



Brussels,
HOME.B.1/MDA
Ares(2021)2506763

Dear Petitioner,

I am contacting you with regard to your letter of 13 April 2021 to Commissioner Johansson in which you bring to her attention the difficulties that the residents of the SaarMoselle Eurodistrict have been incurring due to the travel restrictions imposed by Germany in response to the COVID-19 pandemic. The Commissioner asked me to reply on her behalf.

First of all, I wish to offer my apologies for this belated answer which is due to the very high number of letters and e-mails on this and related matters that have reached my service in recent months.

Please be assured that the Commission is closely monitoring the situation at internal borders.

In order to assist Member States in these challenging times, the Commission issued a number of guidelines addressed to the Member States¹ with a view to ensuring that the national measures adopted to contain the spread of COVID-19 and affecting the normal functioning of the Schengen area and of the single market, are applied in a non-discriminatory and proportionate manner.

While controls at internal borders can be helpful in implementing different measures to contain the spread of the virus, it is clear that they cannot achieve this goal alone. Therefore, the reintroduced controls should be reviewed alongside the process of lifting different national measures in place.

The Commission has sought to foster the cooperation and coordination among Member States since the beginning of the coronavirus pandemic. The Commission considers that a well-coordinated, predictable and transparent approach to the adoption of restrictions on freedom of movement is necessary to prevent the spread of the virus, safeguard the health of citizens as well as maintain free movement within the Union, under safe

¹ Guidelines C (2020) 1753 of 16 March 2020 for border management measures to protect health and ensure the availability of goods and essential services; Guidelines C (2020) 1897 on the implementation of the Green Lanes, Guidelines; Guidelines C (2020) 2051 the exercise of the free movement of workers during COVID-19 outbreak; Guidance C (2020) 2050 on the implementation of the temporary restriction on non-essential travel to the EU, on the facilitation of transit arrangements for the repatriation of EU citizens, and on the effects on visa policy;

conditions. On 13 October 2020, based on a Commission proposal, the Member States agreed on a coordinated approach to travel restrictions linked to the COVID-19 pandemic, which is important for the millions of citizens who rely on cross-border travel every day, and is crucial for our efforts to start safely relaunching the economy².

Member States have agreed that there should be no restrictions, such as quarantine or testing, on travellers coming from green regions. When travelling from orange or red regions, travellers may expect restrictive measures to be imposed. Member States have also agreed that no quarantine measures should be applied for citizens with an essential reason to travel, be it for imperative family reasons, including cross-border families travelling on a regular basis, to go to work, or to ensure that we receive the goods we need. You can find the full list of categories of travellers who are exempted from the requirement to undergo quarantine measures in point 19 of the Recommendation mentioned before.

In view of the challenging epidemiological situation, partially linked to more infectious coronavirus variants, Member States agreed, on 1 February 2021, to further strengthen these measures, following a proposal from the Commission³. In particular, Member States agreed that non-essential travel, that to say travel for recreational or touristic purposes, from high-risk areas should be strongly discouraged until the epidemiological situation has considerably improved. A new colour – dark red – was added to the map by ECDC, indicating areas where the virus is circulating at very high levels. Travellers from such areas should be required to do a pre-departure test and undergo quarantine/self-isolation after arrival, which may, under certain circumstances, also be required of essential travellers. At the same time, Member States agreed to strengthen exemptions for transport workers and cross-border commuters, in particular to ensure that our economy can continue to function.

Furthermore, on 17 March 2021 the Commission presented a legislative package on a “Digital Green Certificate” establishing a framework for the issuance, verification and acceptance of interoperable certificates on vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic⁴. The Parliament and Council adopted the legislative package on 14 June 2021 and it entered into force on 1 July 2021. It has sensibly contributed to restoring free movement within the EU. The legislative package ensures that the Digital Green Certificate is accepted in all Member States. Where a Member State accepts proofs of vaccination, testing or recovery to waive certain free movement restrictions, they are obliged to accept the certificates issued under the Regulation by other Member States under the same conditions. However, the possession of a vaccination certificate is not a pre-condition to exercise free movement rights or to use cross-border passenger transport services.

² [Council Recommendation \(EU\) 2020/1475](#) of 13 October 2020 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic.

³ [Council Recommendation \(EU\) 2021/119](#) of 1 February 2021 amending Recommendation (EU) 2020/1475 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic.

⁴ [Regulation \(EU\) 2021/953](#) of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and acceptance of interoperable COVID-19 vaccination, test and recovery certificates (EU Digital COVID Certificate) to facilitate free movement during the COVID-19 pandemic.

In the meantime, the Commission continues to closely monitor the emergency measures taken by Member States, as well as their impact, including those taken by Germany. You are certainly aware that, in the meantime, Germany has ceased to consider the Moselle as an area with a variant of concern. This will considerably facilitate cross-border movements in the area and I trust that it will alleviate the difficulties that you have encountered so far.

Please rest assured that the Commission will continue to mobilise all means at its disposal to help Member States coordinate their national responses, to reinforce public health sectors and to mitigate the socio-economic impact of the pandemic in the European Union.

Yours sincerely,

[e-signed]

Monique PARIAT