

EN

E-002369/2024

Answer given by Mr Brunner
on behalf of the European Commission
(23.1.2025)

1. Regulation (EU) 2024/1717, which entered into force on 10 July 2024, has amended the legal framework for the reintroduction of internal border control under the Schengen Borders Code¹. It provides for clear deadlines and strict reporting obligations for both the Commission and Member States, which the Commission will enforce. Given the overhaul of this legal framework, the first reintroduction after its entry into force will be considered a new reintroduction rather than a prolongation. Moreover, where internal border control is kept in place to address a different serious threat to public policy or internal security, this also constitutes a reintroduction rather than a prolongation².

2. Article 25a of the Schengen Borders Code permits Member States to temporarily reintroduce internal border control to address a serious threat to public policy or internal security. Under this Article, the Commission does not have the competence to authorise such reintroduction but must be notified thereof. The Commission is engaged in an ongoing dialogue with all concerned Member States to ensure that mitigating measures limit the impact on cross-border travel and cross-border regions. It also encourages Member States to make use of alternative measures, as listed in the Commission's Recommendation of November 2023³, to address security threats.

¹ Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 77, p.1-52, as amended by Regulation (EU) 2024/1717.

² Joined Cases C-368/20 and C-369/20, *Landespolizeidirektion Steiermark*, ECLI:EU:C:2022:298.

³ Commission Recommendation (EU) 2024/268 of 23 November 2023 on cooperation between the Member States with regard to serious threats to internal security and public policy in the area without internal border controls, OJ L, 2024/268, 17.1.2024.