

The impact of COVID-19 on the Internal Market and consumer protection

Abstract

These proceedings summarise the presentations and discussions that took place during the IMCO webinar held on 9 November 2020 on the impact of COVID-19 on the Internal Market and consumer protection.

The webinar was structured in two panels, each consisting of two presentations and two Q&A sessions. The first panel focused on the free movement of goods and people. The second panel was devoted to consumer protection and provision of services.

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LIST OF ABBREVIATIONS

ADR	Alternative Dispute Resolution
AI	Artificial Intelligence
CJEU	Court of Justice of the European Union
CPC-Net	Consumer Protection Cooperation Network
ECC-Net	European Consumer Centre Network
ECR	European Conservatives and Reformists Group
EP	European Parliament
EPP	Group of the European People's Party (Christian Democrats)
EU	European Union
GNP	Gross National Product
Greens/EFA	Group of the Greens/European Free Alliance
GUE/NGL	Confederal Group of the European United Left - Nordic Green Left
ID	Identity and Democracy Group
IMCO	Internal Market and Consumer Protection
NEB	National Enforcement Bodies
OECD	Organisation for Economic Cooperation and Development
Q&A	Questions and Answers
R&D	Research and Development
Renew	Renew Europe Group
S&D	Group of the Progressive Alliance of Socialists and Democrats in the European Parliament
TFEU	Treaty of the Functioning of the European Union

EXECUTIVE SUMMARY

These proceedings summarise the presentations and discussions that took place during the IMCO webinar entitled "The impact of COVID-19 on the Internal Market and consumer protection". The event was held on 9 November 2020 and hosted by Ms Anna CAVAZZINI, IMCO Chair. The webinar was divided in two panels: the first panel was devoted to the movement of goods and people while the second panel focused on consumer protection and provision of services. Each panel consisted of two presentations and two rounds of questions and answers.

Background

Member States' responses to the outbreak of the COVID-19 pandemic have so far been fragmented and uncoordinated in the approach to the measures undertaken. The measures have ranged from border controls and restrictions on free movement and travelling, to export bans on selected medical products, and bans on the provision of certain services, including those in the hospitality and cultural sector. These measures have affected consumer rights or rights at the heart of the functioning of the Internal Market, disregarding (in some cases) obligations laid out in European law.

A series of actions at EU level were undertaken to respond to the consequences of some Member States' measures and to ensure the proper functioning of the Internal Market. These included lifting the bans on national export, the introduction of 'Green lanes' at border crossings and common rules for cross-border air travel, the establishment of European-wide public procurements for medical supplies, and close cooperation with the private sector to ensure the free flow of medical equipment, bolstering the manufacture of certain essential goods. While the Treaty on the Functioning of the EU (TFEU) recognises that the Union has shared competence to take actions related to the Internal Market, consumer protection or transport policy, in the area of protection and improvement of human health, Article 6 TFEU establishes that the Union only has competence to carry out actions to support, coordinate or supplement the actions of the Member States.

Aim

The objective of the webinar was to facilitate an information exchange between policy makers and experts regarding the impact of COVID-19 on the Internal Market and on consumer protection. It provided an opportunity to discuss the effects of the measures introduced at national and EU level to mitigate the negative consequences of the COVID-19 crisis on the Internal Market, and to suggest what more could be done to ensure a well-functioning Internal Market in these circumstances and in future crises.

Summary of the presentations

The first panel started with the presentation by Professor Baratta who pointed at unilateral reactions of Member States at the outset of the pandemic. Restrictions on imports and exports are only allowed in EU law under a three-tiered conditions' test established by the CJEU: the measures must be (a) justified; (b) applied in a non-discriminatory manner; and (c) transparent. Professor Baratta stressed that, at this stage, it is not possible to give concrete examples of the enforcement of the compliance with these conditions of the adopted national measures since infringement proceedings at the pre-contentious stage are strictly confidential. However, an assessment of the national measures and the potential of EU measures is possible if based on other legal bases such as public health and the civil protection mechanisms.

Professor Baratta then focused on the common approach adopted by the EU institutions, dividing the EU actions into two categories. The first category are actions which aim to reconcile the Internal Market and public health. One example of this category is 'Green lanes' for selected goods such as medical equipment – this has worked quite effectively. The second example concerned export authorisations to third countries for personal protection equipment. According to Professor Baratta, these should be used as a remedy of last resort.

The second category of actions pertains to measures whereby the EU has sought to help Member States to keep the market open and make it more resilient to crises. Three examples were analysed in this context: 1) joint procurement actions for medical and similar goods; 2) creation of a European stockpile for ventilators, personal protective equipment, vaccines, medicinal products and laboratory supplies; and 3) public procurement law during the COVID-19 crisis.

Professor Baratta concluded his presentation by stressing that a common EU response to the challenge of COVID-19 is possible. However, from a legal point of view the Internal Market provisions on the free movement of goods are insufficient to properly face this crisis. It is necessary to go beyond the 'Internal Market' legal basis and to trigger other legal bases, such as public health and the civil protection mechanisms.

The second presentation in this first panel focused on the impact of COVID-19 on the free movement of people. Professor Robin-Olivier started by listing the restrictions to free movement of persons which were introduced during the COVID-19 outbreak, such as the closure of borders, border checks, lock-downs, quarantines, etc. These measures have affected workers, service providers and professionals. She recalled that both the Treaties and Directive 2004/38 on the free movement of EU citizens¹ foresee justifications of restrictions to free movement based on public health providing the proportionality principle is respected.

Professor Robin-Olivier subsequently discussed the emergence of a new category of workers, the so-called 'essential workers in critical occupations', whose mobility continued during the outbreak. The list, based on the 30 March 2020 Communication from the Commission *Guidelines concerning the exercise of the free movement of workers during COVID-19 outbreak*², includes health professionals, personal care workers, persons involved in the supply of food, food manufacturing and processing, and transport workers. Within this new category, Professor Robin-Olivier analysed two examples: seasonal workers and health professionals.

Professor Robin-Olivier closed her presentation with a set of questions on the consequences of the COVID-19 outbreak for the future free movement of persons. First, with regard to the new category of 'essential workers in critical occupations', Professor Robin-Olivier raised the issue of whether this will be a privileged group, and whether this privileged treatment is legal under the principle of non-discrimination. The second point was whether a blurring of the existing distinction between EU and third country nationals can be justified, as both are part of the category of 'essential workers in critical occupations'. The final question was whether COVID-19 and the transformations that are taking place will permanently impact the Internal Market as far as free movement of persons is concerned,

¹ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (Text with EEA relevance), OJ L 158, 30.4.2004, pp. 77–123, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004L0038&qid=1605044078969>.

