

Impact of COVID-19 on free movement of goods

Shaping EU action around the principle of solidarity

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Structure of the Presentation

1. Internal market challenges in time of COVID-19
2. A common (EU) approach
3. Ways to reconcile the Single Market and public health
4. EU actions
5. Conclusions

1. Internal market challenges in time of COVID-19

National Governments are inclined to react unilaterally:

- No common safety net
- No common response

Article 36 TFEU allows unilateral response if the measures are:

- Justified, i.e. suitable, necessary and proportionate
- Applied in a non-discriminatory manner
- Transparent, i.e. notified to the Commission

2. A common (EU) approach

Common action of EU institutions needed to preserve the functioning of the Single Market and to address public health challenges

Common and coordinated reaction desired to ensure adequate supply of protective equipment across the EU

A need for exploiting all the existing tools and legal bases under the current Treaties

3. Ways to reconcile the Single market and public health

“Green Lanes” to preserve the EU-wide operation of supply chains and ensure the functioning of the Single Market

- Facing entry controls or bans adopted at internal land borders
- Member States’ obligations
- “15 minutes” time limit for crossing borders
- Are “Green Lanes” functioning effectively?

Export authorisations to third countries concerning personal protection equipment

4. EU actions

Joint procurement actions for medical and similar goods

A European medical stockpile for ventilators, personal protective equipment, vaccines, medicinal products and laboratory supplies

Public procurement law during the COVID-19 crisis: helping national authorities through the smart use of public procurement law

5. Conclusions

EU institutions are expected to take over their share of responsibility while assisting Member States and public authorities:

- To ensure the good functioning of the Single Market
- To help national authorities to better pursue the protection of public health
- To shape EU responses around in the framework of solidarity, i.e. the awareness of a 'common destiny' linking the Union and its citizens

Thank you for your attention!

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