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Pazar'ın İşleyişi ile İlgili Alınan Önlemler

İlgi : Ticaret Bakanlığı'ndan alınan 26.03.2020 tarihli ve E-00053526808 sayılı yazı.

İlgi'de kayıtlı ve ilişikte bir örneği sunulan yazıda, Avrupa Komisyonu tarafından Covid-19 salgını koşullarında AB Tek Pazarı'nda mal, hizmet ve kişilerin serbest dolaşımının sürdürülmesi, Tek Pazar'ın bütünlüğünün korunması ve üye ülkelerde alınan önlemlerin orantılı ve ayrımcı olmayacak şekilde uygulanması amacıyla sınır yönetimi rehberi, seyahat kısıtlaması ve hızlı geçiş sistemi tebliğlerinin yayımlandığı açıklanarak, ekte birer örneği sunulan rehber ve önlemlerle ilgili bilgilerin özetlendiği belirtilmiştir.

Bilgilerinizi rica ederim.

Saygılarımla,

e-imza

Mustafa SARAÇÖZ
Genel Sekreter

EKLER:

- 1- Ticaret Bakanlığı'ndan alınan yazı (5 sayfa)
- 2- Covid-19 Salgını Koşullarında Tek Pazarın İşleyişine İlişkin Rehber (6 sayfa)
- 3- Seyahat Kısıtlaması Tebliği (4 sayfa)
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Pazarın İşleyişine Yönelik Alınan
Önlemler

DAĞITIM YERLERİNE

Avrupa Komisyonu tarafından Covid-19 salgını koşullarında AB Tek Pazarı'nda mal, hizmet ve kişilerin serbest dolaşımının sürdürülmesi, Tek Pazar'ın bütünlüğünün korunması ve üye ülkelerce alınan önlemlerin orantılı ve ayrımcı olmayan şekilde uygulanması amacıyla sınır yönetimi rehberi, seyahat kısıtlaması ve hızlı geçiş sistemi tebliğleri yayınlanmıştır. Ekte sunulan rehber ve önlemlerle ilgili bilgiler aşağıda özetlenmiştir.

1. Avrupa Komisyonu 16 Mart 2020 tarihinde sağlığın korunması ve malların ve temel hizmetlerin devamlılığının sağlanması amacıyla sınır yönetimi rehberi yayınlamıştır. Yayımlanan rehberde:

- Ekonomik sürekliliği sağlamak için taşımacılık ve ulaşımın şart olduğu, acil ulaştırma hizmetlerinin, ulaşım sistemi içerisinde önceliğe sahip olması gerektiği, (örneğin, "öncelikli şeritler" yoluyla);
- Kontrol önlemlerinin ekonomik faaliyetin sürekliliğini zayıflatmamasının, ulusal ekonomilerin ve bir bütün olarak AB ekonomisinin temel hizmetlerinin ciddi şekilde bozulmasına neden olmamasının esas olduğu, tedarik zincirlerinin işleyişinin korunmasının ve engelsiz mal taşımacılığının, hayati öneme sahip tıbbi ve koruyucu ekipman ve malzemeler, gıda malzemeleri gibi temel malların bulunabilirliğini sağlamanın çok önemli olduğu;
- Malların ve hizmetlerin taşınması için profesyonel nakliyecilerin yolculuklarına izin verilmesi ve güvenli seyahatlerinin kolaylaştırılması gerektiği;
- Halk sağlığı için Üye Devletler'in malların ve hizmetlerin taşınmasına kısıtlamalar getirmesinin bu kısıtlamaların şeffaf, nedenleri ve Covid-19 ile olan bağlantıları belirgin, orantılı, mod-spesifik ve ayrımcı olmayan bir şekilde uygulanması şartıyla mümkün olduğu;
- Bütün planlanan ulaşım ile alakalı kısıtlamaların uygulanmadan önce Komisyona ve diğer tüm Üye Devletlere bildirilmesinin istendiği;

