

Social security: nationals of third countries not covered due to their nationality

2007/0152(COD) - 02/09/2010 - Commission communication on Council's position

The Commission considers that the Council's position improves and refines certain aspects of the Commission's proposal. It provides **clarification on key practical legal issues**, such as repeal and transitional provisions. In addition, it provides for a clearer understanding, and hence better protection, of the acquired rights of nationals of third countries (and those who derive rights from them) when they are no longer resident in the EU. Inclusion, in full, of the **European Parliament's amendments provides a fuller context for the proposal**.

The Commission welcomes the agreement by the Council on this position, which is a major step towards attaining the objective of Article 34 of the Charter of Fundamental Rights of the European Union, namely that everyone residing and moving legally within the EU is entitled to social security benefits. It is also a vital step towards the completion of the legislative package of modernised EU social security rules. It guarantees that nationals of third countries can benefit from the same improved rights conferred by the modernised rules and simplifies processes for national social security administrations, which will be able to apply the same procedures regardless of whether the rights concern an EU national or a national of a third country.

In view of the foregoing, **the Commission fully supports the Council's position**.