² Communication from the Commission, Guidelines concerning the exercise of the free movement of workers during COVID-19 outbreak, 2020/C 102 I/03, C/2020/2051, OJ C 102I, 30.3.2020, pp. 12–14, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0330%2803%29>.

fundamentally changing mobility within the EU.

The second panel started with the presentation of Ms Karen GHYSELS from the European Consumer Centre Network (ECC-Net). Ms Ghysels highlighted first that the number of requests to the ECC-Net in 2020 had doubled compared to 2019: 51% of requests concerned air passenger rights, 20% accommodation, and 15% package travel. She pointed out that the European Commission guidelines were very useful for the ECC-Net's work helping consumers claim their rights in cross-border cases, and highlighted the continuing importance of Europe for the European consumer.

Ms Ghysels provided some examples of the travel-related cases received by the ECC-Net, noting various inconsistencies observed in the approach taken by various Member States. The ECC-Net has realised that the role of booking intermediaries is very unclear, even notifying some problematic intermediaries to the national enforcement authorities. According to Ms Ghysels, it is crucial to clarify the role of NEBs (national enforcement bodies) and ADRs (Alternative Dispute Resolution bodies) and harmonise their competences throughout Europe.

Ms Ghysels also discussed the issue of online shopping being impacted by COVID-19, focusing on two aspects: delivery issues and fraud. With regard to the first point, Ms Ghysels underlined that web shops and delivery services were not ready for higher than usual demand and deliveries took more time than expected as stocks were insufficient. With regard to the second point, she pointed out that the increasing reliance of consumers on e-commerce during the pandemic has opened the door to higher levels of fraud.

The last presenter of the second panel, Professor Pier Luigi SACCO, focused first of all on the impact of the COVID-19 pandemic on consumer behaviours. He highlighted that it is reasonable to expect long-term changes in hospitality sector-related behaviours. Firstly, mobility attitudes and habits will likely be permanently affected. Secondly, people will become more sensitive to context and modes of social contact. Thirdly, safety concerns will remain highly relevant. Finally, a parallel shift towards take-out and home delivery can be expected. This will have to be addressed through investments in design, equipment, and communication that not all businesses can afford, especially small and medium-sized ones.

Professor Sacco discussed three expected shifts in the hospitality sector: 1) 'robotisation' of the sector, 2) shift from high-touch to high-tech, and 3) disruption of undeclared work that used to be a popular phenomenon in this sector. He noted that once the strategic investments have been made, the transition towards high-tech touchless hospitality will continue, even if the pandemic crisis is over. The sector could now become an R&D frontier of cutting-edge social applications of AI and virtual reality.

1. INTRODUCTORY WORDS

Ms Anna CAVAZZINI, MEP, opened the event by introducing the topic of the webinar. She stressed that the Members of the IMCO committee have been very concerned with these issues during the first phase of the COVID-19 crisis. She recalled that, as well as the webinar, a study on the same topic is expected to be published in early 2021 and that the elements discussed during the webinar would be taken into account in the study. She discussed the overall aim of the webinar and of the study, which is to assess the impact of the COVID-19 crisis on the Internal Market and on consumer protection, as well as to suggest possible solutions to make the Internal Market more robust in the future. Ms Cavazzini thanked the Policy Department for Economic, Scientific and Quality of Life Policies for the organisation of the webinar and welcomed and introduced the experts, thanking them for their participation. Finally, she described the structure of the webinar, explaining there would be a first panel focused on the free movement of goods and people and a second panel devoted to consumer protection and provision of services.

2. PANEL 1: FREE MOVEMENT OF GOODS AND PEOPLE

2.1. The impact of COVID-19 on free movement of goods: shaping EU action around the principle of solidarity

Professor Roberto BARATTA, Department of Law at the University 'Roma Tre'

Professor Baratta opened his presentation by describing the Internal Market challenges in the time of the COVID-19 emergency for the free movement of goods. At the onset of the crisis, national governments reacted unilaterally in order to ensure the protection of public health. Restrictions on imports and exports are allowed under EU law provided certain conditions are respected. In particular, restrictions to the Internal Market are possible under Article 36 TFEU provided that the conditions of the **three-tiered test** established by the CJEU are respected: the measures must be (a) justified, i.e. suitable, necessary and proportionate; (b) applied in a non-discriminatory manner; and (c) transparent, i.e. notified to the Commission. The Commission has stated that it is treating such cases as a matter of priority³, however Professor Baratta stressed that, at this stage, it is not possible to give concrete examples of the compliance of the adopted national measures with these requirements, since infringement proceedings at the pre-contentious stage are strictly confidential. This is an unprecedented situation and Professor Baratta's assumption is that the Commission prefers to persuade Member States to make sure that when the restrictions are applied, they comply with the 'three-tiered test' rather than trigger infringement proceedings. He argued that legal action does not appear so effective to challenge national interventions hindering the Internal Market: resorting to such actions is hardly a deterrent because the final CJEU judgment would be untimely.

Professor Baratta then focused on the common approach adopted by the EU institutions under other legal bases, dividing the EU actions into two categories. The first category concerns actions aiming to **reconcile the Internal Market and public health**. Professor Baratta focused on two examples in this regard. Firstly, he discussed the 'Green lanes' meant to preserve the EU-wide operation of supply chains and ensure the functioning of the Internal Market. In two soft law instruments, the Commission reminded the Member States of their EU law obligations⁴. The Commission, in particular, demanded that border crossing through 'Green lanes' should not exceed 15 minutes, including all checks. Professor Baratta underlined that, to the best of his knowledge, 'Green lanes' are working quite effectively. The second example concerned export authorisations to third countries as regards personal protection equipment. Professor Baratta considered that export authorisations to third countries is a tool to be used cautiously, i.e. subject to strict conditions and as a remedy of last resort. In his view, the Commission is not going to use this instrument anymore, at least for the time being.

