

JOINT DECLARATION SOCIAL SUMMIT BENELUX

The Prime Ministers and the Ministers responsible for the enforcement of social policy regulations of Belgium, Luxembourg and The Netherlands,

Assembling, on February 13, 2014, in Brussels, for a summit on cooperation in their fight against social dumping,

Recognizing that the European internal market, with its free movement of persons, goods and services, is of the utmost importance for the growth of our economies, and is essential for the recovery of the economy in Europe and in our countries,

Observing however, that it is necessary to address negative developments such as underpayment, exploitation and evasion of social security contributions, phenomena which are unacceptable, both from a perspective of protection of employees and self employed workers, and in view of fair competition between employers,

Agreeing that in promoting the internal market social aspects should be observed, and that decent pay and labour conditions and effective social protection for all employees and self employed workers, are essential not only for the workers involved but also for the public support for the European project in general,

Noting that for the protection of their social achievements, it is necessary to strengthen the enforcement of the laws and regulations in the field of social policy and employment, and that it is important that we, the governments of the Benelux, join forces to this end,

Realizing that the Benelux cooperation to tackle sham constructions, illegal temporary work and benefit fraud has recently started and that it is necessary to reach concrete results in the near future,

Anticipating the possible adoption of a directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services,

Underlining the importance of immediate and effective measures in the fight against fraud and abuse.

Have concluded as follows.

The governments of the Benelux countries aim to play a leading role in the fight against fraud, social dumping and exploitation in the field of social policy within the European Union, and to this end agree to intensify their cooperation.

This cooperation will take place both in the practical implementation of their laws and regulations in cross-border situations, and in a joint approach to enforcement issues within the European Union.

The governments of the Benelux countries will, for the purpose of the implementation of these intentions, initiate a number of specific actions, including:

- Aiming for a rapid implementation or in anticipation of the Directive for the enforcement of the provision applicable to the posting of workers, notably with regard to joint and several liability and enhanced control measures, and initiating a number of pilot projects on inspecting cross-border subcontracting chains and liability, and cross-border enforcement of administrative fines and penalties;
- Supporting each other in their actions to curb abuse, notably by improving exchange of information on fraud and social dumping cases, both within the framework of Benelux cooperation, and on the European Union level;
- The signing and implementation of the Benelux Treaty on cross-border cooperation on road transport inspections, in order to:
 - Further harmonize supervision on enforcement of European Union rules;
 - To use advantages of scale in the areas of capacity, expertise, experience and training;
 - Arrange mutual cross-border assistance of inspection services.
- Stimulating the exchange of best practices including ways of improving identity controls at working places and instruments to fight fraud, social dumping and unfair competition hurting in particular SMEs.
- Ministers in charge of the Labour Inspectorates are tasked with the implementation of this agreement and will report regularly to the Prime Ministers.

DONE AT BRUSSELS, ON FEBRUARY 13, 2014

The Prime Minister of the
Kingdom of Belgium

The Prime Minister of the
Grand Duchy of Luxembourg

The Prime Minister of the
Kingdom of The
Netherlands

The Minister of Employment
of the Kingdom of Belgium

The Minister of Labour,
Employment and the Social
and Solidarity Economy of
the Grand Duchy of
Luxembourg

The Minister of Social
Affairs and Employment of
the Kingdom of The
Netherlands

The Secretary of State for
Combating Social and Fiscal
Fraud of the Kingdom of
Belgium