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*The Influence and Effects of EU Business Law
in the Western Balkans*

1st EU Business Law Forum

Éva Nyerges:
**How Brexit affects free movement of West
Balkans' employees? Labour Mobility in
the context of withdrawal**
(abstract)

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How Brexit affects free movement of West Balkan's employees?

Labour Mobility in the context of withdrawal

Since its foundation, the European Community took a sight to enable people to work or have enterprise pursue in any EU member states.

The principle of free movement of employees originally was included in the Treaty of Rome for the sake of economic reasons. Nowadays economic approach has slightly changed: social aims of free movement became crucial through “EU Citizenship” which is determined by the Maastricht Treaty.

As one of the pillars of the European common market, the right of free movement is primary based on Article 45 of TFEU. Beyond securing free movement for workers, this provision prohibits all differentiation or discrimination based on nationality as well. However, prohibition of discrimination is not absolute: it can be restrained to secure public policy, public security or public health.

Because of its free mobility, labour migration is continuously increasing and today the nature of working abroad has become volatile: planned time scope and the objectives of working are also variable factors in it.

However, the consistent standpoint of the European Committee claims that labour mobility should be a win-win situation for both countries (home and receiving), dramatically increased number of immigrant workers shocked public opinion in the United Kingdom.

Otherwise, the British have always been the unwilling partners; both during the accession talks and their membership, they have always had their special way. The UK government pleaded even years ago the unprecedented budget impacts of huge migration, so their “eurosceptic” approach had begun such a long time ago.

On 23 June 2016, based on a referendum the population opted for leaving the EU and – in compliance with the Treaty of Lisbon – in March 2019 the UK membership will be terminated. Several questions are waiting for be answered about the process of withdrawal such as the outcome of the incorporated EU law in UK law or whether the way of exit will be “soft Brexit” or even “hard Brexit”. Last but not least, these days hundreds of thousands are keen on getting to know what will happen to employees working in Great Britain...