

GRADUAL EXITING FROM THE CORONAVIRUS EMERGENCY IN FRANCE

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The "phase two" of the Coronavirus emergency in France will be seeking unprecedented and complex balances between safety and health, on the one hand, and economic imperatives on the other.

On 28 April 2020, French Prime Minister Edouard Philippe illustrated before the Parliament the plan for a gradual de-confinement which will officially start on Monday 11 May and will last until 2 June. From 2 June onwards, another phase will begin, which will depend on the state of the epidemic at that time¹.

The plan presented to Parliament will apply at a national level, but adjustments will be possible at the local levels, at the initiative of Prefects and Mayors. The strategy will be flexible and decentralized according to the situation of the various Departments, not all affected in the same way by the epidemic. Therefore, Departments will be divided into "green" and "red" areas based on the number of infections recorded.

The plan is inspired by three drivers: "protect, test, isolate".

As a premise, the Government declared that starting 11 May, there will be enough masks to meet the needs of all citizens and plans to organize 700,000 virological tests per week thereafter. In addition, people testing positive for Coronavirus will have the choice between isolation at home for 14 days, or isolation in specific structures, in particular hotels, requisitioned for that purpose.

More particularly, starting 11 May, the plan provides for reinstating the freedom of movement without self-certification within a radius of 100 kilometers from home. Travelling beyond the 100 kilometers radius will be permissible only for imperative, family or professional reasons. It will again

¹ Speech of "*Presentation of the national deconfinement strategy*" delivered by the Prime Minister Edouard Philippe to the National Assembly, April 28, 2020

be possible to practice individual outdoor sporting activities beyond the one kilometer radius from home. Gatherings on public ways and private places will be limited to 10 people.

The reopening of non-essential retail stores and indoor and outdoor markets is also foreseen, unless the mayors or prefects determine that they are unable to enforce safety standards. Strict requirements are dictated, in particular, for the maximum number of customers in shops, minimum inter-personal distancing and the regulation of entry and exit flows. Masks are recommended for both staff and shop customers when physical spacing measures cannot be guaranteed and merchants will be allowed to prohibit unprotected visitors from entering their shops.

Cafes, bars and restaurants will for the time being remain closed, as well as cinemas, theaters, large museums and shopping centers. Their reopening will be evaluated afresh at the end of May.

Beaches will not be accessible at least until June 1st, and until September there will be no events, such as festivals, which normally attract more than 5 thousand people each summer.

The 2019-2020 season of professional sports, including football, will not re-start.

As concerns schools, from 11 May onwards there will be a very gradual reopening of nursery and primary schools, on an optional basis. Later on from 18 May onwards, but only in Departments where the spreading of the virus is very weak, the possibility of reopening secondary schools will be evaluated. Only at the end of May will the possibility of reopening high schools be considered, starting with professional institutes. However, it should be noted that this measure is in contradiction with the recommendations of the Scientific Council², which, in a non-binding opinion made public on April 25, 2020, proposed to “keep nurseries, lower, secondary, high schools and universities closed until September”³.

Places of worship and churches may remain open, but the Government urges religious governance bodies not to organize functions and ceremonies before June 2nd. Funerals will continue to be permitted with only up to 20 people participating.

France will keep smart work as the prevalent form of work for at least another three weeks. In cases where smart work is not or no longer possible, broader distributions of working hours should be encouraged to avoid the crowding of public transport and decrease the simultaneous presence of too many people within the same working premises.

The use of the StopCovid app for the monitoring of contacts tracing persons affected by Coronavirus, which raised concerns and criticisms, will instead be the subject of a specific debate and vote by Parliament.

The program was adopted by the National Assembly⁴ but rejected by the Senate⁵, without this, however, having an impact on the entry into force of the new measures. The plan was introduced within the framework of article 50-1 of the Constitution, which allows the Government to make a declaration which gives rise to debate and can, if the Government so decides, be subject to a vote

² Created on March 10, 2020 by the Minister of Solidarity and Health, at the request of the President of the Republic, to enlighten the government in the management of the epidemic due to the coronavirus, the Scientific Council includes eleven members coming from a vast range of scientific disciplines

³ « *The risk of individual contagiousness in young children is uncertain, but appears to be low. Conversely, the risk of transmission is significant in places of massive regrouping that are schools and universities, with barrier measures particularly difficult to implement in the youngest. Consequently, the scientific council proposes to keep nurseries, schools, colleges, high schools and universities closed until September.* » Non-binding report dated April 20, published April 25, “*Gradual release from containment, prerequisites and key measures*”, page 16.

⁴By 368 votes to 100 (out of a total of 571)

⁵ By 89 votes to 81(out of a total of 344)

from Parliament without in any way implying a no-confidence vote which would result in the Government's resignations.

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Il presente articolo ha esclusivamente finalità informative e non costituisce parere legale.

This article is exclusively for information purposes, and should not be considered as legal advice.



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