), CZ (depending on the applicant's income, efforts and personal status), and in HR (single persons, people with general work incapacity, pregnant women and children from single-parent families). Benefits in kind and cash benefits are provided in HR, HU, IT, LV, and RO. The collection of comparable data for all EU member-states would support further comprehensive analyses in this respect.

2. Overview of provided allowances

The following section of the chapter overviews the provision of MIG in the EU-27 member- states (except for EE) from the viewpoint of the schemes in place, and the types of allowances supported by each member state, and the financing and organisation thereof.

Five frequent MIG related benefits were identified in the analysed EU-27 member-states (except EE): the ones focused on elderly, unemployment, pensions, allowances supporting various house related costs, and benefits for disabled people. Each of the first two is provided in eight member-states while each of the last three is covered in seven countries. MIG forms of support for elderly are provided in eight countries (BE, FR, DE, HU, IT, LT, PT and ES). Unemployment allowances are provided in eight countries (ET, FR, DE, HU, IE, PT, ES and UK). Pensions are covered in the following EU member-states (BG, HR, CY, IE, LT, ES and UK). House costs are supported in seven countries (CZ, ET, DE, LT, RO, SK and UK). Seven EU member-states report disabled benefits under the MIG umbrella (BE, FR, IE, IT, LT, LU and PT).

None of the analysed countries reports all these five types of allowances under the MIG provision. Still, LT covers four of them (save for unemployment). Similar profiles were identified in FR and PT, and in IT and BE.

Table 36 Frequent focus of guaranteed minimum resources

	Elderly people	Unemployment benefits	Pensions	House related costs	Disabled people
ES	x	x	x	-	-
DE	x	x ¹⁰⁷	-	x	-
FR	x	x ¹⁰⁸	-	-	x
PT	x	x	-	-	x
HU	x	x	-	-	-
LT	x	-	x	x	x
IT	x	-	-	-	x

¹⁰⁷ Basic security benefits for jobseekers

¹⁰⁸ Temporary waiting period allowance if not entitles to unemployment benefits

	Elderly people	Unemployment benefits	Pensions	House related costs	Disabled people
BE	x	-	-	-	x
UK	-	x	x	x	-
IE	-	x	x	-	x
ET	-	x		x	-
BG	-	-	x	-	-
HR	-	-	x	-	-
CY	-	-	x	-	-
RO	-	-	-	x	-
SK	-	-	-	x	-
CZ	-	-	-	x	-
LU	-	-	-	-	x

Source: MISSOC 1st of January 2014

Two systems of guaranteed minimum resources are identifiable among the analysed 27 EU member-states (except EE): a general system and a special one. In line with the MISSOC data base, three situations occur from the perspective of the systems provided within the EU member-states:

- only the general system: HR, LV, and RO;
- only the special system: ES and HU;
- both general and special systems: AT, BE, IE, PT, and BG.

As in the MISSOC data base only partial information is available for the other EU member-states, we assume that they provide for guaranteed minimum resources in accordance with the general system. Further harmonisation of collected domestic data would be more than useful in this respect.

In line with the 2014 MISSOC database, BE reports a general system and a special system (MIG for elderly, disabled persons' allowance, and guaranteed family benefits). In BG the general non-contributory minimum is provided alongside the specific non-contributory minimum (for elderly - social pension for old-age). MIG related benefits in CY are constituted from social welfare services (public assistance, social insurance services, and social pension) and the grants and benefits service (scheme for supporting pensioners' households). The system of assistance in material need in CZ is composed by: allowance for living, supplement for housing, and extraordinary immediate assistance. DK reports the social assistance and educational assistance. In ET the subsistence benefit is regulated together with the needs-based family benefit and unemployment allowance. A fixed amount and additional ones depending on needs are regulated in FI. Various forms of MIG related supports are available in FR: active solidarity income, allowance for disabled adults, solidarity allowance for the elderly, supplementary invalidity allowance, allowance of specific solidarity, temporary waiting period allowance, and retirement-equivalent benefit

(replaced since 1 July 2011 by the transitional solidarity allowance). DE regulates three forms of support: the assistance towards living expenses, the needs-based pension supplement in old age and in the event of reduced earning capacity, and basic security benefits for jobseekers. In the case of HU, no general non-contributory minimum is set up but specific non-contributory minima are in place: benefit for persons in active age (including two types of benefits: regular social allowance and employment substituting benefit) and old-age allowance.

Guaranteed minimum resources in IE imply a general non-contributory minimum and a specific non-contributory minimum: jobseeker's allowance, disability allowance, blind pension, one parent family payment, farm assist, widow's, widower's or surviving civil partner's and state pension, and carer's allowance.

In IT, the regions (but in some cases municipalities and local entities) have legislative functions and administrative competences in the field of social services for disabled persons (minors, youngsters, elderly people, poor families etc.).

A general non-contributory minimum and a guaranteed minimum income benefit are in force in LV. With reference to LT, two main non-contributory schemes for guaranteed minimum resources are regulated: a cash social assistance one (social benefit and reimbursement for the cost of house heating, hot water and drinking water) as well as a social assistance pension.

MIG in LU are covered as a guaranteed minimum income (which consists of either an integration allowance or a supplementary allowance) and a specific guaranteed minimum income for seriously disabled persons.

In MT, a subjective right to a differential means-testing benefit is provided by central government for risks of sickness or unemployment.

Various benefits are provided in PT: General system (Social integration income) & Specific non-contributory minima (Invalidity and old-age social pension, widow(er)'s pension and orphans pension, Solidarity supplement for the elderly, social allowances in the framework of maternity, paternity and adoption protection and unemployment allowance).

The provision of MIG in RO covers a social aid, heating energy allowance, natural gas allowance and solid fuel or oil allowance.

Under the assistance in material need the following benefits are covered in SK: protecting allowance, activation allowance, housing benefit and allowance for a dependent child. In addition, one-off benefit can be provided to cover extra expenses.

SI provides the financial social assistance (ordinary and emergency financial social assistance¹⁰⁹) and supplementary allowance.

¹⁰⁹ Special Emergency Financial Social Assistance after the Death of a Family Member and Special Emergency Financial Social Assistance for Covering Funeral Expenses

No general non-contributory minimum is regulated in ES. Still, specific non-contributory minima are covered under the form of: non-contributory old-age pension, non-contributory invalidity pension, unemployment assistance, minimum for Spanish persons residing abroad and returnees.

National norms have been regulated in NL. Additional special assistance can be provided by local municipalities.

The following benefits are set up in UK: income support, jobseekers' allowance, pension credit, employment and support allowance, and housing benefit.

3. Financing and organisation

Financial support of MIG related benefits is organised at central level, the local one or in a mixed form of the aforementioned. Most EU member-states function by a central organisation but mixed provision is a current trend. In line with the MISSOC data¹¹⁰ for 2007, 2010, and 2014, ten countries preserve their centralised financing: one EU founder state (FR), three other old member-states (IE, PT, and UK), and six CEE countries (BG, CY, CZ, ET, MT, and SK).

Table 37 Financing of minimum income guarantee schemes

	EU founders			Other old member-states			CEE member-states		
	2007	2010	2014	2007	2010	2014	2007	2010	2014
Central	BE, FR, LU, NL	FR	FR	DK, FI, IE, PT, UK	IE, PT, UK	IE, PT, UK	BG, CY, CZ, ET, LV, LT, MT, PL, SI	BG, CY, CZ, ET, HU, LT, MT, SK, SI	BG, CY, CZ, ET, MT, SK, RO
Local	DE, IT	-	DE, IT	AT	AT, DK, FI	AT, DK, FI, ES, SW	RO	LV, RO	LV, SI
Mixed	-	BE, DE, LU, NL	BE, LU, NL	SW	ES, SW	-	SK	PL	HR, HU, LT, PL

Source: Crepaldi (ed.), 2011: 23 (for 2007 and 2010), MISSOC 1st of January 2014

¹¹⁰ Not applicable in EE. No information available for ES, and HU (2007), and IT (2010).

Two EU founder states (DE and IT) kept their local distribution of MIG while LU and NL have a mixed organisation at least as of 2010. In AT the distribution is constantly organised at the local level. DK and FI followed at least as of 2010, and ES and SW at least since 2014.

Among CEE countries, RO is the only one which had the experience of local financing and now central support is provided, but administrative costs are partially supported by the local budgets.

Collection of the yearly data for the period 2008-2013 could give a clearer picture of the exact year when central, local or mixed financing schemes were set up. For example, a further check of the 2010 data for DE would reveal the nature of mixed regulations that were adopted since 2007 and the 2014 data shows a local focused financing. The 2007 data for SK could also provide useful information if either a central organisation was in place or a similar local organisation was experienced with.

