

(English version)

**Question for written answer E-002941/26
to the Commission
Per Clausen (The Left)
(15 July 2026)**

Subject: Compliance with the requirements of the Enforcement Directive on the Posting of Workers regarding joint and several liability in Denmark

In 2025, the European Labour Authority ⁽¹⁾ (ELA) published a report on the challenges relating to posted workers and the safeguarding of their entitlements and rights in several European countries. In 2026, ELA also supported a coordinated inspection campaign across 18 European countries ⁽²⁾, which revealed widespread violations of rules governing posted workers.

In February 2026, the European Parliament adopted a report by Johan Danielsson on the management of subcontracting chains and the role played by recruitment agencies in protecting workers' rights (2025/2133(INI)). This report calls on the Commission to work with the Member States to ensure the effective implementation and enforcement of existing legislation on the posting of workers. The report points out that the EU has adopted a raft of legal acts to combat labour exploitation and illegal employment, the enforcement of which must be improved at the national level. It calls on the Commission to take stock of the situation and, where necessary, initiate infringement proceedings against Member States that do not comply with applicable EU law.

Could the European Commission therefore answer the following question?

In light of the broad political support for the report on subcontractors, including paragraph 17 thereof, will the Commission say what specific measures it will take vis-à-vis Denmark to ensure compliance with the Enforcement Directive's requirements regarding joint and several liability?

Submitted: 15.7.2026

**Answer given by Executive Vice-President Mînzatu on behalf of the European Commission
(25 August 2026)**

Regarding the Enforcement Directive on the Posting of Workers ⁽¹⁾, in 2021 the Commission opened infringement procedures against 24 Member States, including Denmark ⁽²⁾, which amongst other issues addressed the non-compliance of the national transposition measures of the directive with the directive's provisions setting out the subcontracting liability ⁽³⁾.

The Commission is currently assessing the measures at issue in the context of the ongoing infringement procedures, including those concerning Denmark.

Should the Commission conclude that national measures are not compliant with the directive, it will pursue the subsequent stages of the infringement procedure, including, where appropriate, referral to the Court of Justice of the EU.

The Commission will continue its efforts to ensure the correct transposition of the Enforcement Directive, in line with the approach set out in 'A Simpler, Clearer and Better Enforced EU Rulebook' ⁽⁴⁾.

¹ <https://www.ela.europa.eu/en/publications/contractual-chains-and-recruitment-patterns-posted-third-country-nationals>.

² <https://www.ela.europa.eu/en/news/over-2000-employers-inspected-during-ela-week-action-undeclared-work>.

⁽¹⁾ Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the internal market Information System ('the IMI Regulation'), OJ L 159, 28.5.2014, p. 11-31 — <https://eur-lex.europa.eu/eli/dir/2014/67/oj/eng>.

⁽²⁾ Infringement INFR(2021)2057 in the [https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=EN&typeOfSearch=false&active_only=0&noncom=0&r_dossier=INFR\(2021\)2057&decision_date_from=&decision_date_to=&title=&submit=Search&langCode=EN](https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?lang_code=EN&typeOfSearch=false&active_only=0&noncom=0&r_dossier=INFR(2021)2057&decision_date_from=&decision_date_to=&title=&submit=Search&langCode=EN) (public database).

⁽³⁾ Article 12 of Directive 2014/67/EU.

⁽⁴⁾ Annex II, COM(2026) 380 final.