- Üye Devletlerin Tek Pazar'da malların serbest dolaşımını özellikle de tıbbi ekipmanlar, ilaçlar, temel ve bozulabilir gıdalar için koruması gerektiği, yollarda nakliyeciler için öncelikli şartlar oluşturulması gerektiği;
- AB Tek Pazar'ın da dolaşımda olan yasal mallar için ek bir belge istenmemesi gerektiği, Avrupa Gıda Sağlığı Otoritesi'ne göre Covid-19 virüsünün gıdayla yayıldığına dair hiçbir kanıtın olmadığı ifade edilmiştir.

Ayrıca yayınlanan rehberde iç (Schengen Bölgesi içindeki Üye Devletlerin sınırları) ve dış sınır kontrollerinin iç güvenlik ve kamu sağlığı için uygulanabileceği ilgili maddeler yer alırken uygulanacak kontrollerin ve sınırlamaların orantılı olması ve ayrımcı olmaması istenmiş ve dış sınırlarda uygulanacak sağlık kontrolleri ile ilgili öneriler yer almıştır.

2. Avrupa Komisyonu 16 Mart 2020 tarihinde, Coronavirüs salgınının Dünya genelinde 5 kıtaya yayıldığı, küreselleşme ve uluslararası seyahatlerin virüsün yayılmasını kolaylaştıran koşulları yarattığından bahisle, Avrupa Birliği Konseyi'ne Schengen Üye Devletleri'nin liderleriyle koordineli bir şekilde üçüncü ülkelerden AB ve Schengen Bölgesi'ne yapılacak zorunlu olmayan seyahatlerin 30 gün boyunca kısıtlanmasını tavsiye ettiği bir tebliğ teklifi yayınlamıştır. Söz konusu tebliğ teklifi Avrupa Birliği Konseyi tarafından 17 Mart 2020 tarihinde onaylanmış olup, bu çerçevede:

- Geçici seyahat yasağının tüm Schengen ülkeleri tarafından dış sınırlarda aynı zamanda ve aynı şekilde uygulanırsa etkili olacağı belirtilmekte;
- Bu önlemin bir çok Üye Devlet tarafından virüsün yayılmasını engellemek amacıyla getirilen iç sınır kontrollerinin kaldırılmasına imkan vereceği vurgulanmakta;
- Kısıtlamanın AB ve Schengen üyesi devletlerin vatandaşları, uzun dönemli oturma izni olanlar, sağlık çalışanları, sağlık sektöründeki araştırmacılar, nakliyeciler, sınır görevlileri, diplomatik görevliler, transit yolcular, zorunlu ailevi nedenlerle seyahat edenler, uluslararası korumaya ihtiyaç duyan kişiler hariç tüm üçüncü ülke vatandaşlarına 30 gün süreyle (gelişmelere göre uzatılabilecek) uygulanacağı belirtilerek, dış sınırlardan girişine izin verilen kişilerin de koordineli ve kapsamlı sağlık testlerine tabi tutulacağı ifade edilmekte;
- İrlanda ve Birleşik Krallık da Ortak Seyahat Alanı'nı dikkate alarak bu kısıtlamaları uygulamaya davet edilmekte;
- Virüsün daha fazla yayılmasını önlemek için AB ve Schengen Üyesi Devletler'den vatandaşlarını buldukları bölgelerin dışına seyahat etmemeleri konusunda teşvik etmeleri istenmektedir.