Distribution of guaranteed minimum resources in 2014 was organised and attributed to the central level (19 EU member-states), at federal level (two EU member-states), at regional level (four EU member-states). Decentralisation of MIG schemes in ES and IT supported innovative policies (Natili, 2014:30).

Municipalities were involved in ten countries. Local public administration is involved in ten EU member-states. In BG the community also plays a role. 105 municipal agencies are involved in DE. Stakeholders involved in PL include foundations, associations, churches, trade unions, employers, and natural and legal persons.

Discretionary entitlement to guaranteed minimum resources is regulated in BG (monthly social assistance allowance, social pension for old-age), DK, PL, and SI (extraordinary Financial Social Assistance). Non-Discretionary entitlement is regulated in DE, LU (guaranteed minimum income, specific guaranteed minimum income for disabled persons), SK and ES. We recommend that the MISSOC data base should collect information relative to (non)discretionary entitlement for all EU member-states currently lacking in information.

Table 38 Organisation and management of guaranteed minimum resources

No.	Country	Central	Federal	Regional	Municipality	Local	Community
1.	AT	-	-	x	x	-	-
2.	BE	-	x	x	-	x	x
3.	BG	x	-	-	-	-	-
4.	HR	x	-	-	x	-	-
5.	CY	x	-	-	-	-	-
6.	CZ	x	-	-	-	-	-
7.	DK	-	-	-	x	-	-
8.	ET	x	-	-	-	x	-
9.	FI	-	-	-	x	-	-
10.	FR	x	-	-	-	-	-
11.	DE	-	x	-	x	x	-
12.	EE	-	-	-	-	-	-
13.	HU	x	-	-	-	x	-
14.	IE	x	-	-	-	-	-
15.	IT	-	-	x	x	x	-
16.	LV	x	-	-	x	x	-
17.	LT	-	-	-	x	-	-
18.	LU	x	-	-	x	-	-
19.	MT	x	-	-	-	-	-
20.	PL	x	-	-	-	x	-
21.	PT	x	-	-	-	-	-
22.	RO	x	-	-	-	-	-
23.	SK	x	-	-	-	-	-
24.	SI	-	-	-	-	x	-
25.	ES	x	-	x	-	-	-
26.	SW	x	-	-	-	x	-
27.	NL	x	-	-	-	x	-
28.	UK	x	-	-	x	-	-

Source: MISSOC 1st of January 2014

4. Eligibility conditions: nationality, residence, and age

Eligibility criteria for MIG refer to nationality, residence, age and means-related conditions¹¹¹, and requirements for job search, vocational training and behaviour modification. Other conditions are regulated in 12 out of the analysed 29 EU member-states: two EU founders (DE and IT), three other old member-states (PT, SI, and ES), and seven CEE countries (BG, CY, ET, HU, LT, MT, and PL). This section of the chapter analyses conditions related to the nationality, residence and age.

Table 39 Eligibility criteria for receiving the minimum income guarantee

Forms of support	EU founders	Other old member-states	CEE member-states
Nationality	BE, DE	AT, ES	HR, CY, MT
Residence	BE, FR, DE, IT, LU, NL	DK, FI, IE, PT, ES, UK	BG, HR, CY, CZ, ET, HU, LV, LT, MT, PL, RO, SK, SI
Age	BE, FR, DE ¹¹² , LU, NL	DK, IE ¹¹³ , PT ¹¹⁴ , ES, UK	BG ¹¹⁵ , CY ¹¹⁶ , ET ¹¹⁷ , HU, LT, MT, PL, RO, SI ¹¹⁸

Source: MISSOC 1st of January 2014

No nationality requirements are in force in 24 EU Member-States: all six EU founder states (BE, FR¹¹⁹, DE, IT, LU, and NL), seven other old member-states (DK, ES, FI, IE, PT, SW, and UK), and eleven CEE countries (BG, CY, CZ, ET, HU, LV, LT, PL, RO, SK, and SI). 21 EU Member-States¹²⁰ apply no-nationality condition to all MIG related benefits. Three countries apply it only

¹¹¹ Rights in rem (real property), personal property (movable assets), income and (other) benefits, exhaustion of other claims, and exemption of resources

¹¹² DE: Basic security benefits for jobseekers

¹¹³ IE: jobseeker's allowance, blind pension, one parent family payment, farm assist and widow's, widower's or surviving civil partner's (non-contributory) pension, and disability allowance, State Pension (Non-Contributory): from age 66

¹¹⁴ PT: Social integration income, invalidity social pension, old-age social pension, orphans pension, solidarity and supplement for the elderly

¹¹⁵ BG: specific non-contributory minima: social pension for old-age

¹¹⁶ CY: social insurance scheme: social pensions

¹¹⁷ ET: unemployment allowance

¹¹⁸ SI: supplementary allowance

¹¹⁹ Beneficiaries for temporary waiting period allowance are regulated as asylum seekers, foreigners granted temporary or subsidiary protection, stateless persons, persons returning from abroad and awaiting reintegration

¹²⁰ BG, CY, CZ, DK, ET, FI, FR, HU, IE, IT, LV, LT, LU, PL, PT, RO, SK, SI, SW, NL, and UK

to particular benefits: BE (guaranteed family benefits), DE (basic security benefits for jobseekers), and ES (non-contributory old-age pension, non-contributory invalidity pension, unemployment assistance).

No-nationality as eligibility condition is frequently correlated with the residence condition¹²¹. In HR and MT the guaranteed minimum resources are provided to nationals but foreign nationals with legal residence are also entitled.

Nationality is required in five EU Member-States with reference to all minimum guaranteed resources (HR and MT) or focused on particular social benefits: in BE (general system, MIG for elderly, disabled persons' allowance), DE (assistance towards living expenses), and ES (minimum for Spanish persons residing abroad and returnees). In conclusion, these EU Member-States (BE, DE, and ES) provide a mix of nationality based and no-nationality allowances.

Other categories of people entitled to guaranteed minimum resources include:

- Refugees AT, BE (general system, MIG for elderly, disabled persons' allowance), and DE (assistance towards living expenses);
- Stateless persons authorised to reside: BE (general system, MIG for elderly, disabled persons' allowance) and FR (temporary waiting period allowance);
- Foreigners in AT (assimilated on the grounds of EU directives), BE (listed on the national register of natural persons), HR (with resident permits), and FR (temporary waiting period allowance);
- Asylum seekers in FR (temporary waiting period allowance) and DE¹²²;
- People returning from abroad to FR (temporary waiting period allowance);
- EU citizens BE (general¹²³, disabled persons' allowance) and DE (citizens of the signatory countries to social security agreements e.g. most of the EU member-states);
- Fulfilment of the Regulation (EC) 883/2004 BE (MIG for elderly, disabled persons' allowance¹²⁴).

Residence is typically not required in AT while SI accepts temporary residence. In SW persons legally entitled to stay are covered but no permanent residence is required. Categories excepted from the residency conditions are

¹²¹ AT, BE, HR, CY (social welfare services), FR, and MT

¹²² A special benefit system applies according to the Asylum Seeker Benefits Act

¹²³ Or members of their family accompanying or joining them) with the right of residence of more than three months

¹²⁴ Are nationals of Iceland, Liechtenstein, Norway, Switzerland, Morocco, Algeria or Tunisia and who fulfil the conditions of Regulation (EC) 883/2004

regulated in BE, and in CZ. Temporary residency is considered in HR (exceptionally), and SI. An extraordinary immediate assistance is provided in CZ for persons in serious danger staying (i)legally.

Residency represents an eligible condition in receiving guaranteed minimum resources in all EU founders, seven other old EU Member-States (except for EE, and taking into account the case in AT), and all CEE countries. Various ways to refer to residency include:

- Permanent residence in ten countries: BE (general system, also for MIG for elderly & MIG for disabled persons¹²⁵), HR, CZ, FI, FR (stable and effective), LV, LT, MT, PL, and SI;
- Legal residence in nine countries: BG (authorised by the Ministry of Interior), CY (social welfare services, social insurance services, grant and benefits service), DK, ET, LU, PT, ES (Non-contributory old-age pension¹²⁶, Non-contributory invalidity pension¹²⁷, unemployment assistance, minimum for Spanish persons residing abroad¹²⁸ and returnees¹²⁹), SW, and NL;
- Long-term residence in three countries: BG (indefinite period), CZ, and HU (benefit for persons in active age, old-age allowance);
- Residence in three countries: IT, RO (or domicile), SK (or stay) alongside:
 - Habitual residence in three countries: DE (basic security benefit for jobseekers), IE, and UK;
 - Actual residence in DE (assistance towards living expenses, needs-based pension supplement in old age and in the event of reduced earning capacity).

