

**Question for written answer E-004762/2014  
to the Commission**  
Rule 117  
**Giovanni Barbagallo (S&D)**

Subject: Problem affecting Italian workers who have emigrated to another Member State

The European Union's founding principles include that of the free movement of workers, and various provisions have been adopted to apply this principle, help to match supply and demand on the European labour market and guarantee the social and welfare rights of those European workers whose work, over a period of time, takes them to more than one Member State.

In this context, Article 2 of Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems provides that, on the basis of the principles of public service, the authorities and institutions of the Member States shall provide or exchange all data necessary for establishing and determining the rights and obligations of persons to whom the basic Regulation applies. Such exchanges of information must be undertaken either directly or else indirectly, via the liaison bodies, using Form U1. However, Article 3 of the same Regulation lays down that persons to whom the basic Regulation applies shall be required to forward to the relevant institution the information, documents or supporting evidence necessary to establish their situation.

These provisions have resulted in divergent interpretations by the authorities of some Member States, notably Italy and Belgium, with serious repercussions for the rights of Italian workers who have settled in Belgium.

According to various reports, the competent Belgian authorities (CAPAC) refuse to request Form U1 from the Italian authorities, claiming that this has to be done by the worker himself who seeks to assert his social rights. On the other hand, the Italian authorities responsible for social security (INPS) state that the above Regulation does not require them to supply Form U1 to the worker concerned but only to – and at the request of – the authorities of the Member State where the worker has settled, which is creating numerous difficulties for various Italian workers who have moved to Belgium, preventing them from enjoying rights to which they are entitled and which the Union authorities should guarantee.

Is the Commission aware of these divergent interpretations of the above Regulation? What measures will it take to clarify the situation and to ensure that conflicts of this kind do not have repercussions on European workers? Is the Commission aware of any other similar cases, and what action has it taken hitherto?