(English version)

Question for written answer E-000684/26
to the Commission
Jadwiga Wiśniewska (ECR)
(18 February 2026)

Subject: Further prolongation of controls at German borders and compliance with EU law

The German Government has announced that the application of external border controls will be extended until September 2026.

This is intended as a measure of last resort that should not go beyond what is strictly necessary in response to a threat, but which the government has applied continuously since 2023. It is not in line with the Treaties or the principles of proportionality and non-discrimination of EU citizens. It has a destructive effect on the free movement of people, goods, services and businesses. The German Government cites the migratory situation as a reason, but according to a Frontex report the number of illegal border crossings into the EU fell by 26% in 2025.

In relation to the above:

1. What serious threats to public order and security within the meaning of Article 25 of the Schengen Code have been identified by the German Government as justifying the prolongation of these controls?

2. In the Commission's view, is Germany's prolonged use of border controls compatible with the principle that this is a measure of last resort, the scope and duration of which should be limited to what is strictly necessary to respond to the threats, and which must be proportionate and non-discriminatory, and will the Commission initiate infringement proceedings against the German Government?

3. Have any Member States lodged a complaint with the Commission against the German Government for infringement of its obligations under the Treaties pursuant to Article 259 TFEU; if so, which Member States, and is the Commission preparing a reasoned opinion on this matter?

Submitted: 18.2.2026

Answer given by Mr Brunner on behalf of the European Commission
(17 April 2026)

Germany has invoked serious security risks posed by a persistently high level of illegal migration, the strain on the German asylum reception system, and the impact of the global security situation, in particular Russia's war of aggression against Ukraine and the security situation in the Middle East as justifications for prolongation of internal border control.

The Commission has been conducting consultations with the Member States concerned to support them with alternative and mitigating measures ([1]).

The Commission is currently assessing all reintroductions of internal border control carried out by the Member States concerned, in line with the revised Schengen Borders Code ([2]).

No complaint has been lodged under Article 259 of the Treaty on the Functioning of the European Union ([3]).

([1]) 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: https://eur-lex.europa.eu/eli/reco/2024/268/oj/eng.

([2]) Regulation (EU) 2024/1717 of the European Parliament and of the Council of 13 June 2024 amending Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders. OJ L 2024/1717, 20.6.2024: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401717.

([3]) Treaty on the Functioning of the European Union (consolidated version). OJ C 326, 26.10.2012: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A12012E%2FTXT.