

(English version)

**Question for written answer E-001756/24
to the Commission
Afroditi Latinopoulou (Pfe)
(18 September 2024)**

Subject: Consequences of Germany's decision to close its borders to Member States, and in particular to Greece

Germany is effectively abolishing the Schengen Treaty and closing its borders from midnight on 16 September 2024 in order to combat illegal immigration and the Islamist threat. The Minister for the Interior herself, Ms Nancy Faeser, has explained that the purpose of the move is to protect German citizens from the risks posed by Islamist terrorism and serious cross-border crime. Germany's decision has provoked reactions throughout Europe, particularly in host countries such as Greece.

Since the consequences of Germany's sudden decision to close its borders are dangerous for Greece, can the Commission answer the following:

1. If Germany abolishes the Schengen Treaty by closing its borders, why should Greece, a country hosting hundreds of thousands of illegal immigrants, not do the same, using all available means of dissuasion to shield its borders and hence the European Union from a fresh invasion?
2. Is there any plan to review the Dublin Regulation so that the unequal share-out of the burden is addressed more effectively, especially for countries like Greece that are taking in increased flows?
3. Does the EU plan to conclude transnational agreements as a bloc with countries outside its borders, so that illegal immigrants in Member States are transferred to third countries as soon as possible?

Submitted: 18.9.2024

**Answer given by Ms Johansson on behalf of the European Commission
(26 November 2024)**

The Schengen Borders Code (SBC)⁽¹⁾ provides that a Member State may, temporarily and as a measure of last resort, reintroduce internal border controls in view of addressing a serious threat to public policy or internal security⁽²⁾.

The Commission is working with Member States concerned by reintroduction or prolongation of internal border controls⁽³⁾. The SBC provides that Member States must deploy sufficient staff and resources to prevent unauthorised crossings at the external borders.

The European Border and Coast Guard Regulation⁽⁴⁾ requires Member States to manage their external borders in full compliance with EU law, including respect for fundamental rights⁽⁵⁾.

The Asylum and Migration Management Regulation⁽⁶⁾ (AMMR) that entered into force as of 11 June 2024, replaces the Dublin III Regulation⁽⁷⁾.

The AMMR will contribute to a fairer system for sharing responsibility among Member States by clarifying the responsibility criteria and rules for determining the Member State responsible for assessing an application for international protection and introducing a permanent, mandatory and need-based solidarity mechanism.

The Pact on Migration and Asylum⁽⁸⁾ outlines the elements of an effective EU return system⁽⁹⁾, anchored in EU-wide solidarity, and frames the cooperation of third countries on readmission within comprehensive and mutually beneficial partnerships.

⁽¹⁾ Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a EU code on the rules governing the movement of persons across borders.

⁽²⁾ This measure must be necessary and proportionate.

⁽³⁾ The revised Schengen Borders Code, which entered into force on 10 July 2024, provides rules on how to assess the necessity and proportionality of the reintroduction of controls.

⁽⁴⁾ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624.

⁽⁵⁾ The right to access asylum procedures and the principle of non-refoulement.

⁽⁶⁾ Regulation (EU) 2024/1351 of the European Parliament and of the Council of 14 May 2024 on asylum and migration management, amending Regulations (EU) 2021/1147 and (EU) 2021/1060 and repealing Regulation (EU) No 604/2013.

⁽⁷⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

⁽⁸⁾ Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a New Pact on Migration and Asylum — COM/2020/609 final.

⁽⁹⁾ As part of the Pact on Migration and Asylum, third-country nationals will be registered and subject to a screening as regards identity, security, and health. In a second stage, an asylum border procedure will contribute to manage the arrivals of non-EU nationals who do not fulfil the entry conditions and set up fast, efficient and streamlined procedures for asylum and return, as well as strong safeguards.

As noted in the President-elect of the Commission's letter to EU leaders of 14 October 2024, the Commission will steer reflections on operational solutions that will help to counter illegal migration ⁽¹⁰⁾.

The Commission will continue to prioritise the effective implementation of the 24 EU readmission agreements and arrangements, strives to conclude the ongoing negotiations, and explores options for new agreements.

⁽¹⁰⁾ These solutions will address the proposals many Member States have made in this area, respecting EU principles and values, obligations under international law, and the protection of fundamental rights, while ensuring sustainable and fair solutions for the migrants themselves.