Opinion of the Advisory Committee on Freedom of movement for workers

- Reaffirming the fundamental principle of free movement of workers and setting the priorities for the future activities of the Committee -

The Advisory Committee on Freedom of Movement for Workers, representing Member States and both national and European social partners, stresses that the freedom of movement of workers is a fundamental right, enshrined in article 39 of the Treaty and developed by secondary legislation, notably by Regulation (EEC) 1612/68 and Directive 2004/38/EC and by case-law of the European Court of Justice.

The right of free movement for work guarantees EU nationals and their family members the right to move and reside freely for work purposes within the EU prohibiting any form of discrimination on the basis of nationality and ensuring equal treatment in all work related aspects. It offers real advantages and protection to migrant workers and their family members. This right is highly valued by EU citizens, as the Euro barometer has shown in recent years.

The basic principle of equal treatment under article 39 of the Treaty offers not only protection to all EU workers when moving around, but also ensures a level playing field on labour markets in host countries and has an essential function for the social and cultural integration of migrants into the host society. This is of special importance in times of economic slowdown.

In order to contribute to the ongoing reflection on new challenges for labour markets and migrant workers, the Committee will focus its activities on the following issues in the period to come:

- take more concerted action, with active involvement, in particular of the social partners, at national and EU level in order to raise awareness about EU citizens' rights in the area of free movement of workers[1];

- explore the conditions and challenges which could contribute to the ending of transitional arrangements in the light of the 2008 Commission Report on the impact of free movement of workers in the context of EU enlargement;

- analyse the new challenges in the area of free movement of workers including the question of the return of migrant workers to their countries of origin.

[1] The Austrian delegation expressed its willingness to add the following wording: *"particularly with regard to measures against wage and social dumping"*