The second category pertains to **measures whereby the EU has sought to help Member States to keep the market open and make it more resilient to crises**. Three examples were analysed in this context. Firstly, Professor Baratta discussed joint procurement actions for medical and similar goods. This is an action adopted under the public health field. This is quite a flexible instrument for joint purchasing which has been deployed for various medical (and similar) goods and which could be used

³ See Communication to the European Parliament, the European Council, the Council, the European Central Bank, the European Investment Bank and the Eurogroup on coordinated economic response to the COVID-19 outbreak, COM(2020)112 final of 13.03.2020, para 3.1, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0112&qid=1605097126041>.

⁴ European Commission, Covid-19 Guidelines for border management measures to protect health and ensure the availability of goods and essential services, C(2020)1753, 2020/C 86 I/01, OJ C 86I, 16.3.2020, pp. 1–4, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0316%2803%29&qid=1605043982810> and Communication from the Commission to the European Parliament, the European Council and the Council on additional COVID-19 response measures, COM(2020) 687 final, 28.10.2020, available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2020:687:FIN>.

in the future for vaccines. The second example is the creation of a European stockpile for ventilators, personal protective equipment, vaccines, medicinal products and laboratory supplies, an instrument adopted under the EU Civil Protection Mechanism. Finally, Professor Baratta focused on public procurement law during the COVID-19 crisis. This is an instrument that should not be underestimated, given its role in helping the good functioning of the Internal Market: as long as Member States keep applying this area of EU law in a correct manner, the European industry undertakings will be participating to public purchase procedures across the EU to the benefit of the Internal Market freedoms.

Professor Baratta concluded his presentation by stressing that a common EU response to the challenge of COVID-19 is possible. However, from a legal point of view **the current Internal Market provisions on the free movement of goods are insufficient to properly face this crisis**. It is necessary to go beyond the 'Internal Market' legal basis and trigger other legal bases, such as public health and the civil protection mechanisms. Finally, Professor Baratta urged the European Parliament to consider in particular that the EU should be equipped with new instruments (i) to help EU industry to reconvert or retool production in times of crisis (ii) to enjoy greater powers in the field of public health, if necessary envisaging the possibility of a reform of the Treaties.

2.2. The impact of COVID-19 on the free movement of people: an Internal Market approach

Professor Sophie ROBIN-OLIVIER, Sorbonne School of Law

Professor Robin-Olivier started her presentation by recalling how a variety of restrictions to free movement of persons were introduced during the COVID-19 outbreak, such as closure of borders, border checks, lock-downs, quarantines, etc. These measures had the consequence of either preventing or hindering the exercise of free movement of persons exercising an economic activity in another Member State, affecting workers, service providers and professionals. She recalled that both the Treaties and Directive 2004/38 on the free movement of EU citizens⁵ foresee justifications that allow restrictions to the free movement of persons. In particular, there are possibilities to limit the free movement of persons based on the protection of public health. Such **restrictions are possible provided that the proportionality principle is respected**.

EU-level reactions to the restrictions put in place by the Member States were subsequently addressed. Professor Robin-Olivier pointed first to the European Commission *Guidelines for border management measures to protect health and ensure the availability of goods and essential services*⁶ of 16 March 2020, which strongly insisted on the need to apply the principle of equal treatment to all citizens of the Union and to also protect the free movement of non-EU citizens. The recent Council *Recommendation on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic* of 12 October 2020 was subsequently discussed⁷. Professor Robin-Olivier stressed how the Council Recommendations focus not so much on recalling the general principle of free movement of persons,

⁵ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (Text with EEA relevance), OJ L 158, 30.4.2004, pp. 77–123, available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004L0038&qid=1605044078969>.

⁶ European Commission, Covid-19 Guidelines for border management measures to protect health and ensure the availability of goods and essential services 2020/C 86 I/01, OJ C 86I, 16.3.2020, pp. 1–4, available at:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0316%2803%29&qid=1605043982810>.

⁷ Council Recommendation on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic, 12.10.2020, available at: <https://data.consilium.europa.eu/doc/document/ST-11689-2020-REV-1/en/pdf>.

but rather on calling in favour of coordination of the restrictive measures adopted by the Member States in order to avoid excessive restrictions.

The focus then shifted to one central outcome of the crisis in the field of free movement of persons: the emergence of a new category, the so-called '**essential workers in critical occupations**', whose mobility continued during the outbreak. This was very visible in the 30 March 2020 Communication from the Commission *Guidelines concerning the exercise of the free movement of workers during COVID-19 outbreak*⁸, where the Commission drew a list of persons who are considered essential, whose free movement within the Internal Market had to be protected and for whom limitations to free movement had to be as minimal as possible. The list includes a very wide variety of persons, such as health professionals, personal care workers, persons involved in the supply of food, food manufacturing and processing, and transport workers.

Within this new category, two examples were analysed. The first concerned the case of **seasonal workers**. On 17 July 2020, the Commission issued the *Guidelines on seasonal workers in the EU in the context of the COVID-19 outbreak*⁹ which recalled that there was a need for protection. The Commission stressed that those workers had to maintain a certain free movement in the time of the crisis but also that they need specific protection because they are particularly vulnerable. The Guidelines therefore insisted on the protection of their rights, in particular in the area of health and safety, recalling the principle of equal treatment, the right to benefit from the core terms and conditions of employment of the host Member State for posted workers, and the right to suitable living and working conditions, including physical distancing and appropriate hygiene measures. The second example related to **health professionals**. The problem on which the Commission insisted in Guidelines published in May¹⁰ was the need to foster free movement by facilitating in different ways the recognition of their qualifications, including in relation to third-country nationals.

Professor Robin-Olivier closed her presentation with a set of questions on the consequences of the COVID-19 outbreak and on the future of free movement of persons. First, with regard to the new category of 'essential workers in critical occupations', which the Commission appears to insist should be privileged in terms of free movement, Professor Robin-Olivier raised the issue whether this will be a privileged group, if so what kind of rights would they be granted, and whether this privileged treatment is legal under the principle of non-discrimination. The second point was whether a blurring of the distinction between EU and third country nationals is justified, as both are part of the category of 'essential workers in critical occupations'. The final question was whether COVID-19 and the transformations that are taking place will permanently impact the Internal Market as far as free movement of persons is concerned, fundamentally changing mobility within the EU.

⁸ Communication from the Commission, Guidelines concerning the exercise of the free movement of workers during COVID-19 outbreak, 2020/C 102 I/03, C/2020/2051, OJ C 102I, 30.3.2020, pp. 12–14, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0330%2803%29>.