The obligation to be present in the country is mentioned in UK and two years of stay before the claim entitle the applicant for the residence test. Other

¹²⁵ Stay abroad of a disabled beneficiary is accepted under certain exceptions

¹²⁶ Have been so for at least ten years between the age of 16 and 65 (two of which immediately prior to the date of pension application)

¹²⁷ Have been so for at least five years (two of which immediately prior to the date of pension application)

¹²⁸ Spanish persons residing abroad: legally resident in countries where the social protection systems are unsettled

¹²⁹ Spanish persons, born in ES, who have resided in countries where the social protection systems are unsettled and persons of Spanish origin who have resided in ES for eight years before the claim and held Spanish nationality during this period

periods of residence include three months (CZ¹³⁰ and HU), at least four years BE (MIG for families), at least five years during the last 20 years in LU¹³¹.

17 EU member-states require no age condition when claiming minimum guaranteed resources. It is the case of three EU founders (BE, FR, and DE), five other old member-states than EU founders (AT, FI, IE, PT, and SW), and nine member CEE states (BG, HR, CY CZ, ET, LV, LT, SK, and SI). Still, two categories can be identified. Within the first one, all MIG related benefits are concerned. This applies to six countries: AT, HR, CZ, LV, SK, and SW. For the second category this conditions only apply to particular types of MIG related benefits. It concerns the following 11 countries: BE (guaranteed family benefits), BG (general non-contributory minimum), CY (grants and benefits service), ET (subsistence benefit, needs-based family benefit), FI (social assistance¹³²), FR (allowance of specific solidarity, temporary waiting period allowance¹³³), DE (assistance towards living expenses, needs-based pension supplement in old age and in the event of reduced earning capacity¹³⁴), IE (supplementary welfare allowance), LT (social assistance pension in the case of disabled), PT (widow(er)'s pension, social allowances in the framework of maternity, paternity and adoption protection, unemployment allowance), and SI (financial social assistance, supplementary allowance for permanent incapacity for work or permanent non-employability).

Eight EU member-states offer both age related benefits and non-age related ones: two EU founders (FR and DE), two other old member-states than the EU founders (IE and PT) and four CEE countries (BG, CY, ET, and SI).

The minimum eligible age for guaranteed minimum resources varies as follows:

- 15 years (DE for basic security benefits for jobseekers);
- 16 years in ET (unemployment allowance), RO (heating allowance), ES (unemployment assistance), and IE (disability allowance);

¹³⁰ For EU citizens who are not under Regulation 492/2011

¹³¹ Except for nationals of an EU/EEA Member State, Swiss nationals, refugees and stateless persons

¹³² It is seldom given individually to children under 18 years as parents are obliged to support their children

¹³³ The person should not fulfil the conditions for drawing a full pension

¹³⁴ Minors can claim in their own right. From the age of 65 and in case of permanent full earning incapacity from the age of 18, the needs-based pension supplement in old age and in the event of reduced earning capacity is granted instead of the assistance towards living expenses

- under 18 years in PT (social integration income¹³⁵, invalidity social pension, orphans pension);
- 18 years in MT, NL, PL, BE (general system¹³⁶), HU (benefit for persons in active age), IE (jobseeker's allowance, blind pension, one parent family payment, farm assist and widow's, widower's or surviving civil partner's non-contributory pension), ES (social integration income, non-contributory invalidity pension), and RO (social aid), and UK (income support, jobseekers' allowance (income-based), employment and support allowance (income-based) and housing benefit);
- 20 years in FR (allowance for disabled adults¹³⁷);
- 21 years in BE (disabled persons' allowances: income replacement allowance, integration allowance¹³⁸);
- 25 years in FR (active solidarity income¹³⁹) and LU¹⁴⁰;
- 30 years in DK (social assistance);
- 65 years in BE (guarantee of income for elderly persons, allowance for assistance to the elderly), CY (social insurance services), ES (non-contributory old-age pension);
- 66 years in IE (state pension (non-contributory) and ES (old-age social pension, solidarity supplement for the elderly);
- 70 years in BG (social pension for old-age).

The maximum age to receive MIG is the standard retirement age in DE (basic security benefits for jobseekers), ET (unemployment allowance¹⁴¹), ES (unemployment assistance), FR (allowance for disabled adults, solidarity

¹³⁵ If the person has the sole responsibility for maintaining minor or disabled children, is married or lives in a de facto union for more than two years, or if it concerns a pregnant woman.

¹³⁶ Three exceptions: minors emancipated by marriage, single persons looking after (a) child(ren), pregnant minors

¹³⁷ Up to the eligible age for solidarity allowance for the elderly (supplementary invalidity allowance)

¹³⁸ A person receiving income replacement allowance and/or integration allowance before age 65 continues to receive these benefits beyond that age. These cannot be combined with the allowance for elderly assistance.

¹³⁹ Or under 25 if they have to support at least one child, even if not yet born; or if they can prove a minimum period of activity and not having reached the age required for entitlement to old-age pension

¹⁴⁰ Derogations for persons who are incapable of work, raising a child or taking care of a disabled person

¹⁴¹ Except persons on pre-retirement pension

allowance for the elderly), HU (benefit for persons in active age, old-age allowance), LT (social assistance pensions), and SI (supplementary allowance). Other regulations for maximum age refer to:

- 60 years in MT;
- 64 years in BE (disabled persons' allowances: income replacement allowance, integration allowance);
- 65 years in ES (non-contributory invalidity pension);
- 66 years in IE (disability allowance, jobseeker's allowance, blind pension, one parent family payment, farm assist and widow's, widower's or surviving civil partner's non-contributory pension).

No maximum age limit is applicable in BE (general system). Age regulations in IT vary according to the regions and municipalities. The pension credit entitlement age in UK is linked to the state pension age for women.

Fixed age periods are regulated in DK and ES: 16 to 65 years for (minimum for Spanish persons residing abroad), 18 to 29 years in DK (social assistance¹⁴², educational assistance), 45-65 years in ES (active integration income), and over 65 years for minimum for Spanish returnees).

5. Duration and time limits

Unlimited guaranteed minimum resources are provided as long as the eligibility conditions are fulfilled in 23 EU member-states. Two categories of countries are identified: either this condition is in place regardless of the form of social benefits (AT, BG, HR, CZ, DK, HU, FI, IE, SK, ES, SW, LU, MT, PL, NL, and UK.) or it applies for specific benefits.

¹⁴² In the case of having completed an education qualifying for an occupation

Table 40 Duration of minimum income guarantee's provision

	EU founders			Other old member-states			CEE member-states		
	2007	2010	2014	2007	2010	2014	2007	2010	2014
Unlimited	BE, DE, LU, NL	BE, DE, LU, NL	BE, FR ¹⁴³ , DE ¹⁴⁴ , LU, NL	AT, DK, FI, IE, SW, UK	AT, DK, FI, IE, SW, UK	AT, DK, FI, IE, PT ¹⁴⁵ , ES, SW	BG, CY, CZ, ET, MT, PL, RO	CY, CZ, ET, MT, SK,	BG, HR*, CY, CZ, ET ^{*146} , HU, LT ¹⁴⁷ , MT, PL, SK
Limited, extendible	-	-	FR ¹⁴⁸ , DE ¹⁴⁹	PT, ES	PT	PT ¹⁵⁰	LT, SK, SI	BG, LV, LT, PL, RO	LT ¹⁵¹ , RO ¹⁵²
Limited, extendible with restrictions	-	FR	-	-	-	PT ¹⁵³	LT	SI,	SI
Limited	-	-	FR ¹⁵⁴	-	-	PT ¹⁵⁵	-	-	ET ¹⁵⁶ , LT ¹⁵⁷ , RO ¹⁵⁸

Source: Crepaldi (ed.), 2011:23 (for 2007, and 2010), MISSOC 1st of January 2014

Note: * renewable

¹⁴³ Solidarity allowance for elderly, supplementary invalidity allowance

¹⁴⁴ Assistance towards living expenses, basic security benefit for jobseekers

¹⁴⁵ Invalidity social pension, old-age social pension, widow(er)'s pension, orphans pension, solidarity supplement for the elderly

¹⁴⁶ Subsistence benefit, needs-based family benefit

¹⁴⁷ Social assistance pension

¹⁴⁸ Allowances: for disabled adults, of specific solidarity, temporary waiting period, transitional solidarity

¹⁴⁹ Needs-based pension supplement in old age and in the event of reduced earning capacity

¹⁵⁰ Social integration income

¹⁵¹ Social Benefit

¹⁵² MIG

¹⁵³ Unemployment allowance

¹⁵⁴ Active solidarity income for three months

¹⁵⁵ Social allowances in the framework of maternity, paternity and adoption protection

¹⁵⁶ Unemployment allowance for 270 days

¹⁵⁷ Reimbursement for cost of house heating, hot water and drinking water, social benefit and reimbursement for the cost of house heating, hot water and drinking water

¹⁵⁸ Heating allowance

Applications for MIG benefits should be renewed in three cases: either after the expiration of the fixed but extendable period of provision, when continuous accomplishment of eligibility criteria is to be preferred or when a situation emerges meaning that the eligibility criteria change, so that the MIG beneficiary is not entitled anymore to a certain type of MIG. This situation doesn't exclude that he/she could receive other MIG related benefits. These three situations are inter-correlated and in some EU member-states are regulated separately. While the first one is subjective and optional, if the applicant decides to apply, the second and the third one are usually regulated on a fixed mandatory period of time and when a certain situation appears.

