

GMS Flash Alert



Immigration Edition

2020-305 | July 7, 2020

European Union - COVID-19: Some Easing of Travel Restrictions

The European Union is gradually easing the travel restrictions at its external borders. As communicated in our GMS [Flash Alert 2020-278](#), the European Commission has put forward an approach for a gradual and coordinated phasing out of the travel restrictions, based on a set of common principles and criteria for identifying those third countries with which it is possible to lift the travel restrictions on non-essential travel into the “EU+ area.”

On 30 June 2020, the member states of the European Union approved a list of 14+1 countries that are considered safe¹. This GMS *Flash Alert* aims to provide a summary of the restrictions that are still in place and the new exemptions to the travel restrictions.

WHY THIS MATTERS

The various COVID-19 containment measures have had a profound impact on both professional and personal travel. Companies worldwide have had to cancel or postpone business trips and assignments. Companies can now slowly start to resume their international travel plans and prepare for upcoming business travel and assignments – however, in some cases, depending on the country, such plans may still need to be “on hold.”

Schengen Travel Ban – a Recap

The member states of the European Union agreed on 17 March 2020, to follow the recommendation of the European Commission to close the bloc’s external borders for non-essential travel for (initially) 30 days (see our GMS [Flash Alert 2020-084](#), 20 March 2020). The member states have since extended the travel ban multiple times with the last extension expiring on 30 June 2020. Most member states also closed their consular activities in March 2020 and it was no longer possible to submit a visa application (with some exceptions for emergency/essential situations).

Since the beginning of the travel ban, some categories of travellers were exempted from the Schengen area travel ban. As from 1 July 2020, the following categories of travellers from third countries that are not on the safe country list will be allowed to request a visa to travel to an "EU+" country²:

- EU citizens and citizens of Schengen associated states and third-country nationals legally residing in the European Union, as well as their family members, regardless whether or not they are returning home.
- People with an essential function or need, including:
 - health-care professionals, health researchers, and elderly care professionals;
 - frontier workers;
 - seasonal workers in agriculture;
 - transport personnel engaged in haulage of goods and other transport staff, to the extent necessary;
 - diplomats, staff of international organisations, military personnel, and humanitarian aid workers in the exercise of their functions;
 - passengers in transit;
 - passengers travelling for imperative family reasons;
 - persons in need of international protection or for other humanitarian reasons;
 - *New*: third-country nationals travelling for the purpose of study;
 - *New*: highly-qualified third-country workers if their employment is necessary from an economic perspective and the work cannot be postponed or performed abroad.

Travellers with an essential function or need to travel to the EU+ area must obtain a visa even if they would fall under the Schengen visa waiver under "normal, non COVID-19" circumstances.

Partial Lifting of Travel Ban – the Safe Country List

The European Commission recommends that the member states partially and gradually lift the travel restrictions to the EU+ area as from 1 July 2020, for selected countries. Selection is based on a set of objective criteria and reciprocity considerations. The Commission also urges its member states to coordinate the approach to help ensure uniform application across the EU (see GMS [Flash Alert 2020-278](#), 12 June 2020).

The objective criteria that need to be met by third countries in order to be added to the list of safe countries are the following³:

- Epidemiological situation:
 - The country should have no more than 16 new COVID-19 cases per 100,000 inhabitants in the last 14 days;
 - The trend of new infections should be stable or decreasing;
 - The response to COVID-19 is considered comparable or better as the average in the EU+;
- Reciprocity considerations.

Based on the above criteria, the member states agreed on a list of 14+1 countries considered as safe countries of origin.

As of 1 July, residents of Algeria, Australia, Canada, the People's Republic of China (on the condition of reciprocal action by the Chinese authorities), Georgia, Japan, Montenegro, Morocco, New Zealand, Rwanda, Serbia, South Korea, Thailand, Tunisia, and Uruguay, should be permitted in principle (see below) to enter Europe.

The list is dynamic and it will be possible to reintroduce travel restrictions for a specific country if the criteria are no longer met. The list will be reviewed every two weeks.

KPMG NOTE

Implementation of the Recommendations

Member states ultimately decide individually whether to implement the recommendations of the European Commission. Individual countries can decide to only implement a part of the recommendations or to allow even less or more categories of travellers to cross their borders.

Consequently, travellers should always check up-front if a travel ban has been lifted for their country of destination.