⁹ Communication from the Commission, Guidelines on seasonal workers in the EU in the context of the COVID-19 outbreak 2020/C 235 I/01, C/2020/4813, OJ C 235I, 17.7.2020, pp. 1–7, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0717%2804%29>.

¹⁰ Communication from the Commission, Guidance on free movement of health professionals and minimum harmonisation of training in relation to COVID-19 emergency measures – recommendations regarding Directive 2005/36/EC, 2020/C 156/01, C/2020/3072, OJ C 156, 8.5.2020, pp. 1–4, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0508%2801%29&qid=1605043874987>.

2.3. Questions and answers

2.3.1. First round of questions and answers

The first round of questions was opened by Mr Tomislav Sokol (EPP). First, he focused on the problem of export restrictions during the COVID-19 crisis, especially concerning medical equipment. He recalled that export restrictions are prohibited under Article 35 TFEU but also that such restrictions can be justified on grounds of the protection of public health in some instances according to Article 36 TFEU. He asked Professor Baratta whether public health as a justification for export restrictions can be interpreted in such a way that the exporting State needs to take into account, not just the public health situation of its own territory, but also the one in the State to which the goods should be exported. He referred to the principle of solidarity and asked whether such a principle can be used as an interpretative instrument when assessing the legality of national restrictions on grounds of public health. Second, Mr Sokol asked Professor Baratta what he thinks are the biggest weaknesses the Internal Market has shown during the pandemic that should be addressed. Finally, he raised the question whether the principle of solidarity from other EU policies can be translated into Internal Market provisions, especially concerning Member States' justifications for limiting free movement, and in which way the principle of solidarity can be used as part of the proportionality principle based on the three-conditions' test to assess such restrictions.

The discussion continued with some questions by Mr Marc Angel (S&D). His first question concerned free movement of goods. He recalled that, to curb the spread of COVID-19, Member States placed restrictions on domestic transit and closed border crossings for the road transport services, causing problems in trade and supply chain disruptions. He stressed that, while all Member States were affected, the situation was particularly difficult for smaller Member States or Member States located in remote areas. He added that shortages in essential goods or higher prices affected the most vulnerable in society. In light of this, he asked what kind of urgent actions by governments, but also by social partners and other actors, would be needed to address these challenges and tackle present and future crises more effectively. In his second question, Mr Angel focused on the free movement of persons. He stressed how restrictions and closures of borders at national, and sometimes even at local, level have a negative impact on working conditions in terms of waiting time, forced quarantines, mandatory testing and discrimination. He added that the approach of several Member States is weakening the trust in the good functioning of the Schengen agreement and the predictability of the rules in the Schengen area. This creates burdens on the situation of cross-border workers. He therefore asked how to ensure that sanitary and safety measures, the trust in the Schengen area rules and the rights of cross-border workers will be balanced again. Finally, he asked Professor Baratta whether he thought that, in the second wave, Member States are using the possibility to have recourse to unilateral actions less than during the first wave.

The final intervention in the first round of questions was made by Ms Dita Charanzová (Renew). She commented on how the COVID-19 outbreak has shown the difficulty of reconciling two apparently diverging objectives: the legitimate restrictions put in place by Member States to protect public health, on the one hand, and the need to guarantee the free movement of workers and to preserve the integrity of the Internal Market, on the other. She highlighted how the EU is more and more interconnected and every day citizens travel from one Member State to the other to work, study and live. This means that the restrictions had an impact on a growing number of categories, such as EU workers and EU professionals in critical and non-critical professions. She stressed that this is not limited to cross-border workers but concerns a broader category of professionals that in normal times circulate within the Internal Market every day. She asked the speakers if they could elaborate further on these

issues, for example whether they had figures on the economic impact of the restrictions suffered by the so-called 'liberal professions' and whether they thought there is a need to accelerate on the issue of professional qualifications recognition.

In his response, Professor Baratta first addressed the issue of export restrictions on medical equipment and the role of the principle of solidarity. He highlighted that the principle of solidarity makes EU joint actions to face the pandemic crisis not only desirable but even, one could say, necessary. He stressed how export restrictions are detrimental not only to the Internal Market but also to the success of achieving a good level of protection of public health. The role of the solidarity principle on Internal Market or public health policies should therefore be stressed. In the context of export restrictions, this means that the situation of the other Member States should be taken into account. While it is not known how the three-tiered test for the assessment of restrictions would be applied in this unprecedented situation, if this test is applied having in mind the need to ensure a good level of protection of public health throughout the Union, then the Member States should indeed take into account the needs of all the parts and regions of the EU. He agreed that social actors can have an important role in order to help governments understand the importance of guaranteeing the supply chain, in particular as regards medical equipment and their crucial role in public health protection. He also noted that Member States appear to be using unilateral measures to a lesser degree in this second wave.

In her response, Professor Robin-Olivier focused first on the situation of transport workers. She noted that for them a number of facilities were disappearing during the crisis and that there are measures to be taken either by the Member States or fostered by the EU to ensure that these workers are still able to benefit from basic facilities and that their basic needs are covered. With regard to the fact that working conditions were made harder during the crisis, she argued that it is necessary to turn to the concept of a social Europe to address this issue. Much was done already to ensure that workers are guaranteed basic rights, for example the daily and weekly rest periods guaranteed by the EU Working Time Directive¹¹. The prospect of reaching harmonisation on a minimum wage was also mentioned. She considered that the construction of a social Europe is the direction to continue following, while already relying on the existing EU legislation in the field of social law. She stressed that there is indeed a need to find a balance between the protection of the health of the population and the need to safeguard the conditions of workers and self-employed or professionals moving within the Internal Market. Concerning the situation of professionals specifically, she considered that the system of recognition of professional qualifications within the Union is quite advanced in many fields, in particular as far as health professionals are concerned, and stressed that the Commission *Guidance on free movement of health professionals and minimum harmonisation of training in relation to COVID-19 emergency measures* clearly illustrates this¹². She suggested that there might be more to do for professionals coming from outside of the EU to contribute to the functioning of the Internal Market.

