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Answer given by Mr McGrath
on behalf of the European Commission
(23.1.2026)

Member States may restrict the freedom of movement of EU citizens on grounds of public policy or public security, including by adopting expulsion measures. In particular, it is within the competence of the Member States to apply public policy and public security measures to prevent violence and hooliganism at sports events. Such measures must respect the substantive and procedural safeguards set out in the Free Movement Directive 2004/38/EC¹.

The Commission does not have evidence of a general practice by the Netherlands consisting of adopting expulsion measures without respecting the above-mentioned requirements. As regards the individual measure at hand, it is for the competent national courts to establish the facts and assess whether the national authorities correctly applied EU law.

The Netherlands has reintroduced border control at internal borders under Article 25 of the Schengen Borders Code, enabling it to carry out entry and exit checks. However, this reintroduction does not affect the rights of EU citizens under Directive 2004/38/EC, who can enter and exit a Member State upon production of a valid passport or identity card and provided they do not constitute a danger to public policy or public security.

The Commission works closely with Member States to monitor and promote the correct application of EU free movement law and the Schengen *acquis*, including by providing guidance² and fostering cooperation and exchange of best practices between Member States in dedicated fora³.

¹ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 158, 30.4.2004, pp. 77–123.

² See, for example, Commission Notice – Guidance on the right of free movement of EU citizens and their families, <http://data.europa.eu/eli/C/2023/1392/oj>.

³ For example, in the expert group on the right to free movement of persons, <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=2397>.