

Brussels, 26 November 2020

## ESIP Statement on the impact of RINA Handover

The European Commission has decided to **stop the further development and maintenance of the Reference Implementation for a National Application (RINA) software**, in use by many competent institutions to access EESSI, by mid-2021. This decision comes at a crucial phase - after years of development and **while the first steps of the implementation process are still ongoing**. This move **leaves many Member States in a difficult situation**, especially those with smaller institutions with low case volumes, since the independent development of national systems can be disproportionately expensive and there was the legitimate expectation of continuing to use RINA as open source application.

**RINA is an integral part of the EESSI ecosystem** and the European Commission assured Member States on numerous occasions that **all necessary steps would be taken to develop and improve EESSI** over time. The centrality of RINA is also a result of the rapid evolution of EESSI that did not allow sufficient planning and developments on the national side. Member States pointed out that, for most of them, national capacities did not allow the development of own systems. As a consequence, a lot of resources were invested on the first attempt by the Commission to deliver a working system.

A unilateral decision by the European Commission at this point was therefore a shock for all stakeholders and a breach of EESSI project governance rules. This step was taken without any risk analysis, causing Member States and their institutions to struggle to assess and mitigate risks caused by this decision, including potentially harming citizens' rights.

With a 'cut-loose' handover **the European Commission jeopardises the whole EESSI project in a crucial phase of its implementation**, putting into question **whether EESSI will be accessible for all competent institutions within the Member States** – also smaller ones with lower budgets. RINA has enabled Member States to ensure that no institution is excluded and EESSI can be quickly implemented across the whole social security system. If some institutions are left behind or end up excluded from the process, **no real progress in the digitalisation of the sector of cross-border social security will be possible** and the already implemented processes may fail.

RINA foresees all actions necessary under Regulations (EC) No 883/04 and 987/09 on the coordination of social security and is therefore a safeguard for the full and correct implementation of these rules. It is also obvious (see four scenarios presented for further developments by the European Commission) that **costs will be higher in case RINA is handed over to the Member States** and their institutions, which have already invested a lot of financial resources to adjust their national systems. Additionally, **this comes in a period when Covid-19 has greatly strained competent institutions' capacities and budgets**. It should be noted that Articles 78 and 79 of Regulation (EC) No 883/2004 instruct the European Commission to support and fund the project of electronic data exchange in the field of social security. Furthermore, Article 153 TFEU clearly indicates that the financial equilibrium of the social security systems must not be significantly affected by EU measures. Therefore, a 'cut-loose' handover might also raise serious legal concerns.

### ESIP aisbl

Maison Européenne de la Protection Sociale

Rue d'Arlon 50 • 1000 Bruxelles • ☎ +32 2 282 05 60 • 📠 +32 2 282 05 98

✉ esip@esip.eu • 🌐 www.esip.eu • 🐦 @ESIP\_EU • VAT: BE 0808.072.950



The **timeframe for the RINA Handover should be carefully reconsidered** and **some flexibility incorporated**, so that there will be enough time to consider thoroughly all the risks and expenses that the handover will inevitably cause to institutions. There is substantial concern, that there will be no support for competent institutions, if public procurement is delayed.

We **urge the European Commission to rethink its approach** to the so called “RINA Handover” and ensure at least **a minimum framework of support for Member States**. This should include continuing to make available and update RINA, even in a reduced form, following the “RINA as a service” approach proposed by some Members of the RINA Handover working group. Furthermore, appropriate funding for competent Member States that face disproportionately high implementation costs should be made available. We call upon the Commission to take steps in this direction while the process is still ongoing and commit to a sustainable solution by the end of 2020.

### **About the European Social Insurance Platform (ESIP)**

The European Social Insurance Platform (ESIP) represents **50 national statutory social insurance organisations** in **17 EU Member States, the UK and Switzerland**, active in the field of **health insurance, pensions, occupational disease and accident insurance, disability and rehabilitation, family benefits and unemployment insurance**. The aims of ESIP and its members are to preserve high profile social security for Europe, to reinforce solidarity-based social insurance systems and to maintain European social protection quality. ESIP builds strategic alliances for developing common positions to influence the European debate and is a consultation forum for the European institutions and other multinational bodies active in the field of social security.

*Note: ESIP members support this position in so far as the subject matter lies within their field of competence.*