2.3.2. Second round of questions and answers

The second round of questions was opened by Ms Virginie Joron (I&D). She recalled the importance of cooperation among nations and expressed criticism towards the EU management of the COVID-19 crisis, referring to the *Livre noir du coronavirus* by the French party Rassemblement National. She

¹¹ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, OJ L 299, 18.11.2003, pp. 9–19, available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32003L0088>.

¹² Communication from the Commission, Guidance on free movement of health professionals and minimum harmonisation of training in relation to COVID-19 emergency measures – recommendations regarding Directive 2005/36/EC, 2020/C 156/01, C/2020/3072, OJ C 156, 8.5.2020, pp. 1–4, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0508%2801%29&qid=1605043874987>.

wondered how much progress has been made since the first wave in terms of medical staff, intensive care beds and salary increases. On the free movement of goods, she pointed to the example of Turkey's blocking of the delivery of masks and considered the Commission's reaction unsatisfactory. On the free movement of persons, she criticised the fact that internal borders were closed while external borders remained open to non-EU migrants. She suggested that it would be interesting to study the countries that have managed the crisis well in light of the healthcare policies they have put in place over the years, for example examining the Stockholm model, which devotes almost 12% of its GNP to healthcare. She concluded stating that the Internal Market must adapt to the crisis by protecting as a priority its external borders, fighting both migration and defective products coming from third countries. She finally urged the Commission to impose sanctions against Turkey.

Mr Marcel Kolaja (Greens/EFA) subsequently put forward some questions and remarks on the free movement of persons on behalf of his political group. He thanked Professor Robin-Olivier for her analysis of the case of seasonal workers and suggested that his political group confirms the demands of the EP in its resolution of 19 June 2020 on European protection of cross-border and seasonal workers in the context of the COVID-19 crisis¹³. He stressed that cross-border and seasonal workers' rights need to be strengthened and that it is crucial to add a clear social dimension to the Internal Market. He asked Professor Robin-Olivier, first, if she could elaborate more on this issue; and second, what she thought are the lessons learnt from the border closures of the first wave with regard to their effectivity and legal justification, especially since some of the first attempts to close the borders are being witnessed again.

The discussion was continued by Mr Adam Bielan (ECR) who started by focusing on the economic consequences of the COVID-19 crisis and on the need to find solutions to minimise the recession. He added that it cannot be excluded that other pandemics will have to be faced in the future. As a consequence, it is necessary to work on ideas and legal improvements in order to reduce barriers troubling the Internal Market. He referred to his participation in the drafting of the IMCO committee report on the free movement of services which is under preparation and stressed that one of the ideas supported in the report is the transformation of public administration towards e-government. This could bring numerous benefits during the COVID-19 pandemic and beyond, especially for companies focused on cross-border activities within the Internal Market. He stressed the importance of focusing on introducing facilitations and removing legal barriers and obstacles. He asked, first, what legal improvements can be made in this regard in light of the solidarity principle and, second, what could be done to put into practice and harmonise the implementation of e-government in all EU countries to simplify administrative procedures.

The second round of questions was concluded by Ms Kateřina Konečná (GUE/NGL). Her first question concerned the recognition of test results, on which she said no progress has been made. She asked whether there are legal obstacles to such recognition or whether this is just a crisis of trust. Secondly, she raised the issue of the free movement of goods (especially medical equipment) coming from third countries such as the US, as she wondered whether the rules for these products have been eased.

Professor Baratta addressed the issue of the free movement of goods *vis-à-vis* third countries. He recalled how the Commission introduced a system of export authorisations to third countries and re-emphasised that this is an instrument that should be used cautiously, i.e. subject to strict conditions. On the question of goods coming from third countries, Professor Baratta recalled that the EU has its own level of prescriptions and rules on the marketing of goods coming from third countries, which aim to ensure that, for example, imported medical devices are able to face the needs for which they have

¹³ European Parliament resolution of 19 June 2020 on European protection of cross-border and seasonal workers in the context of the COVID-19 crisis (2020/2664(RSP)), available at: https://www.europarl.europa.eu/doceo/document/TA-9-2020-0176_EN.html.

been purchased. According to the speaker, an aspect which might have to be taken into consideration is the need to strike the right balance between public health protection and the need to rely on imports from third states.

Professor Robin-Olivier stressed the importance of the social dimension of the Internal Market and added that the fact that vulnerable persons moving across borders have been given consideration during the crisis, as in the case of seasonal workers, might be interpreted as a sign that more attention will be given to the most vulnerable groups of economically active citizens. That could be done either in the context of free movement of workers or in the framework of free movement of services when these vulnerable persons are posted workers. According to the speaker, an evolution towards a more social Internal Market can already be seen, and it is necessary to move forward in that direction. She then tackled the issue of the facilitation of free movement of services and argued that mobility can be improved and can be better regulated through new technologies. For example, the control of the respect of decent working conditions can be ensured by different types of algorithms, and blockchains could also be a useful instrument since they can ensure that some of the basic rules are observed.

3. PANEL 2: CONSUMER PROTECTION AND PROVISION OF SERVICES

3.1. Consumer protection and COVID-19 challenges for consumers: e-commerce and travel

Ms Karen GHYSELS, European Consumer Centre Network

Ms Karen GHYSELS started her presentation by highlighting that **the number of requests to the network of European Consumer Centres (ECC-Net) in 2020 has already doubled compared to 2019**. Many measures were implemented by the ECC-Net to face this increase in requests, such as labelling cases, setting up a database to facilitate exchange of information, and providing as much information as possible on the website to take off some of the pressure from the legal advisors. The number of Coronavirus-labelled cases reached 50,000. Ms Ghysels stressed that this can be considered as a very positive development, because it proves that European consumers know they can turn to the ECC-Net for advice and assistance and shows that the European Consumer Centres continue to be relevant, also in times of crisis. In terms of the type of requests received, 51% concerned air passenger rights, 20% accommodation and 15% package travel.

She then moved on to discuss the role of the ECC-Net in the provision of advice and assistance to travellers. EU consumers benefit from the EU Regulation on Air Passenger Rights and the Directive on Package Travel. However, these instruments came under intense pressure as a result of the pandemic **Travel restrictions depending on the residence of the traveller and the airport of departure became a reality**. Alternatives to the consumer protection foreseen by EU law were used, such as vouchers. Issues also arose in areas that are not governed by EU legislation, such as accommodation rentals, car rentals and the role of booking intermediaries, creating confusion and uncertainty. Adding this to the different national travel restrictions, it is easy to understand how difficult it was to advise consumers in cross-border cases. In this regard, the European Commission guidelines were very important for the ECC-Net's work helping consumers claim their rights in cross-border cases and highlighted the continuing importance of Europe for the European consumer.