3. Avrupa Komisyonu 23 Mart 2020 tarihinde, Covid-19 salgını koşullarında AB içerisinde malların ve temel hizmetlere erişimin sağlanması ve bu çerçevede Tek Pazar içerisinde serbest dolaşımının sürdürülmesi amacıyla 16 Mart 2020 tarihli Rehber'de önerdiği hızlı geçiş sistemi (green lanes) hakkında bir tebliğ yayınlamıştır. Yayınlanan Tebliğde;

- AB çapında tedarik zincirlerinin faaliyet göstermeye devam etmesini sağlamak için, Üye Devletlerden, gecikmeden, **Avrupa taşımacılık ağındaki (TEN-T) ilgili tüm iç**

sınır geçiş noktalarını hızlı geçiş sistemine uygun sınır geçiş noktaları olarak belirlemesi,

- **Hızlı geçiş sistemine uygun şeritlerin, taşıdıkları mallardan bağımsız olarak tüm yük araçlarına açık olması**, bu şeritlerde kontrol ve sağlık taraması dâhil olmak üzere **sınır geçiş işlemlerinin 15 dakikadan fazla sürmemesi**, sağlık taramasının prensip olarak elektronik olarak vücut sıcaklığının ölçümüne dayanması,
- Hızlı geçiş sistemindeki geçişlerde prosedürlerin en aza indirilmesi, kontroller ve taramanın, sürücüler araçlarını terk etmek zorunda kalmadan yapılması, yük taşıtlarının sürücülerinden, kimlik ve sürücü ehliyetleri ve yayımlanan tebliğ Ek-3 (Annex-3)'te formatı belirtilen işvereni tarafından yazılmış bir mektup dışında herhangi bir belge istenmemesi,
- Belgelerin elektronik olarak gönderilmesinin / gösterilmesinin kabul edilmesi,
- **Bütün yük aracı veya sürücülerin menşe, varış noktası, sürücünün uyruğu veya aracın kayıtlı olduğu ülkeden ötürü bir ayrımcılıkla karşılaşmaması**,
- Üye Devletlerin **hafta sonu, gece veya sektör spesifik uygulanan tüm yola erişim kısıtlamalarını askıya alması**,
- Üye Devletlerin sağlık ve taşımacılık çalışanlarına uyruklarından bağımsız olarak öncelikli geçiş imkânı tanıyacak **transit güvenli geçiş koridorları** kurması, her Üye Devlet'te en az bir havalimanının ülkelerine geri dönen insanlar ve uluslararası yardımlar için kullanılabilir hale getirilmesi istenmiştir.

18 Mart 2020 tarihinde yapılan AB Ulaştırma Bakanları telekonferansından sonra Komisyon'un **ulusal iletişim noktaları ağı** ve üye devletlerin aldıkları önlemleri gösteren bir platform (https://ec.europa.eu/transport/coronavirus-response_en adresinden erişilebiliyor) oluşturduğu ve **ulusal iletişim noktalarının** hızlı geçiş sisteminin etkin işleyişi için beraber çalışması gerektiği belirtilmiştir.

Birleşik Krallık'ın geçiş süreci sonuna kadar AB üyesi olarak muamele görmesi gerektiği, AB üyesi olmayan komşu ülkelerin, Avrupa Ekonomik Alanı üyelerinin, İsviçre'nin, Batı Balkan Ülkeleri'nin, genişletilmiş Avrupa taşımacılık ağındaki (TEN-T) ülkelerin **AB iletişim noktaları ağıyla yakın bir işbirliği içinde çalışmaya davet edildiği** ve **Üye Devletlerin de dış sınırlarda olabildiğince bu tebliğde yer alan tavsiyelere uygun hareket etmesinin istendiği** tebliğde yer almıştır.

Ayrıca ulaştırma çalışanlarının serbest dolaşımı için Üye Devletlerin kolaylık sağlaması, semptom göstermeyen çalışanların karantina önlemleri, seyahat yasakları gibi önlemlerden muaf tutulması, uluslararası geçerliliğe sahip bir yetki belgesinin, belgenin olmadığı zamanlarda yayımlanan Tebliğin 3 sayılı Ekinde (Annex-3) formatı belirtilen işveren tarafından imzalı bir mektubun bu çalışanların görevde olduğuna dair yeterli kanıt oluşturduğunun kabul edilmesi, **Tebliğdeki bütün tavsiyelerin AB'ye ya da AB içinde eşyanın serbest dolaşımının sağlanması için gerekli olması halinde yük taşıyan üçüncü**

ülke vatandaşları için de geçerli olması talep edilmiştir.

