

**Question for written answer E-013113/2013
to the Commission**

Rule 117

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Subject: Problems implementing the social security rights of working commuters and pensioners in Slovenia

Slovenia is one of 13 EU Member States that have reserved the right to a two-year transition period of restricted free movement for Croatian workers after the Republic of Croatia joined the European Union. Consequently, Slovenia has not fully opened its labour market. In fact, it will be necessary to fulfil the requirements set out under Slovenia's national legislation to find employment. Such a legislative framework specifically affects about 8 000 commuters who travel daily from Croatia to work in Slovenia. The current situation for commuters is that nationals of the Republic of Croatia whose employment in the Republic of Slovenia has ended cannot exercise the right to benefits in either of the two countries. Initiatives were already taken by Croatian institutions to regulate the issue of commuters on a bilateral basis between the two countries in the 1990s, but without any concrete solution. The Stabilisation and Association Agreement between Slovenia and Croatia has still not settled the matter of commuters' rights. Under the above agreement, pensioners were granted certain rights, but the specific problem of the inability of the workers from the Steklarska Nova factory to retire has not been resolved, because Slovenia, as the owner of the company, did not make contributions to the pension insurance and did not pay a benefits plan. Furthermore, the problem of disabled commuters who cannot retire because Slovenian institutions do not recognise Croatian documents and who cannot be issued with any documents related to a disability pension in Slovenia because they are Croatian nationals has remained unresolved.

Following Croatia's accession to the European Union, Regulation (EC) No 883/2004 on the coordination of social security systems, which is designed to avoid a situation where employees who worked in one Member State are left without any social security rights if their residence is in another Member State, now applies to the commuter problem. Will application of the above Regulation make it possible for workers and pensioners who have not been able to benefit from the same rights in the past to do so now?