



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

The Director-General

Brussels
HOME.B.1/MP/ARES(2020)5769875

Dear Petitioners,

Thank you for your message of 20 October 2020 to Ms. Webber in which you draw her attention to the difficult situation of the many families that have been separated due to the restriction on non-essential travel into the European Union. Ms. Webber asked me to reply on her behalf. Given that the petition is coordinated by Change.org I am addressing my reply to that platform.

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 services in recent months.

I wish to assure you that the Commission is well aware of the severe impact that travel restrictions have. Making it possible for people to reunite with their loved ones after such a long time is a priority.

The Commission has been doing its utmost, within the limits imposed by the Treaties, to coordinate the response of the Member States to the COVID-19 pandemic. However, the gradual lifting (or reintroduction) of the restriction on non-essential travel to and from a third country at the external borders of the Union is the responsibility of the Member States.

In order to coordinate as much as possible the management of our external borders in these exceptional times, as well as to ensure the functioning of the Schengen area, the Council adopted Recommendation 2020/912¹ on 30 June 2020, based on a proposal from the Commission. This Recommendation sets out the criteria to determine the list of third countries for which the current restriction on non-essential travel into the European Union should be lifted. The list is reviewed on a regular basis and updated by the Council as needed. National authorities are responsible for implementing the Recommendation.

Although temporary travel restrictions apply to residents of a third country, family members of Union citizens or of long-term residents in the European Union should be exempted from the travel restrictions, independently of the purpose of their travel.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020H0912&from=EN>

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A coherent approach to interpreting which categories of travellers are exempted from the restrictions is essential. For this reason, on 28 October 2020 the Commission adopted a guidance document on travellers exempted from the temporary restriction on non-essential travel to the European Union². Amongst others, this guidance document states that the category of (third-country national) family members is to be interpreted broadly and should not be limited by national law.

The guidance document also reminds Member States that the Commission recommended in its “Guidelines on ‘minimum service’ for processing of visa applications from specific categories of visa applicants during the COVID-19 emergency period”, to continue to accept visa applications from essential travellers, including family members.

Although not binding on them, it is up to the Member States to follow the approach set out in our guidance. I hope this will mean that many families that were forced apart will be able to reunite.

In addition to that, I wish to inform you that the Commission is working relentlessly in order to solve this unprecedented crisis. It is in this spirit that we are looking for further solutions to facilitate entry into the European Union for EU or third country citizens that have been separated from their loved ones. I am confident that the Commission will be able to submit a proposal on this subject to the Council in early 2021.

Finally, I take this opportunity to draw your attention to the website <https://reopen.europa.eu/en/> that the European Commission has created to help citizens navigate through the different measures introduced by the Member States. It provides updated information directly supplied by Member States on the situation at borders, travel restrictions, travel advice, public health and safety measures, available tourism services and where to go in case of health issues.

I sincerely hope that you will find the above information useful.

I take this opportunity to wish you a healthy and prosperous year.

Yours sincerely,

(e-signed)

Monique PARIAT

²<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0686&from=EN>