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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SEC(2026) 985 final
Subject:	REGULATORY SCRUTINY BOARD OPINION Impact Assessment / Strenghtening the European Labour Authority by reviewing its mandate (ELA)

Delegations will find attached document SEC(2026) 985 final.

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REGULATORY SCRUTINY BOARD OPINION

Impact assessment / Strengthening the European Labour Authority by reviewing its mandate (ELA)

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EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / Strengthening the European Labour Authority by reviewing its mandate (ELA)

Overall 2nd opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

The European Labour Authority (ELA), set up in 2019, aims to assist Member States and the Commission in their effective application and enforcement of EU law related to labour mobility and the coordination of social security systems, in order to enhance fair labour mobility. The 2025 evaluation of ELA showed a number of weaknesses related to activities like information provision, EURES portal management and mediation services and, in the absence of sufficient quantitative evidence based on observational data, could not conclude on the value added of the agency. This initiative aims to strengthen ELA by better clarifying the scope of its activities.

(B) Summary of findings

The Board notes the improvements to the quality of the report. However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the DG to rectify the following aspects:

(1) The report does not sufficiently substantiate the identified problems, their magnitude and drivers.

(2) The report does not sufficiently analyse the full range of options and their impacts, in particular as regards their effectiveness.

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(C) What to improve

(1) The report should demonstrate the magnitude of the problems addressed based on more robust evidence, including where available observational data. The analysis of problem drivers related to EURES should be more specific with regard to the portal's 'subpar usability' and low quality of data. The analysis of the provision of information and the conduct of joint investigations should be based on data reflecting the needs for information and investigations. Based on an improved analysis of problems the report should consider a full range of options including the discontinuation of activities.

(2) The effectiveness analysis should be improved, in particular through better use of evidence to substantiate the description of impacts. When looking, for example, at the role played by in-person human interaction in terms of the effectiveness of the provision of information, the analysis should substantiate the conclusion in the report and indicate the magnitude of this effect. Similarly, when looking at the policy options related to EURES, the report should explain in more detail how it has reached the conclusion that, despite the different set-ups, some of the policy options analysed would be equally effective. The report should make better use of observational data to substantiate the description of impacts. For EURES, it should explain how the proposed changes would create a more efficient platform, which could facilitate a higher volume of job placements. Regarding increased data analysis and joint investigations the report needs to demonstrate how, and to what extent, such activities would inhibit unfair employment practices and enhance labour mobility. This should include quantitative data analysis, to the extent possible, to estimate the magnitude of this change. To the extent that opinion data is utilised, the report needs to collect a broader and more representative evidence base.

(3) The conclusions on coherence that the intervention is aligned with other relevant EU actions, such as those related to migration, asylum and security, and the work of EUROPOL and FRONTEX should be corroborated with a more thorough analysis.

(4) The monitoring framework should include more specific references to the expected changes arising from the intervention, allowing an understanding of what success would look like for this initiative.

(D) Conclusion

The DG must revise the report in accordance with the Board's findings before launching the interservice consultation.

Full title	Impact Assessment on Strengthening the European Labour Authority by reviewing its mandate (ELA)
Reference number	PLAN/2025/2389
Submitted to RSB on	5 June 2026
Date of RSB meeting	Written procedure

EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / Strengthening the European Labour Authority by reviewing its mandate (ELA)

Overall opinion: NEGATIVE

(A) Policy context

The European Labour Authority (ELA), set up in 2019, aims to assist Member States and the Commission in their effective application and enforcement of EU law related to labour mobility and the coordination of social security systems, in order to enhance fair labour mobility. The 2025 evaluation of ELA showed a number of weaknesses related to activities like information provision, EURES portal management and mediation services and, in the absence of sufficient quantitative evidence based on observational data, could not conclude on the value added of the agency. This initiative aims to strengthen ELA by better clarifying the scope of its activities and by providing further means to perform its tasks. The revision of ELA's mandate is part of the Fair labour mobility package in the Commission's 2026 Work Programme (CWP) and announced as a simplification action in Annex I.

(B) Key issues

The Board notes the additional information provided and commitments to make changes to the report.

However, the Board gives a negative opinion because the report contains the following serious shortcomings that the lead Service must address:

(1) The report does not adequately reflect the findings of the 2025 evaluation as well as the recommendations of the related RSB opinions.

(2) The intervention logic, including the assessment of the problems and their magnitude as well as related problem drivers, lacks an evidence base beyond opinion data.

(3) The report lacks clarity on the extent of the proposed Third-Country Nationals' (TCN) coverage. It does not adequately assess the coherence of this action with other EU policies and objectives.

(4) The effectiveness of the proposed options is not sufficiently analysed. The assessment of ELA's activities, such as information provision, EURES and mediation, which the evaluation showed to be underperforming, is insufficient.

(5) The report lacks appropriate key performance indicators (KPIs) for effective monitoring and future evaluation.

(C) What to improve

(1) The report should correctly reflect the findings of the agency's 2025 evaluation. It should explain to what extent the proposed targeted initiative will to enable ELA's to fulfil its mandate to effectively apply and enforce EU labour mobility and social security coordination rules.

(2) The report should substantiate how ELA's activities contribute to fair labour mobility, to better substantiate why the EU should act by performing all current tasks. It should provide information on the precise content, means and expected time horizon of ELA's internal action plan and assess the extent of its expected impact in reaching the agency's objectives. It should better explain the value added of the initiative compared to the ELA action plan.

(3) The report should strengthen the analysis of problems and problem drivers and assess their magnitude, based to the extent possible on observational data. Specific objectives should be SMART and the baseline description better substantiated regarding the implementation of ELA's internal action plan and related uncertainties. Regarding information provision, the corresponding analysis should be improved as the report does not provide sufficient detail, to whom and through which channels information should be provided. It should clarify why existing EU advisory services or publicly available tools are not adequate to tackle the issue. Similarly, the analysis of problem drivers related to EURES should consider the portal's 'subpar usability' and low quality of data. Regarding mediation, the analysis should build on comprehensive (including recent) evidence, ensure that all drivers have been considered and include the concrete changes to the mediation procedure, based on the internal action plan's deliverable for Q2 2026.

(4) The report should clarify the extent of the proposed extension of ELA's mandate also to TCN workers regardless of their legal status or mobility. In this respect it should assess the coherence of ELA's activities with other relevant EU policies on migration with some potentially diverging objectives. The report should substantiate the cross-border dimension of TCN workers without legal status for ELA's remit, justifying related action at EU level. It should explain how the exchange of information on inspection results and a closer cooperation with third country entities on facilitating access to support for TCNs in an exploitative situation is to be concretised to make this option operational. In addition, the report should describe more precisely how the cooperation with other entities for exchanging data and information will take place and assess its related impacts.

(5) The analysis of effectiveness and efficiency should be improved. The report does not demonstrate what results will be attained and what impacts the proposed measures would have in terms of contributing to fair labour mobility. The report should in particular assess the expected impacts of the proposed measures on information provision, EURES and mediation activities, in order to justify their continuation, considering their effectiveness so far.

(6) The report should include an adequate performance monitoring system based on sound key performance indicators for monitoring and future evaluation, taking into account the internal action plan's deliverable for Q2 2026.

Some more technical comments have been sent directly to the author Service.

(D) Conclusion **The DG must revise the report and its executive summary in accordance with the Board's findings and resubmit it for a final RSB opinion.**	
Full title	Impact Assessment on Strengthening the European Labour Authority by reviewing its mandate (ELA)
Reference number	PLAN/2025/2389
Submitted to RSB on	30 March 2026
Date of RSB meeting	29 April 2026

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