

EN

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Answer given by Mr Reynders
on behalf of the European Commission
(29.4.2021)

To limit the spread of the virus, Member States have adopted various measures, some of which have had an impact on EU citizens' right to move and reside freely within the territory of the Member States. Such measures should be proportionate and non-discriminatory.

Since the beginning of the pandemic, the Commission has worked relentlessly to foster the cooperation and coordination among Member States. On 13 October 2020, the Council adopted Council Recommendation 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic¹. The Recommendation establishes a common map, based on common criteria, and a common approach for travellers coming from higher-risk regions. This was an important step, and remains a solid framework to work with.

Following the Council Recommendation, Member States may adopt different measures, such as quarantine or testing, depending on the epidemiological situation within the EU. When adopting and applying restrictions to free movement, Member States should respect principles of EU law, in particular proportionality and non-discrimination.

On 1 February 2021 the Council amended Council Recommendation 2020/1475² to adapt to the evolving epidemiological situation. Member States have agreed that non-essential travel from high-risk areas should be strongly discouraged until the epidemiological situation has considerably improved in line with the recommendation of the European Centre for Disease Prevention and Control. The amendment also provides further exemptions to ensure the functioning of the economy.

The Commission continues to monitor the situation across Member States, including the compliance of measures restricting freedom of movement with EU law.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1602661353609&uri=CELEX:32020H1475>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.LI.2021.036.01.0001.01.ENG&toc=OJ%3AL%3A2021%3A0361%3ATO C>