For instance, the Belgian authorities have decided not to open their borders to the third countries on the list of the European Commission for the time being.⁴ Whereas the Dutch authorities have decided to follow the recommendations and to open the borders for the 14+1 countries as from 1 July 2020.⁵ Some European countries have decided to open the border to only a selection of the 14+1 countries (e.g., the Spanish authorities have decided to keep their border closed for residents of China, Morocco, and Algeria in case the opening of the borders is not reciprocated).⁶

In addition, member states can require travellers to undergo self-isolation upon their return from a third country or require health checks shortly before or at the time of travel.⁷

For detailed information about the easing of the travel restrictions in specific countries, we invite you to consult our interactive [GMS & Immigration COVID-19 Global Tracker](#), to visit our [COVID-19 related Flash Alert page](#) and to contact the KPMG team in the relevant country.

FOOTNOTES:

1 Press release of the Council of the European Union of 11 June 2020:

<https://www.consilium.europa.eu/en/press/press-releases/2020/06/30/council-agrees-to-start-lifting-travel-restrictions-for-residents-of-some-third-countries/> .

2 European Commission, "Travel to and from the EU during the pandemic" at: https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/travel-and-transportation-during-coronavirus-pandemic/travel-and-eu-during-pandemic_en .

3 European Commission, "Checklist to be used for the possible lifting of the temporary restriction on non-essential travel to the EU" at: https://ec.europa.eu/info/sites/info/files/annex-communication-assessment-temporary-restriction-non-essential-travel_en.pdf .

FOOTNOTES (cont'd):

4 Belgian Immigration Office "Visa: geleidelijke hervatting van de activiteit" at:
<https://dofi.ibz.be/sites/dvzoe/NL/Gidsvandeprocedures/Pages/Visa-Covid-19.aspx> .

5 "TK Geleidelijke opheffing inreisverbod per 1 juli 2020," Kamerbrief of 30 June 2020 at:
<https://www.rijksoverheid.nl/documenten/kamerstukken/2020/06/30/tk-geleidelijke-opheffing-inreisverbod-per-1-juli-2020> .

6 See the Spanish statute published in the official gazette, "Orden INT/595/2020, de 2 de julio, por la que se modifican los criterios para la aplicación de una restricción temporal de viajes no imprescindibles desde terceros países a la Unión Europea y países asociados Schengen por razones de orden público y salud pública con motivo de la crisis sanitaria ocasionada por el COVID-19," *Boletín Oficial del Estado* núm. 183, de 3 de julio de 2020, páginas 46710 a 46712.

Also, see L.R. Bosqued, "España abre sus fronteras a 12 países extracomunitarios y espera la reciprocidad de otros tres," *EuroNews* (online) 03/07/20 at: <https://es.euronews.com/2020/07/03/espana-abre-sus-fronteras-a-12-paises-extracomunitarios-y-espera-la-reciprocidad-de-otros> . (Note that this is a 3rd party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)

7 European Commission, "Guidance for a phased and coordinated resumption of visa operations" at:
https://ec.europa.eu/info/sites/info/files/guidance-phased-coordinated-resumption-visa-operations_en.pdf .

* * * *

Contact us

For additional information or assistance, please contact your local GMS or People Services professional or the following professionals with the KPMG International member firms in Belgium and The Netherlands:



Nele Godefroid
Director,
KPMG-Belgium
Tel. +32 2 708 38 46
ngodefroid@kpmg.com

Heleen Snieders
Director,
Meijburg & Co.-The Netherlands
Tel. +31 8890 93420
Snieders.Heleen@kpmg.com

The information contained in this newsletter was submitted by the KPMG International member firms in Belgium and The Netherlands.

©2020 KPMG Tax and Legal Advisers, a Belgian CVBA/SCRL and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2020 KPMG LLP, a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

The KPMG logo and name are trademarks of KPMG International. KPMG International is a Swiss cooperative that serves as a coordinating entity for a network of independent member firms. KPMG International provides no audit or other client services. Such services are provided solely by member firms in their respective geographic areas. KPMG International and its member firms are legally distinct and separate entities. They are not and nothing contained herein shall be construed to place these entities in the relationship of parents, subsidiaries, agents, partners, or joint ventures. No member firm has any authority (actual, apparent, implied or otherwise) to obligate or bind KPMG International or any member firm in any manner whatsoever. The information contained in herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

Flash Alert is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: click [here](#) or go to <http://www.kpmg.com>.