

(English version)

**Question for written answer E-000639/24
to the Commission
David McAllister (PPE)
(28 February 2024)**

Subject: What's next for the A1 certificate?

Enforcement Directive 2014/67/EU and revised Directive (EU) 2018/957 concerning the posting of workers have created unnecessary barriers to the provision of services abroad. The Member States have now all adopted different notification requirements for postings and there are different rules in force all across Europe. The 'A1 certificate' compounds the issue. Although it stems from Regulation (EC) No 883/2004, Member States have adopted completely different approaches when it comes to managing the requirement to present or carry such a certificate.

In almost all Member States, the skills and labour shortage presents one of the biggest economic challenges for the coming years. Although the increasing demand for skills and labour cannot be systematically and persistently met by labour migration alone, the migration of skilled workers, especially from non-EU countries, is an important pillar in addressing the skills shortage.

1. Will the Commission present a new proposal in view of the difficulties encountered during the negotiations on the revision of Regulation (EC) No 883/2004, and will the recast include a practicable exception to the requirement to apply for an A1 certificate for short-term employment abroad?
2. With regards to e-Declaration, does the Commission intend to propose a regulation similar to that for the Corona App in order to speed up implementation?
3. How does the Commission intend to speed up the revision of the directive on long-term residents (Directive 2003/109/EC) and the directive on a single application procedure for a single permit (Directive 2011/98/EU)?

Submitted: 28.2.2024

**Answer given by Mr Breton on behalf of the European Commission
(8 May 2024)**

1. The proposed revision of the social security coordination Regulations⁽¹⁾ remains a priority to ensure fairer and more efficient rules. The negotiations between the co-legislators have been interrupted pending the European elections. The next European Parliament and Council Presidency will present their views on the pursuit of the negotiations including on the possible exemptions to the request and issuance of the Portable Document A1. The Commission will continue to support the co-legislators in reaching such an agreement.
2. Companies rely on their employees to carry out services in other Member States. Posted workers ensure quality of service and supply of labour and skills. As part of its reporting burden reduction efforts, the Commission announced⁽²⁾ that it will promote the timely agreement and widespread implementation of a common form for electronic posted worker declarations, complemented by the development of a digital multilingual portal through which companies can submit declarations for Member States that decide to make use of this tool. The Commission called on Member States to make use of the form⁽³⁾.
3. To improve the EU legal framework for legal migration pathways, in April 2022 the Commission adopted a skills and talent package⁽⁴⁾. It includes recasts of the Single Permit⁽⁵⁾ and the Long-Term Residents Directive⁽⁶⁾, to make the EU more attractive for skills and talents from third countries and to reinforce equal treatment and safeguards of non-EU workers from labour exploitation. The recast of the Single Permit Directive was recently adopted, while further work is needed to complete negotiations on the other Directive. In November 2023, the Commission adopted a package on talent mobility⁽⁷⁾, proposing to establish an EU Talent Pool.

⁽¹⁾ Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004, 2016/0397 (COD).

⁽²⁾ Commission Work Programme 2024, COM(2023) 638 final, adopted on 17 October 2023.

⁽³⁾ Labour and skills shortages in the EU: an action plan (COM(2024) 131 final), adopted on 20 March 2024.

⁽⁴⁾ Attracting skills and talent to the EU (COM(2022) 657 final), adopted on 27 April 2022.

⁽⁵⁾ Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State.

⁽⁶⁾ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents.

⁽⁷⁾ Communication on Skills and Talent Mobility (COM(2023) 715), adopted on 15 November 2023.