Some examples of the travel-related cases received by the ECC-Net were provided. In this period, consumers could only hope for cancellation by the air carrier, because if the flight is not cancelled, the consumer does not receive any reimbursement. If the flight is cancelled, the consumer might still be stuck with his car rental or hotel booking in the country of destination. Since there is **no specific legislation on these aspects**, what the consumer can do in such cases is only negotiate with the service providers. A specific case concerned Belgian consumers who, due to restrictions imposed by the Belgian government, were prevented from travelling to France and Spain while German citizens could reach those destinations. In this case, the consumers were advised to take the plane from Frankfurt airport, so they would be sure that the flight was not going to be cancelled. Other cases concerned Belgian consumers who booked a large accommodation for a group of 15 people and had to cancel the trip without being able to receive a reimbursement because, only one week before, the Belgian government limited gatherings to 10 people. Based on all these examples of difficulties encountered by consumers, Ms Ghysels stressed that while a call for solidarity is certainly understandable, the solidarity between consumers and traders should be reciprocal rather than one-sided.

She added that **insolvency of air carriers** is not addressed in Regulation 261/2004 and already in the last few years many air carriers went bankrupt with far-reaching consequences for consumers.

She stressed that there are still consumers who have not received their reimbursement. In addition, the conditions of the vouchers that are offered are quite diverse and these instruments are not always easy to use, for instance due to price increases. Moreover, ECC-Net realised that the role of booking intermediaries is very unclear and that they were more of a problem than a solution in both information and reimbursement processes. In the light of this, the ECC-Net notified some problematic intermediaries to the national enforcement authorities.

Ms Ghysels noted that it will soon be necessary to have recourse to enforcement because no amicable solution can be reached. In light of this, it is crucial to clarify the role of NEBs and ADRs and harmonise their competences throughout Europe.

Subsequently, the issue of online shopping as impacted by COVID-19 was explored. Two aspects were addressed: delivery issues and fraud. With regard to the first point, Ms Ghysels underlined that, while e-commerce has boomed, delivery issues have increased. Web shops and delivery services were not ready for this development and deliveries took more time than expected as stocks were insufficient. Also in these cases, the ECC-Net mainly advised negotiating as a way to find a solution to these issues. Ms Ghysels then took the opportunity to call for a green recovery of e-commerce in Europe. Companies offer deliveries in 24h and free of charge returns. While the cooling-off period is fundamental for consumers shopping online, fast deliveries and free returns have a heavy impact on the environment.

With regard to the second aspect, it was pointed out that the increasing reliance of consumers on e-commerce during the pandemic has opened the door to increasing levels of fraud. Fraudulent web shops took consumers' money for masks and hand gels that were never delivered. In this regard, the ECC-Net tried to advise consumers to do web shop checks in order to know who they were dealing with, but these checks have limited effectiveness since websites are looking more and more professional and trustworthy. In this context, the ECC-Net noticed a strong link with websites made through the Canadian company Shopify. This company offers ready-made websites to traders that want to engage in e-commerce, but apparently without checking who the traders are. The CPC-Net (Consumer Protection Cooperation Network) was also notified of this problem. In this context, an EU legal framework regarding chargeback would be very beneficial to protect EU consumers from these frauds.

Ms Ghysels concluded her presentation by firstly highlighting the relevance of the ECC-Net and stressing how the Network needs support from the EP to be able to continue delivering high quality services. Secondly, she underlined that a **strong legal European framework and the EU guidelines in times of crisis were highly appreciated**. Finally, she put forward that, for consumers to have their rights enforced, there **needs to be a strong, harmonised role for ECCs and CPCs but also, especially in the travel sector, for NEBs and ADRs**.

3.2. The impact of COVID-19 on hospitality services provision: emerging trends

Professor Pier Luigi SACCO, Senior Advisor and Head of the Venice Office of the OECD

Professor Sacco started by outlining the structure of his presentation and stressing that the data available at the moment are very provisional. As a consequence, the picture that can be drawn is a very sketchy one and more research will be required in the following months to gain a better understanding of the issues at stake.

He firstly focused on how the COVID-19 pandemic will affect behaviours from the point of view of consumers. He highlighted that this is likely not going to be a transitory shock: even when the effects of the pandemic will be over, it is reasonable to expect long-term changes in hospitality-related behaviours. A few emerging behavioural patterns were discussed:

- firstly, **mobility attitudes and habits will be permanently affected**, as regards both leisure and work travel;
- secondly, people will become more sensitive to context and modes of social contact;
- thirdly, **the high relevance of safety concerns will remain**, also in light of the fact that it has already been projected that other pandemic crises might occur in the future; and
- finally, as people get more accustomed to buying online rather than going to brick and mortar shops, a parallel **shift towards take-out and home delivery can be expected**.

This will have to be addressed through investments in design, equipment, and communication that not all businesses can afford, especially small and medium-sized ones.

The question of how such behavioural changes are going to impact the supply side was subsequently explored. It was stressed that the new habits will clearly affect business and organisational models. First of all, there is a clear need for businesses to hedge against the uncertainty of the new scenario and to invest in safety, as **safety will become a discriminant factor in terms of competitive capacity**. At the same time, there is an urge to explore alternative revenue streams, as well as to prepare for a post-pandemic operational regime that takes into account the changes that have occurred. Professor Sacco then presented a set of current trends based on recent US research. He explained that European trends are not currently available but that there is no reason to believe that the European trends would be any different from the US ones.

The trends presented were the following¹⁴:

- Over 50% of customers are not willing to dine-in at restaurants immediately after the crisis is over;
- Over 50% of customers are not willing to travel to a destination or stay at a hotel any time soon;
- Between 30 and 40% of customers are willing to pay more for increased safety and protection, which means that there might be cream-skimming effects in the hospitality market; and
- Over 60% of customers think that massive technology deployment will be necessary to ensure safety and minimise human-to-human contact.

Therefore, not only are customers sceptical about safety, but they expect to see consistent investments in technology to be reassured that safety measures are put in place.