Bilgilerini rica ederim.

e-imzalıdır
Hüsnü DİLEMRE
Bakan a.
Genel Müdür V.

Ek:

- 1- Covid-19 Salgını Koşullarında Tek Pazarın İşleyişine İlişkin Rehber
- 2- Seyahat Kısıtlaması Tebliği
- 3- Hızlı Geçiş Sistemi Tebliği

Dağıtım:

Bilgi:

Türkiye Odalar ve Borsalar Birliği Başkanlığına
Türkiye İhracatçılar Meclisi Başkanlığına
Dış Ekonomik İlişkiler Kurulu Başkanlığına
Türk Sanayicileri ve İş Adamları Derneğine
Müstakil Sanayici ve İşadamları Derneğine
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Türk Girişim ve İş Dünyası Konfederasyonuna
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Uluslararası Nakliyeciler Derneğine
Türkiye Esnaf ve Sanatkarları Konfederasyonuna
Türkiye Müteahhitler Birliğine

Eskişehir Sanayi Odası



Brussels, 16.3.2020
C(2020) 1753 final

COVID-19

Guidelines for border management measures to protect health and ensure the availability of goods and essential services

Eskişehir Sanayi Odası

COVID-19

Guidelines for border management measures to protect health and ensure the availability of goods and essential services

The coronavirus crisis has highlighted the challenge of protecting the health of the population whilst avoiding disruptions to the free movement of persons, and the delivery of goods and essential services across Europe. The implementation of the Union's policies on checks of persons and goods should be governed by the principle of solidarity between the Member States.

In order to avoid shortages and avoid that the social and economic difficulties that all European countries are already experiencing worsen, maintaining the functioning of the Single Market is key. Member States should therefore not undertake measures that jeopardise the integrity of the Single Market for goods, in particular of supply chains, or engage in any unfair practices.

Member States must always admit their own citizens and residents, and facilitate transit of other EU citizens and residents that are returning home.

As regards measures linked to border management, coordination at EU level is key.

Therefore, these guidelines set out principles for an integrated approach to an effective border management to protect health while preserving the integrity of the Single Market.

I. Transport of goods and services

1. **The transport and mobility sector is essential to ensure economic continuity.** Collective and coordinated action is indispensable. **Emergency transport** services should have **priority** within the transport system (e.g. via 'green lanes').
2. **Control measures should not undermine the continuity of economic activity and should preserve the operation of supply chains.** Unobstructed transport of goods is crucial to maintain availability of goods, in particular of essential goods such as food supplies including livestock, vital medical and protective equipment and supplies. More generally, such measures should not cause serious disruption of supply chains, essential services of general interest and of national economies and the EU economy as a whole.
3. **Professional travel to ensure transport of goods and services should be enabled.** In that context, the **facilitation of safe movement** for transport workers, including truck and train drivers, pilots and aircrew, across internal and external borders, is a key factor to ensure adequate movement of goods and essential staff.
4. Where Member States impose restrictions to the transport of goods and passengers on grounds of public health, it should be done only if those restrictions are:

- a. Transparent, i.e. enshrined in public statements/documents;
 - b. Duly motivated, i.e. they need to spell out the reasons and the link to Covid-19. Justifications must be science-based and supported by World Health Organization (WHO) and European Centre for Disease Prevention (ECDC) recommendations;
 - c. Proportionate, i.e. not going beyond what is strictly necessary;
 - d. Relevant and mode-specific, i.e. restrictions on any of the different transport modes must be adapted to that mode; and
 - e. Non-discriminatory.
5. Any **planned transport-related restrictions should be notified** to the Commission and to all other Member States in a timely manner and, in any event, before they are implemented, without prejudice to the specific rules that apply to emergency measures in the aviation sector.

