Welcome

Workshop 1 (Newsroom)

New paradigms for (viable) coordination of social security

Your hosts

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- **Roeland Stolk**, procesfacilitator (Berenschot)

Prof. Herwig Verschueren

Central question:

How can we make the instrument of social security coordination future-proof?

Currently underlying principles of social security coordination (1):

- **Facilitating and even promoting free movement**
  - *Issue of possible reverse discrimination*
- **Avoiding positive and negative conflicts of law**
  - *Unicity of legislation applicable*
  - *Binding effect of the conflict rules: no choice possible*
  - *State-of-employment / State-of-residence*
  - *Complex rules on multi-state employment*

Currently underlying principles of social security coordination (2):

- **Non-discrimination**
  - *Solidarity from day one*
- **Aggregation of periods**
  - *To avoid gaps in coverage*
- **Export of benefits**
  - *With exceptions*

Eva van Ooij

Reality checks and a case from practice

Op zoek naar een vacature voor baan in het buitenland?

Teleperformance Portugal is op zoek naar Nederlandstalig talent om in Lissabon te werken!

Lissabon

Naam *

E-mail *

Land-code *

Telefoonnummer *

Ben je bereid te verhuizen naar Portugal? *

tech.co

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Julian, Author Last updated: February, 2024

Editor's Top 3

EDITOR'S TOP PICK

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Let’s introduce Robin

Robin and her social security protection

***Robin lives** in Amsterdam, the Netherlands*

***Robin works** for a German employer based in Berlin for about 4 days every month while travelling there. Robin pursues her activities also at home, about 4 days every month in Amsterdam and 12 days from Morocco.*

***Robin has 2 dependent children** who are also living with their father in Amsterdam.*

Future-proof social security from an international perspective

Robin works in two EU Member States and, in addition, in a third country outside the EU

‘Where’ does Robin work?

‘How much’ does Robin work in a particular place?

To which scheme of social security should Robin be subject?

Should the activities pursued outside the EU be taken into account?

What should be the decisive element: The number of working hours?

The amount of earnings? The employer who pays and has the power of decision?

Which scheme of social security pays for the child allowances of the 2 dependent children of Robin?

MACRO (legislator)

Explicable

- Fair
- Transparent
- Concise & uniform
- Securing people's subsistence
- Securing participation in the labour market

MESO (implementation)

Doable

- Clear, concise & uniform guidelines
- Legitimate & clear legal basis
- As few actions as possible
- Connection to existing infrastructure & systems
- Systems that facilitate required assessments & data

MICRO (citizens)

Understandable

- Fair
- Predictable (transparency in rights & duties
- Accessible (information)
- Doable
- Clear (legal certainty)

New paradigms

For an explainable, doable and understandable coordination of social security

Question to explore

What could / should be the underlying principles to enable the coordination of social security schemes as to remain future-proof?

1. *Future-proof outlook*
2. *Objective(s) of social security (coordination)*

Future-proof social security from an international perspective

5 perspectives

1. Citizen perspective
2. Administration and implementation perspective
3. National legislator perspective
4. European / international legislator perspective
5. Judge perspective (both national and international)

In-depth discussions

- *Discussion in 5 subgroups (’40)*
- *Plenairy feedback and reflections (’10)*

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