

Impact of Covid-19 on free movement of people

An internal market approach

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Structure of the Presentation

1. Restrictions to free movement
2. The emergence of essential workers in critical occupations
3. The case of seasonal workers
4. The case of health professionals
5. Conclusions

1. Restrictions to free movement

- Closure of borders/border checks, quarantines, lock-downs
- Affecting all persons exercising an economic activity in another Member state (workers, service providers, professionals...)
- Justification in Directive 2004/38 on free movement of citizens
- Proportionality, personal conduct of the individual

1. Restrictions to free movement

- EC Guidelines for border management measures to protect health and ensure the availability of goods and essential services C(2020) 1753 final, 16.03.2020
- Council Recommendation on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic, 13.10.2020

2. The emergence of essential workers in critical occupations

- Communication from the Commission 2020/C 102/I/03, 30.03.2020
- A list of critical occupations for which free movement is essential
- Health professionals, personal care, supply of food, food manufacturing and processing, transportation...

3. The case of seasonal workers

- Equal treatment of EU citizens
- The right to benefit from the core terms and conditions of employment of the host Member State for posted workers
- The right to suitable living and working conditions, including physical distancing and appropriate hygiene measures

4. The case of health professionals

- Facilitation of the recognition of qualifications for cross-border movement
- Ensuring the free movement of health professionals to the largest extent possible

5. Conclusions

- A new category of migrant EU workers: „essential workers in critical occupations” – is it discriminatory?
- Blurring the distinction between EU and third country workers?
- Will COVID-19 fundamentally change mobility within the EU?

Thank you for your attention!

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