

(English version)

Question for written answer E-003594/25
to the Commission
Fabrice Leggeri (PfE), Virginie Joron (PfE), Catherine Griset (PfE), Pascale Piera (PfE)
(17 September 2025)

Subject: Germany deporting migrants to France without agreement

On Monday 8 September, a family of Moldovan immigrants turned up at the town hall of Lauterbourg in France. The father stated that they had been left there by the German Federal Police, a fact which was confirmed by the Director-General of the European Grouping of Territorial Cooperation 'Eurodistrict PAMINA', whose seat is right next to the border.

There are several aspects that make this incident regrettable: the family — with young children — was left stranded; there was no handover to the French authorities; the municipality was not informed; and Eurodistrict PAMINA's information and advisory body was wrongly designated as the point of contact by the German police.

A Ukrainian national was also recently deported to Lauterbourg by the German police, and at the start of June, the same thing happened to a family from Georgia.

On 1 July 2025, the National Rally's Théo Bernhardt, Member of the French National Assembly for the 8th constituency of the Bas-Rhin department, reported the situation to the prefect.

1. Can the Commission indicate whether these actions are compatible with EU law?
2. Does it not think that if the EU's external borders were truly protected, this would both help improve the functioning of the area of free movement and prevent such incidents from occurring?

Submitted: 17.9.2025

Answer given by Mr Brunner on behalf of the European Commission
(4 February 2026)

Where internal border control has been reintroduced, Member States shall apply *mutatis mutandis* the rules applicable at the external borders based on Article 32 of the Schengen Borders Code ⁽¹⁾.

Member States may issue a decision to refuse entry but remain fully bound by the provisions of the Return Directive ⁽²⁾. An illegally staying third-country national can be turned back to another Member State under readmission agreements or arrangements, as per Article 6(3) of the Return Directive, or the transfer procedure provided for in Article 23a of the Schengen Borders Code.

The Commission is in contact with the authorities of all Member States concerned to ensure full application of Regulation (EU) No 604/2013 ⁽³⁾, which will be replaced as of 1 July 2026 pursuant to Article 83 of Regulation (EU) 2024/1351 ⁽⁴⁾.

An effective management of the external borders remains a priority of this Commission. To this end, on 12 October 2025, the Entry-Exit System (EES) ⁽⁵⁾ became operational ⁽⁶⁾, to be followed by the European Travel Information and Authorisation System (ETIAS) ⁽⁷⁾ in 2026 and the revised Visa Information System (VIS).

⁽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, 23.3.2016, pp. 1-52, ELI: <http://data.europa.eu/eli/reg/2016/399/oj>, as recently amended by Regulation (EU) 2024/1717.

⁽²⁾ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals; OJ L 348, 24.12.2008, pp. 98-107, ELI: <http://data.europa.eu/eli/dir/2008/115/oj>. See judgment of 21 September 2023, ADDE and Others, Case C-143/22, ECLI:EU:C:2023:689.

⁽³⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and the 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 (recast); OJ L 180, 29.6.2013, pp. 31-59, ELI: <http://data.europa.eu/eli/reg/2013/604/oj>.

⁽⁴⁾ 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, OJ L, 2024/1351, 22.5.2024, pp.1-71, ELI: <http://data.europa.eu/eli/reg/2024/1351/oj>.

⁽⁵⁾ Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011, OJ L 327, 9.12.2017, pp. 20-82, ELI: <http://data.europa.eu/eli/reg/2017/2226/oj>.

⁽⁶⁾ Commission Implementing Decision (EU) 2025/1544 of 30 July 2025 determining the date from which the Entry/Exit System is to start operations pursuant to Regulation (EU) 2017/2226 of the European Parliament and of the Council, OJ L, 2025/1544, 31.7.2025, ELI: http://data.europa.eu/eli/dec_impl/2025/1544/oj.

⁽⁷⁾ Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226, OJ L 236, 19.9.2018, pp. 1-71.

Once applicable, the instruments of the Pact on Migration and Asylum, complemented by a new legal framework on returns⁽⁸⁾, will contribute to better securing the external borders.

The forthcoming revision of the European Border and Coast Guard Regulation⁽⁹⁾ will further serve to strengthen the management of the common external borders.

⁽⁸⁾ Proposal for a regulation of the European Parliament and of the Council establishing a common system for the return of third-country nationals staying illegally in the Union, and repealing Directive 2008/115/EC of the European Parliament and the Council, Council Directive 2001/40/EC and Council Decision 2004/191/EC. COM/2025/101 final.

⁽⁹⁾ 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. OJ L 295, 14.11.2019, pp. 1-131.