II. Supply of goods

6. Member States should **preserve the free circulation of all goods**. In particular, they should guarantee the **supply chain of essential products** such as medicines, medical equipment, essential and perishable food products and livestock. No restriction should be imposed on the circulation of goods in the Single Market, especially (but not limited to) essential, health-related and perishable goods, notably foodstuffs, unless duly justified. Member States should designate priority lanes for freight transport (e.g. via 'green lanes') and consider waiving existing weekend bans.
7. No additional certifications should be imposed on goods legally circulating within the EU single market. It should be noted that, according to the European Food Safety Authority, there is no evidence that food is a source or a transmission source of Covid-19¹.
8. Transport workers, especially but not only those delivering essential goods, should be able to circulate across borders as needed and their safety should in no way be compromised.
9. Member States should ensure constant provisioning to meet social needs, to avoid panic buying and the risk of dangerous overcrowding of shops, which will require proactive commitment from the entire supply chain.

¹ <https://efsa.europa.eu/en/news/coronavirus-no-evidence-food-source-or-transmission-route>

10. Specific transport nodes (e.g. ports, airports, logistics hubs) should be reinforced as needed.

III. Health-related measures

11. Appropriate measures need to be taken for people who are identified as posing a risk to public health from Covid-19. They should have **access to appropriate health care**, having regard to the prioritisation of different case profiles in national healthcare systems.
12. Based on best practices by health authorities in Member States, the following steps are recommended at **external borders**, as appropriate:
 - a. **Put in place entry screening measures** (primary² and secondary³) which aim at assessing the presence of symptoms and/or the exposure to Covid-19 of travellers arriving from affected areas or countries; completion of a Public Health Passenger Locator Form on board an aircraft, a ferry, a train or a bus arriving on a direct or indirect connection from an affected areas or countries; completion of Maritime Declaration of Health for all arriving ships, indicating all ports visited;
 - b. **Provide information materials** (leaflets, banners, posters, electronic slides, etc.) for distribution to travellers arriving from or departing to affected areas;
 - c. **Put in place exit screening measures**, which aim at assessing the presence of symptoms and/or the exposure to Covid-19 of travellers departing from affected countries. Travellers identified as exposed to, or infected with Covid-19 should not be allowed to travel;
 - d. **Isolation of suspected cases and transfer actual cases to a health care facility**. The authorities on both sides of the border should agree on the appropriate handling of cases of people considered as posing a public health risk such as further tests, isolation or quarantine and health care – either in the country of arrival or by agreement in the country of departure.
13. For these checks to be effective, the following constitute good practices:
 - a. Establish standard operating procedures and ensure sufficient numbers of staff trained accordingly;
 - b. Provide protective equipment for healthcare workers and non-health care workers; and

² Primary screening includes an initial assessment by personnel, who may not necessarily have medical training. Activities include visual observation of travellers for signs of the infectious disease, measurement of travellers' body temperature, and completion of a questionnaire by travellers asking for presence of symptoms and/or exposure to the infectious agent

³ Secondary screening should be carried out by personnel with medical training. It includes an in depth interview, a focused medical and laboratory examination and second temperature measurement

- c. Provide up-to-date information for health staff and other relevant staff at points of entry such as security, police, customs, port state control, harbour pilots and cleaning services.

Most of these measures are to be taken by or under the control of health authorities. Border authorities play an essential supportive role including by providing information to passengers and by referring cases of concern immediately to the relevant health services.

IV. External borders

14. **All persons, EU and non-EU nationals, who cross the external borders to enter the Schengen area are subject to systematic checks at border crossing points.** Border checks may include health checks as set out in Section III.
15. **Member States have the possibility to refuse entry** to non-resident third country nationals where they present relevant symptoms or have been particularly exposed to risk of infection and are considered to be a threat to public health.
16. Alternative measures to a refusal of entry such as isolation or quarantine may be applied where they are considered to be more effective.
17. **Any decision on refusal of entry needs to be proportionate and non-discriminatory.** A measure is considered proportionate on condition that it has been taken following consultation of the health authorities and that it has been considered by them as suitable and necessary to attain the public health objective.

