

## Position

# Communication on digitalisation in social security coordination

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### General remarks

The European Representation of French Social Security Institutions (Reif) takes note of the publication of the Communication regarding digitalisation in social security coordination on 6 September 2023. It addresses certain requests for clarification from numerous European initiatives expressed by EU Member States and social security institutions.

In recent years, **EU initiatives in digital policy** and various projects specifically targeting digitalisation in social security **have rapidly multiplied**, creating new opportunities and challenges for the organisations involved. As rightly indicated in the Communication, digitalisation in the field of social security coordination has the potential to **facilitate interactions** between Member States' social security institutions, businesses, and citizens. **It can improve citizens' access to public services and social benefits, simplify administrative procedures** for businesses, and **reduce the risks of error and fraud**. Due to their first-hand expertise, **social security institutions must be involved at all stages of the development of new European initiatives concerning them.**

**However, digital transformation should not be an end in itself** but rather a means to meet the needs of businesses and citizens while respecting their fundamental rights, as outlined in the European Declaration on Digital Rights and Principles of January 2023. **Future developments in digitalisation of social security coordination**, involving the exchange and processing of sensitive personal data and access to essential services for European citizens, **cannot occur without considering the challenges related to cybersecurity, artificial intelligence, as well as the protection of personal data and consent**

**for their sharing. This should align with the legal framework established by the European General Data Protection Regulation.**

Furthermore, **the acceleration of digital transformation should aim to strengthen access to rights for individuals from vulnerable groups, in accordance with the principles and rights of the European Pillar of Social Rights**, especially its Chapter III dedicated to access to social protection and social inclusion. However, the Digital Economy and Society Index of 2022 (DESI index) highlights the persistence of the digital divide in Europe: 46% of Europeans lack basic digital skills, with 75% of Europeans aged between 65 and 74, and 54% of Europeans living in rural areas lacking these skills, compared to 39% of those in predominantly urban areas. The July 2023 report on the implementation of the 2020 Berlin Declaration also underscores the slow progress of EU Member States in improving social participation and digital inclusion.

Certain individuals from vulnerable social groups – such as the elderly, those with lower education levels, low-income individuals, people with disabilities, or those living in rural areas – continue to face challenges in accessing digital public services, for instance due to a lack of digital skills and access to computer equipment. **To enhance the access to rights for these distant populations, it is absolutely necessary for digital transformation to be accompanied by the implementation of specific training and support measures** for these individuals. **It should also free up time for social security institutions' staff** to fully dedicate themselves to supporting these vulnerable groups in their procedures.

### **Social security institutions must be associated from the conception to the implementation of the initiatives**

The **social security institutions**, responsible for the operational and technical implementation of these initiatives, **possess first-hand expertise**. It is therefore essential that they are involved and informed at all stages of the development of new digital policies and projects, from conception to implementation. For example, **the Reif requests that social security institutions systematically participate in high-level meetings and exchanges of best practices mentioned in the Communication. Social security institutions should be consistently consulted for studies conducted by the Commission or the European Labour Authority** to better address the needs and responsibilities of these institutions.

**There are expertise forums in the field of digitalisation of social security coordination that the European Commission should rely on to develop new initiatives, especially the administrative and technical commissions** whose roles are defined in Articles 72 and 73 of Regulation 883/2004. **The European Social Insurance Platform (Esip)**, of which the Reif is a member, **also holds technical and policy expertise through its various working groups and committees.**

### **Completing the implementation of the existing initiatives: the EESSI system and the Single Digital Gateway**

The Communication calls on the Member States to finalise the implementation of the Regulation establishing the Single Digital Gateway and to accelerate the implementation of the EESSI system. **The Reif nevertheless believes that it is essential to ensure that existing tools operate in accordance with their respective purposes** (on the one hand, the exchange of relevant information necessary for the proper application of social security coordination regulations between institutions for the EESSI

system, and on the other hand, the quality of service provided for the Single Digital Gateway) **before multiplying new projects and legislation at the European level.**

**The EESSI system** is and must remain the **cornerstone of the digital architecture for social security coordination.** In this regard, it must be fully functional and able to be linked to new digital initiatives. However, **the legal and technical links with the new initiatives** (The Interoperable Europe Act proposal and the ESSPASS project) **are not clearly defined** in the Communication.

Member States are facing **implementation difficulties with EESSI.** The Communication indicates that only 13 countries, including France, out of 32, have completed the implementation of the system. However, the proper application of this system is a mandatory prerequisite for the development of other digital tools serving the coordination of social security systems.

**The completion of its implementation across all social security institutions must therefore continue,** following a logic of means for the states lagging behind in implementation, but more importantly, **in a results-oriented approach to be fully operational.** The Reif emphasises in particular:

- The need to **re-engage stakeholders in the EESSI framework in order to accelerate the necessary improvement of Business use cases (BUC) and associated Structured electronic documents (SED)** in a context where EESSI is no longer in the project phase. This could, for example, involve establishing a community of end users with appropriate tracking and communication tools. Additionally, **training and the sharing of best practices should be facilitated** through meetings between EESSI file managers and more frequent training sessions. **Esip working groups and committees could also be involved,** especially with user communities.
- The fact that the EESSI system can only be considered fully functional when, in addition to its technical completion, **the principle of loyal cooperation,** outlined in Article 4 of the Treaty on European Union and in Regulation 883/2004, is fully respected. In this regard, **setting objectives for the quality of data exchanged via EESSI through SEDs or medical reports** would ensure relevant and actionable data exchanges between institutions. **Strengthening commitments between the European Commission, relevant social security institutions, and concerned Member States** could also be considered to promote the successful implementation of the overall system and its alignment with business needs.
- The need to **allocate adequate financial and human resources** to support the implementation of the EESSI system.