The most common periods to renew the application are:

- monthly ET (subsistence benefit) and FR (temporary waiting period allowance but a maximum of 12 months);
- less than three months LT (cash social assistance);
- three months ET (needs-based family benefit), FR (active solidarity income), LV (the guaranteed minimum income up to six months), LT (social benefit, reimbursement for house-related costs), and SI (financial social assistance, supplementary allowance - but extended for six months);
- six months FR (active specific solidarity) and DE (renewable basic security for jobseekers),
- 12 months / yearly BE, DE (needs-based pension supplement in old age and in the event of reduced earning capacity), FR (allowance for disabled adult and up to five or ten if the disability cannot improve), and PT (social integration income - renewable).

6. Conclusions

With respect to the chronological development of the applicatory statutory basis in each member state for guaranteed minimum resources, the latest updates are registered since the second decade of the 2000s (13 countries), the first decade of the 2000s (ten countries), and the 1990s (three countries). From the perspective of becoming an EU member state, three countries follow pre-accession regulations (RO, LV, and HU), two countries changed their regulations in the year of accession (PL, and SK), and 21 have post-accession regulations. Among the seven types of domestic regulations in force, the most frequent are acts (15 countries) and laws (ten countries). Common concepts used are social (23 countries), and assistance (10 countries).

Provided allowances are mainly focused on elderly people, unemployment benefits, pensions, allowances supporting various house related costs, and benefits for disabled people. Alongside other social benefits, they are organised within a

general system (HR, LV, and RO), a special one (ES, and HU), or a mixed one (AT, BE, IE, PT, and BG). Further collection of harmonised information would support the finalisation of on-going research.

In line with 2007, 2010, and 2014 data, the financing of the guaranteed minimum resources continues to remain mainly central with a shift in 2014 towards mixed financing systems (both central and local). The management in 2014 continues to be mainly centrally organised but the local stakeholders are also empowered.

The residency is the most frequent eligibility condition to receive guaranteed minimum resources. No nationality is required in 24 EU Member-States either for all allowances (21 countries) or for particular ones (three countries). 17 member-states require no age conditions. Unlimited guaranteed minimum resources were provided in 2014 as long as the eligibility criteria were met in 23 EU Member-States.

The common goals of promoting a decent life standard and the free movement of workers especially but not exclusively for EU citizens within member-states involve a continuous assessment of social security arrangements. In this respect, the chapter contributes by screening the last safety nets represented by the guaranteed minimum resources towards further harmonisation.

CHAPTER X

Conclusions

Within the framework of the welfare state's withdrawal from its classical functions, the research of the current stage of the social protection systems allows to highlight the domestic capacity to face the social responsibility assumed as EU member-states. The failure of the Lisbon Strategy (2000) requires giving more attention towards member states' capacity to accomplish the Europe 2020' goals. The current challenges faced by the EU Member-States in the social field (for instance hosting the waves of immigrants from Asia, Middle-East and Africa) implies reviewing the cohabitation principles of the EU Member-States in parallel with adjusting the negotiation process regarding candidate countries.

In the first part of the volume, the chapter *Accession of Central and Eastern European countries to the European Union* pleads for more attention to be granted to research in the social field within the 12 CEE countries. The chapter analyses the dynamics of the accession process the EU of the countries from the fifth enlargement wave the changes brought to the *acquis communautaire*, and to the negotiation of the chapter Social Policy and Employment. The EU accession of CEE countries was supported by legislative harmonization, and the strengthening of the institutional framework.

The chapter *Harmonisation of the institutional framework in the social field* investigates the post-communist changes undergone by the CEE member-states. The chapter focuses on countries from the fifth accession wave: 2004 (CY, CZ, ET, HU, LV, LT, MT, PL, SK, and SI) and 2007 (BG and RO). The research of the current stage of the social protection systems allows for highlighting the domestic capacity to face the social responsibility assumed as an EU member state. Three categories of countries were identified: with stable social protection systems, moderated reforms, and in-depth reforms. "Stable" social protection systems (CY, LT, and SI) included social institutional actors permanently involved within the analysed period. Registered minor changes were noticed mainly due to conceptual clarifications. Institutional changes in countries with moderated reforms in social protection systems (BG, CZ, ET, LV, PL, and SK) were mainly due to mutual clarifications and share of responsibilities between stakeholders including newly involved. Social protection systems in MT, RO and HU faced in-depth structural reforms in search for suitable social policy solutions.

The general assumption is that the current social institutional design was shaped by the bureaucratic requirements of adopting the *acquis communautaire* due the EU negotiation process. As future research direction, we intend to analyse to what extent the social policy changes in the New Member States were rather reactive than proactive. Preliminary research outcomes indicate that the time pressure to join the EU wave impacted the social policy configuration and shaped the long term capacity of the accessing countries to face the challenges as EU member states.

The second part of the volume highlighted the challenges that member-states of the EU face from the demographic viewpoint. Three levels were taken into account: the current stage regarding population dynamics, the regulations referring to legalizing abortions, and the changes in the marital status.

The theoretical perspective of the chapter "*The population dynamics*" is the second demographic transition characterised by lower fertility and death rates. The chapter analysed the population change and fertility rates in EU-28 for the period 1961-2012. EU-28 confronts constant decreased population change and fertility especially in newly CEE member-states. The chapter also prospected the demographic 2060 population change according with the low fertility rate scenario. 15 EU member-states will register negative population change in 2060 CZ will remain almost unchanged and 12 countries will increase their population. Top three countries with positive growth includes LU, BE, and SW. The negative top includes LT, LV, and BG.

The purpose of the chapter *Liberalisation of abortion* was to analyse the development of abortion's liberalization by cross-country comparisons of domestic regulations within the member states of the EU. With respect to the historical development measures for the liberalisation of abortion, these were adopted firstly in the post-communist countries that had also partially experienced prohibition measures. The EU pioneer in regulating abortion is PL (1932) while the latest changes are from IE (2013). In EU-28 abortions are performed generally during the first trimester of the pregnancy in authorised hospitals and by specialised staff. The most frequent ground for which abortion is allowed within the EU member states is to save the life of the woman (27 states). The most restrictive EU member states in performing abortion are MT and IE. Despite the fact that abortion remains a national matter, further harmonisation among EU-28 member states would offer a sustainable answer to current demographic challenges in this respect. The originality of the chapter consists in the cross-country analysis of abortion's liberalisation at the level of the EU member states.

The aim of the cross-national comparative research included in chapter *Changes of marital status* was to identify the current profiles and their distribution within the EU member states. The chapter brings empirical evidence on a horizontal perspective at the level of the years 1991 (EU-15),

2003 (11 member states), and 2012 (14 member-states) as well as a vertical dimension: 1991-2003 (four member-states), 2003-2012 (six member-states), and 1991-2012 (seven member-states). The selection of years was due to the longest period of time covered with comparable Eurostat data. The most widespread EU-15 marital status in 1991 by the decreasing order of frequencies as percent of the total population was: married people, single, divorced, widowed, and separate persons. The most frequent 2003 distribution of marital status in 11 EU member-states was by decreasing order of frequencies: married persons, single, widowed, and divorced. The 1991-2003 research of marital status was focused on four EU member-states: BE, FR, DE, and SW. As common trends, the number of married persons decreased while single and divorced ones increased. The 2003-2012 research included six countries: CZ, HU, LT, SK, SI, and RO. The number of married people decreased and single ones increased except for LT and RO. The 1991-2012 analysis was focused on seven EU member states: NL, IT, FR, DE, FI, DK, and SW. As common trends, the number of married and widowed persons decreased while single and divorced increased.

The third part of the volume (*Social protection of family*) analyzed the support provided to families with children in the EU Member-States. Although at declarative level the family is entrusted with the responsibility for overcoming the current demographic crisis, it is but partially supported according to its needs.