In light of this, expected long-term supply shifts were discussed. The crucial questions are what will make customers return and in what timeframe, and whether they are likely to return soon enough to prevent the disruption of the current structure of the market and to warrant the investment needed to cope with the 'new normal'. Three expected shifts were presented. The first one is the '**robotisation**' of the sector, i.e., the increasing use of service robots for health and safety, as well as cost-containment reasons. In this regard, the human/robotic service supply mix will depend on the given type/size/context of the business. Another very important trend is the **shift from high-touch to**

¹⁴ Gursoy, D., Chi, C. G., & Chi, O. H. (2020). *COVID-19 Study 2 Report: Restaurant and Hotel Industry: Restaurant and hotel customers' sentiment analysis. Would they come back? If they would, WHEN?* (Report No. 2), Carson College of Business, Washington State University.

high-tech, further increasing contactless payment, QR-accessible digital menus, touchless elevators, entrance doors, etc. According to Professor Sacco, an acceleration in terms of technological implementation of the transition towards AI and contactless virtual reality environments will be observed. In this regard, it was stressed that non-EU countries sometimes have strong technological leaderships in these sectors and this is a matter of concern in terms of European competitiveness. The third expected development is the **disruption of undeclared work**. The hospitality sector largely relies upon undeclared work, which is heavily affected by the pandemic but cannot receive support. As a consequence, businesses will have to adopt models that rely less and less upon undeclared work, which now poses issues of safety and economic viability. This is likely to have an impact that is not favourable on the position of undeclared workers, as the new situation could further accelerate robotisation. The alternative is to have public schemes that incentivise the disclosure of undeclared work and to study solutions to support human employment in the sector.

Finally, Professor Sacco explored some key implications. Once the strategic investments have been made, **the transition towards high-tech touchless hospitality will continue** even if the pandemic crisis is over. This is also due to the fact that the possibility of new future pandemics is far from remote. The hospitality sector has invested so far in 'unintelligent' technologies. The sector could now become an R&D frontier of cutting-edge social applications of AI and virtual reality. This will change not only delivery of service, but also content: a massively high-tech environment will inevitably stimulate massive use of technology to enrich/redesign content models. As to whether this technology will become cheap and usable enough to be viable for small businesses, it can be argued that the new scenario could accelerate the push toward affordability and user-friendliness. However, this kind of investment has to be supported through targeted instruments, especially addressing small and medium-sized enterprises. At the same time, it is extremely important to favour the emergence of undeclared workers and to retrain them in terms of state-of-the-art health and safety procedures. Investment support from COVID-related public recovery funds may be crucial to enable the transition and define strategic leadership in the sector.

3.3. Questions and Answers

3.3.1. First round of questions and answers

Ms Edina Tóth (EPP) opened the first round of questions focusing on the challenges of the digital economy for consumers. She recalled that electronic commerce of goods and services is booming as consumers increasingly rely on digital platforms for online shopping, virtual meetings and education. However, the digital economy is also a source of some of the greatest challenges to consumers, especially in the COVID-19 pandemic. Such challenges include the rise of misleading and deceptive online marketing techniques exploiting consumers by falsely claiming that a product can prevent or cure a Coronavirus infection, and other scams such as financial fraud or phishing schemes. The cross-border nature of both the pandemic and the digital economy calls for cooperation among national consumer protection agencies. In light of these considerations, Ms Tóth asked, first, what immediate or additional EP measures could be suggested in order to address the issue of the consumers' increasing reliance on online mechanisms and the related challenges faced by consumers and consumer protection agencies during the COVID-19 pandemic and its aftermath. Her second question focused on how to better assist national consumer protection agencies to exchange information and best practices and identify possibilities for regional cooperation. Finally, on the specific and problematic issue of flight ticket refunds, she asked how to speed up reimbursement processes based on current EU regulations.

The second intervention was made by Mr Alex Agius Saliba (S&D). He started by highlighting how, from a consumer protection perspective, the COVID-19 pandemic has been a significant 'stress test' to say the least. Times of crisis should be when consumers are most protected, but unfortunately many attempts have been made to downgrade and weaken consumers' rights. This has become particularly apparent in the travel sector and Mr Agius Saliba added that, as a consequence, Ms Ghysels' numbers come as no surprise. He recalled, in addition, the many frauds, scams and unfair practices in multiple formats and across many different sectors. In particular, rogue traders have taken advantage of consumers' distress by targeting essential products such as medicinal products, safety equipment, food and biocidal products. Such practices require joint and coordinated efforts between several enforcement authorities at Member State level. However, the pandemic has unfortunately also put critical pressure on enforcers. In view of this, his questions were the following: how has the ECC-Net addressed these problems and what are the measures implemented so far? How can we put effective enforcement again in the spotlight? What are the limitations in existing systems and rules that prevent us from effectively addressing the adverse effects on consumers of the COVID-19 pandemic? How to better coordinate the different efforts and actions taken by the Member States and the various competent authorities? Finally, yet crucially, as the pandemic effects are still ongoing, what new actions will be necessary to protect consumers continuously, especially before the upcoming Christmas season during which we might expect an increased number of scams and frauds?

The first round of questions was concluded by Mr Jordi Cañas (Renew). He tackled the issue of flight cancellations and the use of vouchers by companies in lieu of reimbursements. He stressed how this is unfair towards consumers and also contrary to EU legislation, and pointed to the practices of non-reimbursement by one company in particular. As the situation is again worsening and it appears that no satisfactory solution will be reached in the short term, Mr Cañas asked Ms Ghysels about her views on the situation, her knowledge of such practices by airlines and her opinion on what policies could be adopted to protect passengers' rights and restore consumers' trust in airline companies.

Ms Ghysels reacted to the MEPs' remarks and questions by first of all stressing the crucial role of collaboration, both among Member States and among centres which help consumers. She pointed to the ECC-Net's emphasis on collaboration and exchange of information, and added that the different national reactions made it more difficult to address the issues and that it would have been easier if measures had been taken at EU level. She then underlined the importance of granting strong powers to the CPCNet, of making sure that existing legislation is complied with, and of filling the existing gaps in legislation, for example concerning booking intermediaries. She added that, in terms of enforcement, the differences among the various NEBs creates difficulties. On the topic of travellers' rights, she underlined that airline companies are also facing difficulties and suggested it could help talking to them to understand how a solution could be found. Finally, for rogue traders, she re-emphasised the importance for consumers to be made aware of who they are dealing with.

