

EN

E-000786/2021

Answer given by Ms Kyriakides
on behalf of the European Commission
(29.4.2021)

According to Article 168 of the Treaty on the Functioning of the European Union¹, Member States are responsible for the organization and delivery of healthcare services, including for decisions on visitor policies. The Commission cannot intervene in decisions of national authorities, and subsequently, in this particular matter.

The right to respect for family life is enshrined in Article 7 of the EU Charter of Fundamental Rights². However, according to its Article 51(1), the Charter only applies to Member States when they are implementing EU law. The case referred to by the Honourable Member does not appear to be related to the implementation of EU law. In such cases, it is for Member States to ensure that fundamental rights are effectively respected and protected in accordance with their national law and international human rights obligations.

The European Centre for Disease Prevention and Control supports the Commission and Member States in their response to the COVID-19 outbreak by providing guidelines and recommendations to minimize the risk of transmission of COVID-19 within healthcare³ and long-term care⁴ facilities.

The Commission has mobilized all means at its disposal to help Member States to repair the immediate economic and social damage brought by the coronavirus pandemic⁵. One example is the use of the Recovery Assistance for Cohesion and the Territories of Europe (REACT-EU)⁶ part of the Next Generation EU⁷ support, that continues and extends the crisis response and crisis repair measures delivered through the Coronavirus Response Investment Initiatives⁸. Funding through Cohesion funds programmes for the 2021-2027 period can also contribute to strengthening the resilience of the health systems.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12008E168&from=EN>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

³ https://www.ecdc.europa.eu/sites/default/files/documents/Infection-prevention-and-control-in-healthcare-settings-COVID-19_6th_update_9_Feb_2021.pdf

⁴ <https://www.ecdc.europa.eu/sites/default/files/documents/Increase-fatal-cases-of-COVID-19-among-long-term-care-facility-residents.pdf>

⁵ https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response_en

⁶ https://ec.europa.eu/regional_policy/en/newsroom/coronavirus-response/react-eu

⁷ https://ec.europa.eu/info/strategy/recovery-plan-europe_en#nextgenerationeu

⁸ https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/jobs-and-economy-during-coronavirus-pandemic/cohesion-policy-support-measures-coronavirus-response-investment-initiatives_en