The chapter *Family benefits* represents a screening of family benefits in EU-28 and contributes to researching common trends in approaching the family. Four types of family benefits including eight distinctive categories are analysed: child-benefit, child care allowances, child-raising allowances, and other benefits (birth and adoption grants, allowance for single parents, special allowances for children with disabilities, advance on maintenance payments and other allowances). The chapter is based on primary and secondary analysis of 28 sets of national data provided through European Union's Mutual Information System on Social Protection (MISSOC). Three categories of EU member states are considered: founder member states of the EU, other "old" member states and new CEE ones. Chronological development of national regulations with impact on family benefits is analysed in connection with the moment of joining EU. Various forms of family benefits legislation and their main subjects of interest are further researched. The last part of the chapter looks at coverage of family benefits..Seven member states function by regulations adopted before EU accession. BE, FI, and LT have the "most preserved" family regulations per category of member states. First three topics of family regulations are: child, family, and allowance / benefit. The most frequently provided family benefits are: birth and adoption grants, and special allowance for children with disabilities. FR, FI, HU, and SI provide all

identified eight family benefits. Only two types of family benefits are available in IE, ES, and CY.

The chapter *Maternity-paternity leave* contributes to the debate on how to increase fertility. The design of maternity/paternity leave in EU-28 is researched by secondary analyses based on Eurostat and MISSOC databases. Results are presented by three categories of member states: EU founders, other old member states, and CEE countries. The first part of the chapter overviews 1960-2012 demographic trends. The second part compares maternity/paternity leave as regulations, applicable statutory basis, basic principles and qualification conditions for benefits in kind and cash benefits, and the duration. 2012 EU-28 confronted the second highest values of deaths recorded for the period 1960-2012 while EU-28 births scored the lowest value since 2006. Updates for maternity/paternity leave date since 2000 in 24 out of EU-28. Five member states follow pre-accession regulations. Legislation focuses specifically on maternity/paternity leave was adopted in 14 member states. Affiliation to compulsory social insurance scheme is the basic principle in providing benefits in kind and cash benefits. Half of member states do not request qualifying conditions for benefits in kind while six don't request any conditions for cash benefits. As duration, the pre-natal maternity leave implies either a precise period of time; either the total leave is to be shared with the post-natal periods. Pre-natal parental leave is regulated in only one country (ET); while post-natal is available in 21 member states. Maternity/paternity leave in the case of adoption is regulated in 21 EU member states.

The fourth part of the volume (*Anti-poverty measures*) analyzed the set of social protection measures targeting the most vulnerable categories.

The chapter *Unemployment benefits* comparatively analyses the provision of unemployment benefits within the EU-28. The analysis is based on the MISSOC comparative Tables Database. The chapter brings empirical evidence on common trends and differences. National unemployment regulations are analysed as: chronological developments in relation with the accession to the EU, types of regulations, subjects approached, basic principles and field of application, main conditions, qualifying periods, waiting period, determining factors, ceiling, and duration of unemployment. Recommendations for further harmonisation in collecting unemployment related data are included. The chapter supports social policy adjustment towards achieving commonly established social targets.

The chapter *Minimum income guaranteed schemes* includes a screening of last safety net for the most vulnerable people. It provides an overview of the applicable statutory basis, schemes in place, types of social benefits concerned, financing and organisation mechanisms, eligibility conditions, duration and time limits. 20 EU member states follow the minimum income guaranteed (MIG) regulations adopted already during the pre-accession period

as updated after the accession phase. Seven types of domestic regulations are in force, among which the most frequent ones are acts and laws (ten countries). Common concepts used are social, and assistance. Provided allowances are mainly focused on elderly people, unemployment benefits, pensions, allowances supporting various house related costs, and benefits for disabled people. In line with 2007, 2010, and 2014 data, the financing of guaranteed minimum resources continues to remain mainly central with a shift in 2014 towards mixed financing (both central and local). The management in 2014 continues to be mainly centrally organised but the local stakeholders are also empowered. The residency is the most frequent eligibility condition. No nationality is required in 24 EU member states, for all allowances (21 countries) or for particular ones (three countries). 17 member states require no age conditions. Unlimited guaranteed minimum resources were provided in 2014 as long as the eligibility criteria were met in 23 EU member-states.

The commitment of EU member-states towards accomplishing the commonly agreed goals (1997 European Employment Strategy, 2000 Lisbon Strategy, and Europe 2020) is supported by a continuous assessment of domestic social policy tendencies. From this perspective, the book contributes to the comparative analysis of social protection systems in EU-28.

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ANNEXES

Annex 1. Accession of candidate countries to the European Union

No	Country	Application for membership	Application approval	Beginning of negotiations	Accession
1.	BG ¹⁵⁹	14 th of December 1995	December 1999	15 th of February 2000	1 st of January 2007
2.	CY ¹⁶⁰	3 rd of July 1990	30 th of June 1993	30 th of March 1998	1 st of May 2004
3.	ET ¹⁶¹	24 th of November 1995	15 th of July 1997	30 th of March 1998	1 st of May 2004
4.	HU ¹⁶²	31 st of March 1994	15 th of July 1997	30 th of March 1998	1 st of May 2004
5.	LV ¹⁶³	13 th of October 1995	December 1999	15 th of February 2000	1 st of May 2004
6.	LT ¹⁶⁴	8 th of December 1995	December 1999	15 th of February 2000	1 st of May 2004
7.	MT ¹⁶⁵	16 th of July 1990 / September 1998	December 1999	15 th of February 2000	1 st of May 2004
8.	PL ¹⁶⁶	5 th of April 1994	15 th of July 1997	30 th of March 1998	1 st of May 2004

¹⁵⁹ European Commission, 1997. *Commission Opinion on Bulgaria's Application for Membership of the European Union*, Bruxel,

¹⁶⁰ Commission of the European Communities, 1993. *Commission opinion on the application by the Republic of Cyprus for membership*, Brussels,

¹⁶¹ European Commission, 1997. *Agenda 2000 – Commission Opinion on Estonia's Application for Membership of the European Union*, Bruxel,

¹⁶² European Commission, 1997. *Commission Opinion on Hungary's Application for Membership of the European Union*,

¹⁶³ European Commission, 1997. *Agenda 2000 – Commission Opinion on Latvia's Application for Membership of the European Union*, Bruxel,

¹⁶⁴ European Commission, 1997. *Agenda 2000 – Commission Opinion on Lithuania's Application for Membership of the European Union*, Bruxel,

¹⁶⁵ European Commission, 1999. *Report updating the Commission opinion on Malta's application for membership*, Bruxel,

¹⁶⁶ European Commission, 1997. *Agenda 2000 – Commission Opinion on Poland's Application for Membership of the European Union*, Bruxel,

No	Country	Application for membership	Application approval	Beginning of negotiations	Accession
9.	CZ ¹⁶⁷	17 th of January 1996	15 th of July 1997	30 th of March 1998	1 st of May 2004
10.	RO ¹⁶⁸	22 nd of June 1995	December 1999	15 th of February 2000	1 st of January 2007
11.	SK ¹⁶⁹	27 th of June 1995	December 1999	15 th of February 2000	1 st of May 2004
12.	SI ¹⁷⁰	10 th of June 1996	n.a.	30 th of March 1998	1 st of May 2004

Source: Stănescu Simona Maria 2013:267-269

http://europa.eu/abc/12lessons/key_dates/index_en.htm

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http://ec.europa.eu/romania/eu_romania/index_ro.htm

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¹⁶⁷ European Commission, 1997. *Agenda 2000 – Commission Opinion on the Czech Republic's Application for Membership of the European Union*, Bruxel,

¹⁶⁸ European Commission, 1997. *Agenda 2000 – Commission Opinion on Romania's Application for Membership of the European Union*, Bruxel,

¹⁶⁹ European Commission, 1997. *Agenda 2000 – Commission Opinion on Slovakia's Application for Membership of the European Union*, Bruxel,

¹⁷⁰ European Commission, 1997. *Agenda 2000 – Commission Opinion on Slovenia's Application for Membership of the European Union*, Bruxel,

Annex 2. Development by chapters of negotiations of the acquis communautaire used for the fifth and sixth EU enlargement waves

	Identical chapter		Modified chapter		New chapter	
	5th enlargement	6th enlargement	5th enlargement	6th enlargement	5th enlargement	6th enlargement
1.	Ch. 1 Free movement of goods					
2.			Ch. 2 Free movement of persons	Ch. 2 Freedom of movement for workers		
3.			Ch. 3 Freedom to provide services	Ch. 3 Right of establishment and freedom to provide services		
4.	Ch. 4 Free movement of capital					
5.						Ch. 5 Public procurement
6.	Ch. 5 (2004)/ 6 (2007) Company law					
7.						Ch. 7 Intellectual property law
8.	Ch. 6 (2004)/ 8 (2007) Competition policy					
9.						Ch. 9 Financial services
10.						Ch. 10 Information society and