Professor Sacco concluded by stressing the link between consumer protection and technological innovation, in particular in terms of massive deployment of AI technologies and the establishment of 'digital trust'. From this point of view, he urged the EU to push development projects related to the establishment of digital trust and recalled that the EU is making massive investments in AI. He concluded by stressing that the issues of certification and protection raised so far cannot be tackled by small, targeted measures but only through a structural approach.

3.3.2. Second round of questions and answers

The first intervention of this second round was made by Ms Alessandra Basso (I&D) who focused on the issue of chatbots. She recalled that many companies are using these instruments to replace, sometimes partially and sometimes even totally, human operators. This tool has been in place for years but, with the COVID-19 pandemic, many operators have massively increased the use of chatbots with an almost total replacement of human operators. However, she stressed that these artificial operators are often unable to solve consumers' problems, in particular when it comes to reimbursements for flight cancellations. This is due to a structural problem: AI works on the basis of past experience, while the current issues caused by the pandemic are often brand new. She therefore asked what could be done with respect to this problem with a view to protecting consumers.

Ms Anna CAVAZZINI (Greens/EFA) asked Ms Ghysels about her views on how to better reconcile in the future the very difficult situation that is faced especially by airline companies, on the one hand, and the interests of consumers, whose rights have been subject to important derogations over the past months, on the other.

The discussion went on with some remarks and questions by Ms Beata Mazurek (ECR). She re-emphasised the increasing importance of e-commerce and the associated risks for consumers. She recalled the frauds and unfair practices linked to the pandemic and the need to protect consumers, noting among many examples the issue of personal protection equipment. She suggested that an important step to protect consumers in the e-commerce aspects of the Internal Market would be to include, within the scope of the EU regulations, entities from third countries where their products are aimed at EU citizens. She added that enforcement over companies in third countries is of course problematic where those companies' only presence in the EU are the products and services they sell. She stressed the importance of maintaining the competitiveness of companies in the EU and of making sure there is a level playing field for all businesses. She asked why there are so many fewer requests for assistance to the ECC-Net related to products compared to issues of flight tickets and accommodation: is there no mechanism for doing that or are consumers discouraged by the fact that the amounts of money involved in such cases are relatively small compared to, for example, airline tickets? Finally, she asked Ms Ghysels whether she had any recommendations as to how to protect the EU market from a flood of products from third countries that do not meet EU standards.

Ms Ghysels addressed first of all the issue of complaint forms and chatbots that are increasingly being used by companies. The chatbot is visible but will probably not solve the issue for the consumer, while the complaint form is often hidden in the website. In this regard, the ECC-Net helped consumers by providing them with the exact links to the complaint forms. Among the lessons learnt, she mentioned the importance of dialogue with the Member States and the companies. To address consumer fraud issues, she restated the importance of chargebacks and suggested the adoption of a harmonised measure at EU level on this aspect. She added that ECC-Net also receives an important number of cases on products and that they are looking into the question of products coming from third countries. In this regard, she suggested opening up to collaboration with third States to foster consumer protection.

Professor Sacco concluded the discussion by stating that it is understandable that, in a moment of crisis like the present one, consumer protection issues are of pressing importance. However, he invited the MEPs to also focus on the long-term changes that this crisis will bring about. These changes are happening at a dramatic pace and it is important for Europe to be prepared.

ANNEX 1: WEBINAR PROGRAMME

INTERNAL MARKET AND CONSUMER PROTECTION (IMCO) WEBINAR AGENDA

The impact of COVID-19 on the Internal Market and consumer protection

Chair: Anna CAVAZZINI (MEP)

9 November 2020, 14.15 - 15.45

Altiero Spinelli Building (Brussels) - József Antall (4Q1)

with remote participation of IMCO Members

(times mentioned below are estimations)

14.15 - 14.18

Welcome and introduction: **Anna CAVAZZINI, IMCO Chair**

First Panel

Free movement of goods and people

14.19 - 14.25

Impact of COVID-19 on free movement of goods: Shaping EU action around the principle of solidarity: **Professor Roberto BARATTA**, department of Law at the University 'Roma Tre'

14.26 - 14.32

Impact of COVID-19 on free movement of people – an Internal Market approach: **Professor Sophie ROBIN-OLIVIER**, Sorbonne School of Law

14:33 - 14:45

Questions and answers, 1st round

14:46 - 14:59

Questions and answers, 2nd round

Second Panel

Consumer protection and provision of services

15.00 - 15.06

Consumer protection and COVID challenges for consumers: e-commerce and travel: **Ms Karen GHYSELS**, Director of the European Consumer Centre Network

- 15.07 - 15.14** Impact of COVID-19 on freedom to provide services in the hospitality and culture sector: **Professor Pier Luigi SACCO**, Senior Advisor and Head of the Venice Office of the OECD and Professor of Cultural Economics, IULM University Milan
- 15:15 - 15:27** **Questions and Answers, 1st round**
- 15:28 - 15:40** **Questions and Answers, 2nd round**
- 15.41 - 15.45** Conclusion and closing remarks: **Anna CAVAZZINI, IMCO Chair**

ANNEX 2: WEBINAR PRESENTATIONS

1. **The impact of COVID-19 on free movement of goods: shaping EU action around the principle of solidarity**, by Professor Roberto BARATTA, department of Law at the University of 'Roma Tre'.
2. **The impact of COVID-19 on the free movement of people: an Internal Market approach**, by Professor Sophie ROBIN-OLIVIER, Sorbonne School of Law.
3. **Consumer protection and COVID-19 challenges for consumers: e-commerce and travel**, by Karen GHYSELS, European Consumer Centre Network.
4. **The impact of COVID-19 on hospitality services provision: emerging trends**, by Professor Pier Luigi SACCO, Senior Advisor and Head of the Venice Office of the OECD.

ACCESS TO THE FULL CONTENT OF THE PRESENTATIONS HERE:

<https://www.europarl.europa.eu/committees/en/webinar-on-the-impact-of-covid-19-on-the/product-details/20201029WKS03041>

These proceedings summarise the presentations and discussions that took place during the IMCO webinar held on 9 November 2020 on the impact of COVID-19 on the Internal Market.

The webinar was structured in two panels, each consisting of two presentations and two Q&A sessions. The first panel focused on the free movement of goods and people. The second panel was devoted to consumer protection and provision of services.

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