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MEMBER OF THE EUROPEAN COMMISSION
JUSTICE

YLVA JOHANSSON
MEMBER OF THE EUROPEAN COMMISSION
HOME AFFAIRS

Brussels,
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Dear Minister,

Since its inception, the European Union has faced many crises. The COVID-19 pandemic, however, has upended our way of life unlike anything we have had to contend with before. Only by continuing to act together, in a spirit of coordination and solidarity, will we be able to overcome it.

This is true not only for NextGenerationEU, a recovery plan of historic proportions, or for the development, procurement and distribution of COVID-19 vaccines in a coordinated way across the EU. It also applies to the measures taken to reduce travel-related risks of SARS-CoV-2 infection and transmission, also when dealing with new, more transmissible variants of concern.

The coordinated approach developed together at EU level seeks to balance two crucial elements. On the one hand, we have agreed on a framework of strict public health measures aimed at reducing the spread of the virus. At the same time, we have provided for a limited set of targeted exemptions, in particular to ensure the well-functioning of the Single Market during this volatile period. In view of the importance of free movement, including for our economy, and trusting each other's commitments to combat the pandemic, Member States have collectively decided to be strict when it comes to travel to the EU, while maintaining of the necessary mobility within the Union.

This careful balance, however, depends on the coherence of the measures taken by each and every Member State. Although we are fully aware of the burden that the current restrictions have on the economy, any unilateral and uncoordinated opening of the external border to non-essential travellers is detrimental to our common efforts. Even where such a reopening is accompanied by precautions, such as additional testing and quarantine, this course of action undermines the coherence of Member States' efforts and increases the pressure on others to strengthen measures, including at internal borders. While we firmly believe that restrictions on travel to the EU should be lifted in a coordinated way as soon as it is safe to do so, this must wait until the epidemiological



situation has improved to avoid a resurgence of the virus or the importation of variants capable of undermining our vaccination efforts.

Therefore, in line with the principle of sincere cooperation, we urge you to closely align your measures regarding non-essential travel from third countries to your territory with the provisions agreed in Council Recommendation (EU) 2020/912¹ of 30 June 2020 as amended on 2 February 2021². In particular, we strongly encourage you to allow for non-essential travel only from third countries listed in Annex I while safeguarding travel undertaken in connection with an essential function or need as set out in Annex II of the Council Recommendation.

At the same time, we urge you to ensure coherence in the measures applied to travel within the EU. Following clear guidance from the European Council, we have recently adapted the EU's coordinated approach to take into account the high number of cases across most of Europe, as well as the risks posed by new variants of concern already present within our borders, by revising Council Recommendation (EU) 2020/1475³. Member States agreed that stricter measures should apply to travel originating from higher-risk areas. Specifically, travel to and from newly introduced 'dark red' areas should be strongly discouraged, and persons travelling from such areas should be required to undergo a pre-departure test and quarantine after arrival. In addition, the revised Recommendation reflects the shared need to counter the disruptive effects of internal border controls, notably for the functioning of the Single Market and the "Green Lanes" system. It is of fundamental importance that all measures taken remain in line with the principles of non-discrimination and proportionality. Notably, border closures or blanket travel bans should be avoided. The Commission is constantly monitoring the respect of the principles of non-discrimination and proportionality in all the Member States.

To keep vital goods flowing and cross-border communities intact, a consistent approach to the targeted exemptions in the Council Recommendation 2020/1475, as amended, is indeed essential. At this crucial point in time, we cannot afford disruptions to supply chains and the Single Market at large, especially if this risks affecting the distribution of vaccines. The best way to increase coherence is to use the map published weekly by the European Centre for Disease Prevention and Control⁴ as the main element for national decision-making processes, combined with additional criteria such as the prevalence of certain variants.

¹ Council Recommendation (EU) 2020/912 of 30 June 2020 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction, OJ L 208I, 1.7.2020, p. 1.

² Council Recommendation 2021/132 of 2 February 2021 amending Council Recommendation (EU) 2020/912 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction, OJ L 41, 4.2.2021, p. 1.

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, OJ L 36I, 2.2.2021, p. 1.

⁴ <https://www.ecdc.europa.eu/en/covid-19/situation-updates/weekly-maps-coordinated-restriction-free-movement>

From our side, we will continue to work closely with you to address the unique challenge of the COVID-19 pandemic. As the situation evolves, and as more data becomes available, notably on variants of concern, we will be ready to adapt our coordinated approach as necessary. The Commission looks forward to discussing these issues in the General Affairs Council on 23 February, in preparation of the informal videoconference meeting of the members of the European Council on 25 February.

Yours sincerely,

(e-signed)

Didier REYNDEERS

(e-signed)

Ylva JOHANSSON