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Social security coverage is fundamental for mobile EU citizens, Court of Justice reaffirms



The Court of Justice of the European Union in its judgment in Case C-503/09 (*Lucy Stewart*) confirmed the fundamental status of EU citizenship and its rights, in particular the freedom to move and reside in another EU country, as well as the **right to social security coverage**.

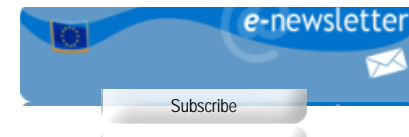
This right could not be fully effective if a person would be excluded from claiming a social security benefit on the sole ground that he or she has previously not been present or is not present in the country in which he or she claims the benefit.

EU countries still have the power to organise their social security systems and they may set **conditions to establish the entitlement to social security benefits**. However, the condition of past presence in order to establish a genuine link between the claimant and that country is contrary to EU law.

The Commission is studying the ruling carefully, in order to ascertain its implications. In particular, it will need to study the possible effects of this ruling on other infringements against the United Kingdom before taking a position on these related procedures.

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