**Follow up to the European Parliament non-legislative resolution** **on the situation in the Schengen area following the COVID‑19 outbreak**

1. **Resolution tabled pursuant to Rule 136(5) of the European Parliament's Rules of procedure**
2. **Reference numbers:** 2020/2640 (RSP) / B9-0165/2020 / P9\_TA-PROV(2020)0175
3. **Date of adoption of the resolution:** 19 June 2020
4. **Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)
5. **Brief analysis/assessment of the resolution and requests made in it:**

The resolution calls on Member States for an urgent recovery plan for Schengen, to reduce restrictions and to respect the principle of non-discrimination. It calls for a reform Schengen governance in light of new challenges and for completing the integration of the Schengen Area.

In the oral question, the European Parliament asked the Commission for: (i) its assessment of the use of the temporary reintroduction of controls at internal borders notably in response to COVID-19, (ii) its strategy to get back to a fully functioning Schengen Area, and (iii) its plan to reform the Schengen Area in the future.

1. **Response to the requests and overview of the action taken, or intended to be taken, by the Commission:**

The main elements of the Commission’s proposed reply are the following:

With regard to the **first** issue:

The COVID-19 pandemic has caused an unprecedented health emergency across the European Union. The protection of public health has become the overriding priority for both the EU and its Member States. All Member States have taken measures to limit the impact of the virus. While the measures taken where necessary to safeguard the health and wellbeing of our citizens, they had at the same time serious consequences for the freedom of movement inside the EU and the functioning and the integrity of the Schengen area. Most Member States and Schengen Associated States introduced temporary internal border controls and measures restricting free movement across the EU.

On 15 April 2020, the President of the Commission and the President of the European Council set out a ‘*Joint European Roadmap towards lifting COVID-19 containment measures*’. The Roadmap set out how internal border controls should be lifted gradually and in a coordinated manner, and, in a second stage, that temporary restrictions at the external borders could be relaxed and non-EU residents could resume non-essential travel to the EU.

In line with these principles, the Commission presented on 13 May the Communication ‘*Towards a phased and coordinated approach for restoring freedom of movement and lifting internal border controls*’. This Communication set out a coordinated, balanced and phased approach for lifting travel restrictions and controls at the internal borders, as well as looking ahead to, as a second stage, the ending of restrictions on non-essential travel to the EU through the external border. The Communication also established a flexible approach, including the possibility to reintroduce certain measures if the epidemiological situation requires or to allow for a more accelerated lifting of measures if the situation permits.

Considering the epidemiological situation in June, several Member States lifted the internal border controls and restrictions to free movement within the EU including post-travel quarantine requirements on such movement as of 15 June 2020. On 11 June 2020, the Commission strongly encouraged the remaining Member States to finalise the process of lifting the internal border controls and restrictions to free movement within the EU by 15 June 2020. In the following days, 13 out of the 17 Member States that had reintroduced internal border controls due to COVID-19 lifted these internal border controls. However, faced with a raise of COVID-19 cases, once again, a majority of Member States put in place restrictions to free movement at the end of July 2020.

Member States/ Schengen States have so far complied with the requirements of the Schengen Borders Code concerning the temporary reintroduction of border controls in the emergency circumstances related to the spread of COVID-19.

The Commission plays a key coordination role through regular videoconferences of the Commissioner for Home Affairs and the Ministers of Interior of the Member States/ Schengen States (until June), through the COVID-19 Information Group – Home Affairs at technical level (until September) and through bilateral contacts to address any possible issues related to the reintroduction of the internal border controls. Coordinating the EU response to common challenges, such as pandemics, goes beyond the issues of border management and Schengen. The Commission is reflecting on the measures of coordination to be applied in similar emergencies.

With regard to the **second** and **third** issue:

In 2017, the Commission proposed an amendment to the Schengen governance rules, with substantial reinforcement of the procedural safeguards to ensure that the reintroduction of border controls can truly only be carried out as a measure of last resort. A well-functioning Schengen area depends on mutual trust among Member States and on the correct and efficient implementation of the Schengen acquis. To restore trust we need proper implementation including alternatives for internal border checks, such as police controls inside the territory, supported by technology and reinforced cross-border cooperation and information exchange between law enforcement authorities. The Commission will also reflect on how to make sure that the Schengen legal framework is fit for purpose so it can meet new challenges such as the current health emergency, including by reviewing the effectiveness of and strengthening, where necessary, the Schengen evaluation mechanism. The new Pact on Migration and Asylum will be the occasion to launch a process to restore trust between Member States and returning to a fully functioning Schengen area.