

WRITTEN QUESTION E-0989/10
by Dominique Baudis (PPE)
to the Commission

Subject: Non-application of bilateral agreements on retirement pensions

A Belgian residing in France is trying to enforce his right to a full pension in France (160 three-month periods). He has paid contributions in France, Belgium and the United States. There are social security and pensions agreements between France and both countries, and he could therefore expect the French authorities to pay him a full retirement pension. However, the French authorities are refusing, in this case, to apply both agreements simultaneously, of which one is with a Member State and the other with a third country.

In consequence, according to the French Government, this EU citizen cannot have a full retirement pension even though French and European legislation give him the right to it. If this discrimination is confirmed, it restricts freedom of establishment in another Member State of the European Union.

1. Is this not a restriction of the free movement of persons?
2. Are there sufficient guarantees on the application of agreements regarding social benefits?
3. What recommendations could be sent to both parties?