

**Question for written answer E-003592/2025/rev.1
to the Commission**
Rule 144
Christine Anderson (ESN)

Subject: Ensuring fundamental rights in the legacy of COVID-19 restrictions

In Norway, a citizen was fined and threatened with prison for refusing a PCR test and quarantine hotel in 2021. After Norwegian courts declined to engage with her arguments, she has applied to the European Court of Human Rights¹. Similar cases from EU Member States are also pending in Strasbourg, including challenges to vaccine mandates in France², school closures in Germany³, and assembly restrictions in Croatia⁴.

These cases highlight a wider European issue: individuals are still facing prosecutions and penalties years after the pandemic, despite serious questions of proportionality, necessity, and compliance with fundamental rights.

1. How does the Commission assess the compatibility of ongoing prosecutions and penalties linked to COVID-19 measures with the principles of necessity and proportionality under the Charter of Fundamental Rights?
2. While the Commission has evaluated EU health preparedness, it has not reviewed pandemic restrictions for proportionality and compliance with fundamental rights. Will it commit to launching a rights-focused review to prevent misuse of emergency powers in future crises?
3. In the context of its annual rule of law reports, how will the Commission ensure that the legacy of pandemic restrictions – including ongoing prosecutions – is addressed within this framework?

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¹ Granada v Norway, application reportedly lodged in 2024 (not yet available on the Human Rights Documentation (HUDOC) database at the time of writing; information based on applicant's public statements).

² De Haro v France and Others, Nos 31119/22, 35013/22 and 35141/22, communicated on 16 May 2024, HUDOC.

³ M.C.K. and M.H.K.-B. and Others v Germany, No 10975/21, communicated case, HUDOC.

⁴ Magdić v Croatia, No 17578/20, communicated case, HUDOC.