	Identical chapter		Modified chapter		New chapter	
	5th enlargement	6th enlargement	5th enlargement	6th enlargement	5th enlargement	6th enlargement
						media
11.			Ch. 7 Agriculture	Ch. 11 Agriculture and rural development		
12.						Ch. 12 Food safety, veterinary and phytosanitary policy
13.		Ch. 8 (2004)/ 13 (2007) Fisheries				
14.		Ch. 9 (2004)/ 14 (2007) Transport policy				
15.		Ch. 10 (2004)/ 16 (2007) Taxation				
16.		Ch. 11 (2004)/ 17 (2007) Economic and monetary policy				
17.		Ch. 12 (2004)/ 18 (2007) Statistics				
18.		Ch. 13 (2004)/ 19 (2007) Social policy and employment				
19.		Ch. 14 (2004)/ 15 (2007) Energy				
20.			Ch. 15 Industrial policy	Ch. 20 Enterprise and industrial policy		
21.			Ch. 16 Small and medium-sized enterprises			
22.		Ch. 17 (2004)/ 25 (2007)				

	Identical chapter		Modified chapter		New chapter	
	5th enlargement	6th enlargement	5th enlargement	6th enlargement	5th enlargement	6th enlargement
	Science and research					
23.			Ch. 18 Education and training	Ch. 26 Education and culture		
24.			Ch. 19 Telecommunications and information technologies	Ch. 21 Trans-European Networks		
25.					Ch. 20 Culture and audio-visual policy	
26.	Ch. 21 (2004)/ 22 (2007) Regional policy and coordination of structural instruments					
27.						Ch. 23 Judiciary and fundamental rights
28.	Ch. 22 (2004)/ 27 (2007) Environment					
29.	Ch. 23 (2004)/ 28 (2007) Consumer and health protection					
30.			Ch. 24 Co-operation in the field of justice and home affairs	Ch. 24 Justice, freedom and security		
31.	Ch. 25 (2004)/ 29 (2007) Customs union					
32.	Ch. 26 (2004)/ 30 (2007) External relations					

	Identical chapter		Modified chapter		New chapter	
	5th enlargement	6th enlargement	5th enlargement	6th enlargement	5th enlargement	6th enlargement
33.			Ch. 27 Common foreign and security policy	Ch. 31 Foreign, security and defence policy		
34.		Ch. 28(2004)/ 32 (2007) Financial control				
35.		Ch. 29 (2004)/ 33 (2007) Financial and budgetary provisions				
36.		Ch. 30 (2004)/ 34 (2007) Institutions				
37.		Ch. 31 (2004)/ 35 (2007) Other issues				

Source: Stănescu Simona Maria 2013:271-274

Annex 3. Negotiation of chapter 13 Social Policy and Employment by Central and East European countries of the fifth enlargement wave

No.	Country	Chapter open	Provisionally closed	Closed	Transitional arrangements
1.	BG	October 2001	April 2002	December 2004	maximum tar yield of cigarettes (till 31 December 2010)
2.	CY	September 1999	March 2000	December 2002	-
3.	CZ	September 1999	May 2001	December 2002	-
4.	ET	September 1999	October 2000	December 2002	-
5.	HU	September 1999	November 2000	December 2002	-
6.	LV	February 2001	June 2001	December 2002	work equipment (til 1 July 2004) workplace (til 31 December 2004) Display screen equipment (til 31 December 2004)
7.	LT	November 2000	March 2001	December 2002	-
8.	MT	November 2001	November 2001	December 2002	Working time (till 31 December 2004) Work equipment (till 2005)
9.	PL	September 1999	March 2001	December 2002	Work equipment (till 2005)
10.	RO	October 2001	April 2002	December 2004	-
11.	SK	February 2001	May 2001	December 2002	-
12.	SI	September 1999	November 2000	December 2002	Biological agents (till 2005) Noise at work (till 2005) Chemical, physical and biological agents at work (till 2005)

Source:

http://ec.europa.eu/enlargement/archives/enlargement_process/future_prospects/negotiations/eu10_bulgaria_romania/chapters/chap_13_en.htm

Annex 4. Overview of 2000-2014 social ministries from countries of the fifth EU enlargement wave

	Ministry	BG	CY	CZ	EE	HU	LV	LT	MT	PL	RO	SK	SL
1.	Ministry of Labour and Social Policy	2000-14								2000-04 2006-14			
2.	Ministry of Labour and Social Insurance		2000-14										
3.	Ministry of Labour and Social Affaires			2000-14									
4.	Ministry of Social Affaires				2000-14								
5.	Ministry of Social and Family Affaires					2000-04							
6.	Ministry of Social Affaires and Labour					2005-06							
7.	Ministry of Youth, Family and Social Affaires and Equal Opportunities					2007-10							
8.	Ministry of National Resources					2011-13							
9.	Ministry of Human Resources					2014							
10.	Ministry of Welfare						2000-14						
11.	Ministry of Social Security and Labour							2000-14					
12.	Ministry for Social Policy								2002-05				

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	Ministry	BG	CY	CZ	EE	HU	LV	LT	MT	PL	RO	SK	SL
13	Ministry for the Family and Social Solidarity								2005-07				
14	Ministry of Social Policy								2008-11	2005			
15	Ministry for Justice, Dialogue and the Family								2012-13				
16	Ministry for the Family and Social Solidarity								2014				
17	Ministry of Labour and Social Protection										2000-07		
18	Ministry of Labour, Family and Equal Opportunities										2008		
19	Ministry of Labour, Family and Social Protection										2009-12		
20	Ministry of Labour, Family, Social Protection and Elderly										2013-14		
21	Ministry of Labour, Social Affaires and Family											2000-14	
22	Ministry of Labour, Family and Social Affaires												2000-14

Source: 2000-2002, 2004 MISCEO, 2005-2014 MISSOC

Note: The names of the institutions are in accordance with the names reported at national level

Annex 5. Institutional framework of social protection in Bulgaria

	2000	2001	2002	2004	2007	2008	2009	2010	2011	2012	2013	2014
1.												
2.												
3.												
4.												

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 6. Institutional framework of social protection system in Cyprus

	2000	2001	2002	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 7. Institutional framework of social protection system in The Czech Republic

	2000	2001	2002	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
1.														
2. â														

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 8. Institutional framework of social protection system in Estonia

2	2	2	2	2	2	2	2	2	2	2	2	2	2
000	001	002	2004	005	006	007	008	009	010	011	012	013	014
Ministry of Social Affairs													
Unavailable data				Ministry of Finance									

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 9. Institutional framework of social protection system in Hungary

	2000	2001	2002	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	Ministry of Social and Family Affairs													
	Ministry of Health													
				Ministry of Employment and Labour										
				Ministry for National Economy										
	Ministry of Finances													

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 14. Institutional framework of social protection system in Romania

	2000	2002	2004	2008	2009	2010	2011	2012	2013	2014
1.					Ministry of Labour and Social Protection					
2.					Ministry of Health					
3.					Ministry of National Education					
4.					Ministry of Defence					
5.					Ministry of Interior and Administrative Reform					
6.									Romanian Intelligence Service	
7.									Ministry of Public Finance	

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 15. Institutional framework of social protection system in Slovakia

	2000	2002	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
1.													
2.			Unavailable data										
3.													

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 16. Institutional framework of social protection system in Slovenia

	2000	2002	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
1.													
2.													

Source: 2000-2002, 2004 MISSCEO, 2005-2014 MISSOC

Annex 17. The 2012-2013 population change in the EU founder states

No.	Country	Total change 2012 and 2013 change		% of 2012 population	
		Per 1000	Top position	%	Top position
1.	IT	291.0	1	0.5	3
2.	FR	291.0	1	0.4	4
3.	DE	195.8	2	0.2	6
4.	BE	66.8	3	0.6	2
5.	NL	49.2	4	0.3	5
6.	LU	12.2	5	2.3	1

Source: Author's calculations based on Eurostat data

Annex 18. The 2012-2013 population change in other old member-states than the EU founders

No.	Country	Total change 2012 and 2013 change		% of 2012 population	
		Per 1000	Top position	%	Top position
1.	UK	400.8	1	0.6	2
2.	SW	73.0	2	0.8	1
3.	AT	43,7	3	0.5	3
4.	FI	25.4	4	0.5	3
5.	DK	22.1	5	0.4	4
6.	IE	8.4	6	0.2	5
7.	PT	-55.1	7	-0.5	7
8.	EE	-60.5	8	-0.5	7
9.	ES	-90.3	9	-0.2	6