**The implementation of the Single Digital Gateway is essential,** as it will need, as emphasised in the Communication, to be linked with other digital initiatives that are not yet applicable, such as the ESSPASS pilot project and the EU digital identity wallet. The Communication provides for the digitalisation, by 2025, of other portable documents in the fields of sickness, accidents at work and occupational diseases, as well as unemployment benefits, beyond those for which procedures are to be digitalised under the Single Digital Gateway Regulation. **The Reif strongly urges the Commission to ensure that the implementation of Regulation 2018/1724 is fully effective before considering the digitalisation of new procedures.**

### [Clarify the interactions between existing initiatives and the next steps](#)

**The Reif welcomes the opportunity provided by this Communication to open a debate on the next steps in digital transformation and the political vision that must underly them.** The Commission calls for increased digitalisation of social security within Member States and enhanced cross-border

interoperability between states, beyond the sole social security sector. In this perspective, **the Reif calls on the Commission to fully take into account the constraints weighing on Member States in the development of its study on further developments in the longer term in digitalisation of social security coordination planned for 2024, involving social security institutions in the process.**

While the Communication provides clarification on the relationship between the ESSPASS project and the EESSI system, the EU Digital Wallet, and the Single Digital Gateway, **some interactions between various texts and projects governing social security digitalisation require further clarification.** For example, the links between the Interoperable Europe Act proposal, which aims to establish a framework for cooperation on common interoperability solutions between public administrations within the European Union and the EESSI and ESSPASS initiatives are not sufficiently explained.

The Communication also refers to the social security coordination rules established by Regulation 883/2004 before highlighting the potential for improving the coordination of social security systems through continued digitalisation. However, **the Reif believes that there is only a tenuous link between the completion of the political process of revising Regulation 883/2004 and the ongoing digital projects.**

Furthermore, the Communication presents a list of additional initiatives intended to complement the ESSPASS project and the EESSI system to facilitate the mobility of European citizens and workers. These include the European Tracking Service (ETS), the electronic form for the Declaration of posting of workers, the European Health Data Space, and the project to explore interoperability between national social and work identity cards for construction workers. The links between these complementary initiatives and the ESSPASS and EESSI initiatives require further explanations.

### **Heavy financial and material constraints**

Social security coordination involves **issuing numerous portable documents and significant costs.** According to the Commission's figures in 2021: 235 million European Health Insurance Cards were in circulation; 3.6 million A1 portable documents and 2.1 million S1 portable documents were issued; 6 million pensions were distributed to retirees residing in another Member State for a total expenditure of approximately 25 billion euros; 9 million requests were received for cross-border care provided under the rules of social security coordination, with a total amount of around 4 billion euros.

**The implementation of European digital initiatives, therefore, entails significant human, financial, and technical costs, even though deadlines are often tight, and numerous legislations need to be implemented simultaneously. Existing tools also require constant updates and improvements.**

**It falls to the European Union to finance this essential area** to ensure the free movement of European citizens and workers, the foundation of the European Union's single market. However, **the European funds mentioned in the Communication to support Member States in their digital transformation are not sufficient** to cover these costs. Moreover, access to these funds can be complex in practice.

Beyond the one-off exercise offered by the Communication, **the Reif believes that it would be important for the impact assessments of future European digital initiatives to systematically consider the effects on the activities of social security institutions. The Directorate-General for Employment, Social Affairs and Inclusion (DG EMPL) could also clarify, for these same bodies, the articulation of new legislative initiatives in the digital field with texts that already apply to them.**

## The role of the European Labour Authority in the field of social security coordination

The Reif welcomes the fact that the Communication recognises the role of the European Labour Authority (ELA) in the field of social security coordination in line with its objectives outlined in Article 2 of its founding Regulation 2019/1149.

It particularly finds useful the request made to the ELA to support Member States in the implementation of the EESSI system as well as to gather, in 2024, national best practices to facilitate exchanges between national authorities on digital tools and cross-border services, and based on the results of this exercise, to analyse national digital systems and solutions covering all social security branches and available resources for better targeting investments and supporting those lagging behind.

**This exercise in data collection, exchange and analysis should be done in collaboration with social security institutions, including the Reif, which emphasises its willingness to cooperate with the ELA to successfully conduct this exercise and, more generally, to contribute to the realisation of all its activities.** Close cooperation between social security institutions and the ELA could indeed effectively enhance the mobility of European workers by more easily identifying implementation challenges, needs, and relevant technical solutions.

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The European Representation of French Social Security Institutions (Reif) was established in May 2003 to represent the general French social security funds to the European Union. Today, it brings together all branches of the general regime, professional regimes, as well as specialized structures: health insurance, occupational accidents and diseases (Cnam), retirement (Cnav), family (Cnaf), autonomy (CNSA), recovery (Urssaf National Fund, formerly Acofin), the Interprofessional Union for Employment in Industry and Commerce (Unédic), the Agricultural Social Security Mutual (CCMSA), the National School of Social Security (EN3S), the Union of National Social Security Funds (Ucanss), the European and International Social Security Liaison Center (Cleiss), and the Retirement Fund for Professional Civil Aviation Personnel (CRPNPAC). Reif has a permanent representation office in Brussels. You can follow Reif's news on its website: [www.reif-eu.org](http://www.reif-eu.org), and on LinkedIn: #REIFSecu

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