Subject: Border controls and entry restrictions following the onset of the COVID-19 pandemic

With the onset of the COVID-19 pandemic, many Member States have introduced border controls and entry restrictions, substantially circumscribing the freedom of movement of EU citizens. Notwithstanding the Commission border management guidelines released on 16 March 2020 and the joint European roadmap for the lifting of the COVID-19 restrictions, there appears to be little coordination between Member States, thereby creating difficulties and tensions, particularly in closely interlocked border areas.

1. Can the COVID-19 pandemic be considered a 'serious threat to public policy or internal security' that justifies prolonged internal border controls under Article 25(3) and Article 28 of Regulation (EU) 2016/399?

2. Are the collective entry restrictions imposed by the Member States on grounds of public policy, public security and public health justified and proportionate under Article 27(1), the second subparagraph of Article 27(2) and Article 29(1) of Directive 2004/38/EC?

3. Following the announcement of exit strategies in Germany, Luxembourg and Belgium, can the border controls and entry restrictions imposed by Belgium and Germany at the Belgian-German, Belgian-Luxembourg and German-Luxembourg borders still be considered proportionate?