Source: Author's calculations based on Eurostat data

Annex 19. The 2012-2013 population change in CEE member-states

No.	Country	Total change 2012 and 2013 change		% of 2012 population	
		Per 1000	Top position	%	Top position
1.	CZ	10.7	1	0.1	4
2.	SK	6.5	2	0.1	4
3.	CY	3.9	3	0.4	2
4.	MT	3.8	4	0.9	1
5.	SI	3.3	5	0.2	3
6.	ET	-5.0	6	-0.4	8
7.	PL	-5.1	7	0	5
8.	HR	-13.8	8	-0.3	7
9.	LV	-21.0	9	-1	10
10.	HU	-23.1	10	-0.2	6
11.	LT	-31.7	11	-1.1	11
12.	RO	-38.5	12	-0.2	6
13.	BG	-42.7	13	-0.6	9

Source: Author's calculations based on Eurostat data

Annex 20. Highest fertility rates per categories of member-states of the European Union 1960-2012

	EU founder states	Other old member states	CEE member states
1960	3.12 NL	3.78 IE	3.04 SK
1970	2.57 NL	3.85 IE	2.41 SK
1980	1.95 FR	3.21 IE	2.43 RO
1990	1.78 FR	2.13 SW	2.41 CY
2000	1.89 FR	1.89 IE	1.70 MT
2005	1.94 FR	1.86 IE	1.52 ET
2010	2.03 FR	2.05 IE	1.72 ET
2011	2.01 FR	2.03 IE	1.61 ET
2012	2.01 FR	2.01 IE	1.60 LT

Source: Eurostat

Annex 21. Lowest fertility rates per categories of member-states
of the European Union 1960-2012

	EU founder states	Other old member states	CEE member states
1960	2.29 LU	2.23 EE	1.98 ET
1970	1.97 LU	1.83 FI	1.92 CZ
1980	1.50 LU	1.55 DK	1.91 HU
1990	1.33 IT	1.36 ES	1.46 SI
2000	1.26 IT	1.23 ES	1.15 CZ
2005	1.34 IT	1.32 EE	1.24 PL
	1.34 DE		
2010	1.39 DE	1.37 ES	1.25 HU
2011	1.36 DE	1.34 ES	1.26 HU
2012	1.38 DE	1.32 ES	1.34 HU

Source: Eurostat

Annex 22. EU-28 abortion regulations by the chronology of liberalisation

	Country	Liberalisation	Prohibited / restricted	Liberalisation
1.	MT		1854	
2.	IE		1861	2013
3.	PL	1932/ 1956/ 1959/ 1969/ 1981/ 1990/ 1993		
4.	DK	1937, 1973		
5.	SW	1938/ 1946/ 1963/ 1975		
6.	FI	1950/ 1970/ 1978		
7.	CZ	1950/ 1957 / 1983/ 1986		
8.	SK	1950/1957/1983/1986		
9.	SI	1952/1977		
10.	HR	1952/ 1978		
11.	ET		1936	1955/ 1982/ 1987
12.	LV			
13.	LT			
14.	UK		1803	1967 ¹⁷¹
15.	AT	1974		
16.	FR	1975/ 1979/ 1980/ 1988		
17.	IT	1978		
18.	LU	1978		
19.	EE	1978/ 1986		
20.	NL	1981/ 1984		
21.	PT		1886/ 1956	1984/ 1996
22.	ES		1800	1985/ 1986
23.	CY	1986		
24.	HU	1953/ 1956	1973	1988/ 1992
25.	RO	1957	1948/1966/1972/1984/1985	1989/ 1996
26.	BG	1956	1968/ 1973	1990
27.	BE	1990		
28.	Federal Republic of Germany	1975		1992/ 1993/ 1995
	German Democrat Republic		1926/1950	

Source: The Population Policy Data Bank maintained by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat.

¹⁷¹ In force in England, Scotland, and Wales Not applicable in Northern Ireland.

Annex 23. Population EU-15 by marital status as percent of the total population in 1991

No.	Country	Single persons	Married person	Widowed persons	Divorced persons	Separated persons
1.	LU	40 %	48 %	8 %	4 %	0 %
2.	IE	55 %	38 %	5 %	2 %	0 %
3.	FI	45 %	42 %	7 %	6 %	0 %
4.	DK	45 %	41 %	7 %	7 %	0 %
5.	AT	42 %	45 %	8 %	5 %	0 %
6.	SW	46 %	40 %	7 %	7 %	0 %
7.	BE	39 %	50 %	8 %	4 %	0 %
8.	PT	41 %	51 %	6 %	2 %	0 %
9.	EE	40 %	52 %	7 %	1 %	0 %
10.	NL	43 %	47 %	6 %	4 %	0 %
11.	ES	45 %	48 %	6 %	0 %	1 %
12.	UK	41 %	47 %	7 %	5 %	0 %
13.	FR	44.6 %	44.7 %	7 %	3 %	0 %
14.	IT	41 %	50 %	7 %	1 %	1 %
15.	DE	38 %	49 %	8 %	5 %	0 %

Source: Author's calculations based on 1991 Eurostat data base Population by sex, age and marital status

Annex 24. Population by marital status as percent of the total population in 2003

No.	Country	Single persons	Married person	Widowed persons	Divorced persons	Unkown marital status
1.	SI	46 %	42 %	7 %	4 %	1 %
2.	LT	41.3 %	40.5 %	8 %	10 %	0 %
3.	SK	43 %	45 %	7 %	5 %	0 %
4.	SW	50 %	35 %	6 %	9 %	0 %
5.	HU	40 %	42 %	10 %	8 %	0 %
6.	BE	41 %	45 %	7 %	7 %	0 %
7.	CZ	38 %	46 %	8 %	8 %	0 %
8.	NL	45 %	44 %	5 %	6 %	0 %
9.	RO	40 %	48 %	8 %	4 %	0 %
10.	FR	47 %	41 %	7 %	5 %	0 %
11.	DE	41 %	46 %	7 %	6 %	0 %

Source: Author's calculations on 2003 Eurostat data base Population by age, sex and legal marital status

Annex 25. Population by marital status as percent of the total population
in 2012

N o.	Country	Single persons	Married person	In registered partnership	Widowed persons	Divorced persons	Separate d persons
1.	LV	42%	37%	0%	9 %	12 %	0 %
2.	SI	48 %	40 %	0%	7 %	6 %	0 %
3.	LT	39 %	42 %	0%	10 %	9 %	0 %
4.	SK	43 %	42 %	0%	7 %	8 %	0 %
5.	FI	47 %	37 %	0.1 %	5 %	10 %	0 %
6.	DK	47 %	39 %	0.2 %	5 %	8 %	0 %
7.	HU	43 %	38 %	0%	10 %	10 %	0 %
8.	CZ	40 %	42 %	0%	7 %	11 %	0 %
9.	SW	52 %	34 %	0%	5 %	10 %	0 %
10.	NL	47 %	40 %	0.8 %	5 %	7 %	0 %
11.	RO	38 %	50 %	0%	8 %	5 %	0 %
12.	IT	41 %	49 %	0%	8 %	0 %	2 %
13.	FR	50 %	37 %	0%	6 %	6 %	0 %
14.	DE	42.2 %	42.4 %	0%	7 %	8 %	0 %

Source: Author's calculations on 2012 Eurostat data base Population by age, sex and legal marital status

Annex 26. Available data on marital profiles within analysed EU member-states

	EU founder states						Other old member states than the EU founders									CEE member states						
	BE	DE	FR	IT	NL	LU	AT	DK	EE	ES	FI	IE	PT	SW	UK	CZ	HU	LT	LV	SI	SK	RO
1991	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	-	-	-	-	-	-	-
2003	1	1	1	-	1	-	-	-	-	-	-	-	-	1	-	1	1	1	-	1	1	1
2012	-	1	1	1	1	-	-	1	-	-	1	-	-	1	-	1	1	1	1	1	1	1

Source: Eurostat data base Population by age, sex and legal marital status

Annex 27. Distribution of marital profiles within analysed EU member-states

	M S W D				M S D W			S M W D			S M D W			
	EU FS	Oth MS	CEE MS		EU FS	Oth MS	CEE MS	EU FS	Oth MS	CEE MS	EU FS	Oth MS	CEE MS	
1991	BE, DE, FR, IT, NL, LU	AT, EE, ES, PT, UK	-		-	-	-	-	DK, FI, IE	-	-	SW	-	-
2003	DE	-	SK, HU, RO		BE	-	CZ	FR	-	SI	NL	SW	LT	
2012	IT	-	LT, RO		DE	-	CZ	FR	-	SI	DE, FR, IT, NL	FI, DK, SW	LV, SK, HU	

Source: Author's calculations based on Eurostat database Population by sex, age and marital status

Note: M= married persons S=single (never in a legal union) W=widowed D=divorced

EU FS = EU founder states Oth MS=Other old member states than the EU founders CEE MS=CEE member states

