

INTRODUCTION TO THE EUROPEAN UNION
 Contribution to the course *International Organization Law*

concerning § 4 III The economic fundamental freedoms

Diagram 4
The fundamental freedoms - a simple overview

<p>free movement of goods (art. 28 et seq., 110 et seq. FEU Treaty)</p>	<p>freedom to provide services (art. 56 et seq. FEU Treaty)</p>	<p>free movement of persons (art. 45 et seq., 49 et seq. FEU Treaty)</p>	<p>free movement of capital (art. 63(1), 64 et seq. FEU Treaty)</p>	<p>free movement of payments (Art. 63(2), 65 et seq. FEU Treaty)</p>	<p>freedom of movement and residence (art. 21 FEU Treaty)</p>
<p>(cross-border mobility of goods)</p> <p>1) free movement of goods unhindered by customs and other tariff barriers 2) free movement of goods unhindered by non-tariff barriers - in particular no <i>measures having equivalent effect</i> to quantitative restrictions on imports (art. 34 - large concept, incl. regulations on necessary properties of products but not regulations on the general conditions of sale)</p>	<p>(cross-border mobility of services, service providers, service recipients)</p> <p>1) freedom to provide services in another member state 2) freedom to receive services in another member state 3) freedom to provide/receive cross-border services 4) freedom to provide/receive services while crossing the border together</p>	<p>(cross-border mobility of gainful occupation)</p> <p>1) free movement of workers - free access to work - free exercise of employment - residence after termination of employment - same social and tax privileges as domestic employees (secondary law) - rights of family members (according to secondary law))</p> <p>2) freedom of establishment - freedom to take up and pursue activities as self-employed persons - freedom to set-up and manage undertakings - freedom to set-up agencies, branches, subsidiaries, factories etc</p>	<p>(cross-border mobility of monetary or material assets)</p> <p>1) free transfer of monetary assets (for the purpose of capital investment) 2) free transfer of material assets (incl. acquis. of real estate)</p>	<p>(cross-border mobility of payments)</p> <p>• free transfer of payments in return for performance (for the purpose of the fulfillment of a financial obligation)</p>	<p>(non-economic mobility)</p> <p>• free movement in the member states • free residence in the member states</p> <p>(only a <i>complementation</i> of the fundamental freedoms) (also for students and senior citizens)</p>