

Brussels, 12 June 2026
(OR. en)

10383/26

SOC 388
EMPL 210
MI 631

NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Advancing fair labour mobility through modernised and simplified social security coordination rules
- Exchange of views

Delegations will find attached a Presidency steering note on the above subject, with a view to the exchange of views at the Council (EPSCO) on 29 June 2026.

Steering Note**Advancing fair labour mobility through modernised and simplified social security coordination rules**

On 22 April 2026, at the 20th trilogue, following a decade of negotiations, the Cyprus Presidency of the Council of the European Union reached a provisional agreement with the European Parliament on the revision of the rules on the coordination of social security systems, notably Regulation (EC) No 883/2004. The agreement was subsequently endorsed by COREPER I on 29 April and by the European Parliament's Committee on Employment and Social Affairs on 6 May. It is now pending formal adoption by both co-legislators. The revision is a significant step towards modernising the existing framework, making the rules clearer, fairer and easier to enforce in practice, while also playing a central role in strengthening fair labour mobility.

In the course of discussions under the Cyprus Presidency, Member States emphasised the importance of reinforcing mechanisms for control, activation and job placement measures for unemployed persons who move to another Member State to seek employment. In particular, delegations expressed the need for more effective monitoring of job-seeking obligations, better data exchange and closer cooperation between Member States. Furthermore, they highlighted the importance of strengthening administrative cooperation to better prevent and combat social dumping, fraud and abuse in the context of the posting of workers.

Member States also underlined that applying social security coordination rules continues to be challenging in the light of rapidly evolving labour market realities, including emerging forms of work, such as telework, which poses significant challenges as regards the determination of applicable social security legislation. This creates risks for workers, such as the potential exposure to double contributions and the loss of accumulated rights. At the same time, the risks of rule circumvention and fraud increase. Additional challenges arise from the growing number of mobile workers who carry out activities in more than one Member State and/or who frequently change employment status. There are also concerns over the increasing number of 'posted' self-employed

persons¹ and self-employed individuals active in more than one Member State. These trends are sometimes linked to the misuse or misclassification of self-employment status, undeclared or under-declared activities, fictitious professional arrangements and other forms of fraud.

The European Commission's Annual report on intra-EU labour mobility highlights the evolving trends of labour mobility within the EU, including the growing diversity of mobile workers' profiles and employment situations². It also underlines the importance of ensuring that mobility is accompanied by adequate social protection, effective support mechanisms and fair working conditions.

The European Labour Authority (ELA), through its recent analytical work on fraud and error in the field of social security coordination³, has pointed to persistent risks related to the incorrect application of rules, insufficient data exchange and challenges in detecting and addressing abusive practices, particularly in the context of posting and cross-border employment⁴.

In its Strategic Agenda 2024-2029⁵, the European Council has called for the strengthening of Europe's long-term competitiveness, including through the reduction of regulatory burdens and the simplification. Fair labour mobility goes hand in hand with competitiveness and simplification. In the 2025 Annual Progress Report on Simplification, Implementation and Enforcement, the Executive Vice-President of the European Commission for Social Rights and Skills, Quality Jobs and Preparedness mentions that the forthcoming Fair Labour Mobility Package '*will contain and*

¹ According to the data, the number of Portable Documents A1 issued to self-employed persons under Article 12(2) BR increased from 110 924 in 2015 to 187 316 in 2023. European Commission: DG EMPL (2026), *Posting of workers: Report on A1 portable documents issued in 2024*, available at <https://op.europa.eu/en/publication-detail/-/publication/68e7549c-21ee-11f1-8c3a-01aa75ed71a1/language-en>.

² European Commission: DG EMPL (19 February 2026), *Annual Report on Intra-EU Labour Mobility - 2025 Edition*, available at https://employment-social-affairs.ec.europa.eu/annual-report-intra-eu-labour-mobility_en.

³ European Labour Authority (ELA) (18 March 2025), *Fraud and error and selected issues in the field of social security coordination*, available at <https://www.ela.europa.eu/en/publications/fraud-and-error-and-selected-issues-field-social-security-coordination>.

⁴ For more relevant information, see also European Commission: DG EMPL (2026), *Coordination of social security systems at a glance - 2025 Statistical Report*, available at <https://op.europa.eu/en/publication-detail/-/publication/8994cc95-1f54-11f1-8c3a-01aa75ed71a1/language-en>; and ELA (6 May 2026), *Report on overview and analysis of Member States' tools, processes and procedures related to the administration and issuance of PD A1 in situations of posting*, available at <https://www.ela.europa.eu/en/publications/report-overview-and-analysis-member-states-tools-processes-and-procedures-related>.

⁵ European Council (27 June 2024), *Strategic Agenda 2024-2029*, available at [sn02167en24_web.pdf](https://www.european-council.europa.eu/media/102167en24_web.pdf).

*announce measures modernising, simplifying and digitalising labour mobility and social security coordination rules and practices*⁶.

In the Coreper I meeting on 29 April, the European Commission made a statement indicating that this work will include, inter alia, proposals for solutions aimed at strengthening cooperation and data exchange between Member States, notably with regard to control, activation and job placement measures, and proposals to achieve these objectives by improving digital tools, such as building on the Electronic Exchange of Social Security Information (EESSI).

Questions for discussion

The delegations are invited to present their views on the following questions:

- 1. How can cooperation and data exchange, including activation measures and controls, be strengthened in the framework of the upcoming Fair Labour Mobility Package to enhance cross-border labour market integration for unemployed persons?*
- 2. In the light of the above, and in the context of the work on the Fair Labour Mobility Package, which social security coordination rules should be further modernised and simplified?*

⁶ European Commission: Secretariat-General (21 October 2025), *2025 Annual Progress Report on Simplification, Implementation and Enforcement of Executive Vice-President Roxana Mînzatu*, available at https://commission.europa.eu/publications/2025-annual-progress-report-simplification-implementation-and-enforcement-executive-vice-president-2_en.