Annex 28. Provision of family benefits in member-states of the European Union

No.	Country	Child-benefit	Child-raising allowances	Child care allowances	Other benefits					Country
					Birth and adoption grants	Allowance for single parents	Special allowances for children with disabilities	Advance on maintenance payments	Other allowances	
1.	AT	-	x	-	-	x	x	x	x	AT
2.	BE	-	x	-	x	-	x	-	x	BE
3.	BG	-	x	-	x	-	x	x	x	BG
4.	HR	-	x	-	x	-	x	-	x	HR
5.	CY	-	-	-	x	x	-	-	-	CY
6.	CZ	-	x	-	x	-	x	-	x	CZ
7.	DK	x	-	x	x	x	x	x	x	DK
8.	ET	-	x	-	x	x	x	x	x	ET
9.	FI	x	x	x	x	x	x	x	x	FI
10.	FR	x	x	x	x	x	x	x	x	FR
11.	DE	-	x	-	x	-	-	x	x	DE
12.	EE	-	-	-	x	x	x	-	x	EE
13.	HU	x	x	x	x	x	x	x	x	HU
14.	IE	-	-	-	-	x	x	-	x	IE
15.	IT	-	x	-	x	x	-	-	x	IT

No.	Country	Child-benefit	Child-raising allowances	Child care allowances	Other benefits					Country
					Birth and adoption grants	Allowance for single parents	Special allowances for children with disabilities	Advance on maintenance payments	Other allowances	
16.	LV	-	x	-	x	-	x	-	x	LV
17.	LT	-	x	-	x	x	x	-	x	LT
18.	LU	-	x	-	x	-	x	x	x	LU
19.	MT	-	-	-	x	x	x	x	x	MT
20.	PL	-	x	-	x	x	x	x	x	PL
21.	PT	-	x	-	x	x	x	-	x	PT
22.	RO	x	x	x	x	x	x	-	x	RO
23.	SK	x	x	x	x	-	x	x	x	SK
24.	SI	x	x	x	x	x	x	x	x	SI
25.	ES	-	x	-	x	-	x	-	-	ES
26.	SW	-	x	-	x	x	x	x	x	SW
27.	NL	x	-	x	x	-	x	-	-	NL
28.	UK	x	-	x	x	x	x	x	x	UK

Source: MISSOC data base

Annex 29: Duration of maternity/paternity leave in member-states of the European Union

	Country	Before birth		After birth	
		Maternity	Paternity	Maternity	Paternity
1.	AT	8 weeks (before + after)		8 weeks /12 (premature, multiple birth or Caesarean)	
2.	BE	6 weeks (1 compulsory)/8 (multiple births)		9 mandatory weeks (+remained prenatal)	10 days
3.	BG	410 days (45 before + after)		410 days (before + after)	15 days ¹⁷²
4.	HR	28 days/45 days (complications)		6 months ¹⁷³	
5.	CY	18 weeks ¹⁷⁴ (before + after)		18 weeks ¹⁷⁵	
6.	CZ	28 weeks ¹⁷⁶ /37 days (multiple births)		28 weeks ¹⁷⁷ /37 weeks (multiple births)	
7.	DK	4 weeks	10 days ¹⁷⁹	14 weeks	2 weeks ¹⁷⁸
				32 weeks before the 9th birthday of the child	
8.	ET	140 (before 30 days + after)		140 days (before + after)	10 days

¹⁷² For eligible at least 12 months of insurance fathers¹⁷³ Including 70 compulsory days after which father can continue¹⁷⁴ Beginning the 9th to 2nd weeks before expected birth¹⁷⁵ An extension of maximum six weeks for hospitalized child¹⁷⁶ Beginning the 8th to 6th weeks before expected birth¹⁷⁷ Shorter 14 weeks leave in total including six weeks after if the child dies¹⁷⁸ Continuous weeks within the 14 weeks after birth¹⁷⁹ Within the period of two months before the estimated date of confinement or two months after the birth of a child.

	Country	Before birth		After birth	
		Maternity	Paternity	Maternity	Paternity
9.	FI	105 days (before 30-50 days + after)		105 day (55-75 days after)	54 days ¹⁸⁰
10.	FR	6 weeks + 2 (pathological pregnancy)		10 weeks	11 days ¹⁸² 18 days (multiple births)
		8 weeks (the 3 rd child)			
		12 weeks (twins) 24 (multiple births)		18 weeks (3 rd child)	
11.	DE	6 weeks/12 (premature, multiple)		8 weeks	
12.	EE	119 days (56 before + 63 after)		119 days	
13.	HU	24 weeks (4 optional before)		24 weeks	
14.	IE	26 weeks (at least two before)		26 weeks (at least four after)	
15.	IT	5 months (1 or 2 before + after)		5 months (before + 3 to 4 months)	1 compulsory day ¹⁸³ + 2 days ¹⁸⁴
16.	LV	112 days (56 before + after) ¹⁸⁵		112 days (before + 56 days after)	10 calendar days
17.	LT	70 calendar days		56 days ¹⁸⁶	1 month

¹⁸⁰ Excluding Sundays. The father can take 1–18 days as paternity leave after the child is born during the maternity and parental leave.

¹⁸¹ Parental leave excluding Sundays. In case of multiple births 60 days are added for each additional child.

¹⁸² Within the four months after the birth

¹⁸³ To be claimed within five months after the child's birth

¹⁸⁴ In replacement of maternity paid leave

¹⁸⁵ 14 additional days of leave and benefit for women who have received continuous medical care commencing before the 12th week of pregnancy. Further 14 days are available for complications during pregnancy, delivery or post-natal period and for multiple births.

¹⁸⁶ In cases of complicated deliveries or multiple birth, benefits are payable for 70 days after delivery. In case of premature childbirth (more than 22 weeks of pregnancy) benefits are paid for 28 days after delivery (if the child survives: for 120 days).

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	Country	Before birth		After birth	
		Maternity	Paternity	Maternity	Paternity
18.	LU	eight weeks		eight weeks ¹⁸⁷	two days
19.	MT	14 weeks (maximum nine weeks before + after)		at least five weeks four weeks (an additional paid maternity leave benefit)	two days
20.	PL	20 weeks (six before /eight for hospitalisation)		20 weeks ¹⁸⁸ six weeks/eight (multiple) (an additional maternity leave)	two weeks ¹⁸⁹
21.	PT	30 days ¹⁹⁰		six weeks compulsory three months (extended parental leave)	ten days ¹⁹¹ + ten days ¹⁹²
22.	RO	63 days ¹⁹³		63 days (42 compulsory)	five days + ten days ¹⁹⁴
23.	SK	six - eight weeks		34 weeks ¹⁹⁵ /37 (single mothers)/43 (multiple births)	
24.	SI	105 days (28 days before + after)		105 days (before + 77 after)	15 days ¹⁹⁶ + 75

¹⁸⁷ Supplement of four weeks for nursing mothers and in case of premature birth or multiple births.

¹⁸⁸ Minus pre-natal weeks and varies to 31 weeks (twins), 33 weeks (triplets), 35 weeks (quadruplets), 37 weeks (quintuplets or more)

¹⁸⁹ To be taken until the child is 12 months of age.

¹⁹⁰ Part of initial parental leave 120 or 150 consecutive days

¹⁹¹ Of which five days must be taken consecutively immediately after birth and five days during the subsequent 30 days

¹⁹² Consecutive or not but to be taken during the initial parental leave of the mother

¹⁹³ Periods may be compensated between according to medical advice and the option of the beneficiary, provided the period after confinement is longer than 42 days.

¹⁹⁴ Additional ten days if father graduates a child-care course

¹⁹⁵ If the child dies, the total duration is shorter, but not less than 14 weeks and cannot be terminated in the six weeks following the delivery

	Country	Before birth		After birth	
		Maternity	Paternity	Maternity	Paternity
25.	ES				days ¹⁹⁷
26.	SW	seven weeks		16 weeks ¹⁹⁸ seven weeks	four weeks
27.	NL	16 weeks (compulsory four to six before)		16 weeks (ten to 12)	two days
28.	UK	52 weeks (since 11 th before and after)		52 weeks (before and after)	one or two weeks ¹⁹⁹

Source: MISSOC data base, 1st of January 2014

¹⁹⁶ During the first six months of the child's life

¹⁹⁷ To be used until the child's 3rd birthday, during which the state pays social security contributions for the father.

¹⁹⁸ Two extra weeks per child as from the second child in case of multiple birth; and birth, of a disabled child. If both parents work, ten weeks may be granted to the father.

¹⁹⁹ Can be taken within 56 days of the date of birth, or if the child is born early, within the period from the actual date of birth up to 56 days after the first day of the week in which the birth was expected.