

**Priority question for written answer P-001708/2024
to the Commission**
Rule 144
Kosma Zlotowski (ECR)

Subject: Rationale for and economic impact of Germany's introduction of border controls

According to Article 18 TFEU, the right to not be discriminated against on grounds of nationality is a right inherent to the status of EU citizen. Article 20 TFEU confers on EU citizens the right to move and reside freely within the territory of EU Member States. Furthermore, Directive 2004/38/EC guarantees EU citizens the freedom of movement and residence within the territories of other Member States. While the Treaties permit restrictions on the exercise of this right for a legitimate reason, the measures taken must be proportionate. Germany's decision to introduce border controls does not meet this condition and undermines the guaranteed rights of citizens and economic freedoms.

1. In the Commission's view, is the introduction of border controls at all German land borders from 16 September 2024 for a minimum of six months compatible with the EU Treaties, is it not a breach of the principles of freedom of movement conferred by the Schengen area rules and EU citizenship, and is the Commission empowered to respond to the reintroduction of border controls by states?
2. What will the economic impact of the German Government's decision be, particularly in sectors such as the international road transport of passengers and goods, the operation of which could be significantly disrupted?
3. Is the Commission aware that the border controls at the Polish border introduced by Germany have been in place for almost a year now, if so, is it compatible with the principle of proportionality to maintain controls for so long, and for how long can a Member State maintain border controls while complying with European law?

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