

**Question for written answer P-001753/2019
to the Commission**
Rule 130
Anna Záborská (PPE)

Subject: Schengen Borders Code

Since the migration crisis in 2015, the Austrian authorities have continued to exercise regular police checks of buses and passenger cars crossing the Austrian-Slovak border. These checks take place within 20 kilometres of the land border with Slovakia and are equivalent to border checks as they do not reflect actual threats and are systemic in their nature. By continuing to perform these checks, the Austrian authorities are violating the Schengen Borders Code and undermining European citizens' trust in their fundamental freedoms.

1. Is the Commission aware that frequent and regular police checks in border areas are being used by some Member States as a way of reintroducing border controls which are prohibited by the Schengen Borders Code, as confirmed by European Court of Justice case law?
2. Will the Commission verify the concern that the measures adopted by the Government of Austria have an effect equivalent to border checks?
3. Given the importance of freedom of movement for European citizens, what steps will the Commission take to ensure that Member States do not violate the Schengen acquis by introducing arbitrary police measures intended as a substitute for border checks?