V. Internal borders

18. Member States may **reintroduce temporary border controls at internal borders if justified for reasons of public policy or internal security.** In an extremely critical situation, a Member State can identify a need to reintroduce border controls as a reaction to the risk posed by a contagious disease. Member States must notify the reintroduction of border controls in accordance with the Schengen Borders Code.
19. Such controls should be applied in a proportionate manner and with due regard to the **health of the individuals** concerned. Persons who are clearly sick should not be refused entry but appropriate measures should be taken as indicated in point 11.
20. The conduct of health checks of all persons entering the territory of Member States does not require the formal introduction of internal border controls.
21. For EU citizens, the safeguards laid down in the Free Movement Directive must be guaranteed. In particular, **non-discrimination** between Member States' own nationals and resident EU-citizens must be ensured. A Member State must not deny entry to EU

citizens or third-country nationals residing on its territory and must facilitate transit of other EU citizens and residents that are returning home. Member States can, however, take appropriate measures such as requiring persons entering their territory to undergo self-isolation or similar measures upon return from an area affected by Covid-19 provided they impose the same requirements on their own nationals.

22. Border controls, if introduced at internal borders, should be organised in a way that prevents the emergence of large gatherings (e.g. queues), which risk increasing the spread of the virus.
23. Member States should permit and facilitate the crossing of frontier workers, in particular but not only those working in the health care and food sector, and other essential services (e.g. child care, elderly care, critical staff for utilities) to ensure continued professional activity.
24. Member States should coordinate to carry out health screening on one side of the border only to avoid overlaps and waiting times.
25. Member States, and in particular neighbouring Member States, should closely cooperate and coordinate at EU level to ensure effectiveness and proportionality of the measures taken.



Brussels, 16.3.2020
COM(2020) 115 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

COVID-19: Temporary Restriction on Non-Essential Travel to the EU

Eskişehir Sanayi Odası

The coronavirus crisis is now a pandemic which has spread across the globe, with cases on five continents. Globalisation and international movements of people create conditions which facilitate the spread of the virus across borders. A public health crisis has, through travel, resulted in a large number of imported cases in several countries, which progressively set off local outbreaks through gradual but large-scale community transmission. The sooner the link between the transmission chain and travel is lost, the faster local transmission intensifies, exerting great pressure on healthcare systems.

At this moment, the European Union is considered to be at the epicentre of the COVID-19 pandemic. Over the past few weeks, Member States have taken a number of drastic measures to limit the spread of the virus. However, the cases of COVID-19 have increased exponentially within a short period of time, putting the healthcare systems of Member States under significant strain, which also increases exponentially on a daily basis.

While travel restrictions are generally not seen by the World Health Organisation as the most effective way of countering a pandemic, the rapid spread of COVID-19 makes it essential that the EU and Member States take urgent, immediate and concerted action not only to protect the public health of our populations, but also to prevent the virus from further spreading from the EU to other countries, as has been observed in recent weeks.

Travel restrictions should focus on drastically reducing incoming people flows at the external borders of the Union, thereby also slowing transmission to other countries on travellers' return, and discouraging outgoing travel of EU citizens and other persons residing in the EU+ area.¹

By this Communication, the Commission recommends to the European Council to act with a view to the rapid adoption, by the Heads of State or Government of the Schengen Member States together with their counterparts of the Schengen Associated States, of a coordinated decision to apply a temporary restriction of non-essential travel from third countries into the EU+ area.

The EU's external border has to act as a security perimeter for **all Schengen States**. It is of common interest and a common responsibility. In the current circumstances, with the coronavirus now widespread throughout the EU, the external border regime offers the opportunity of concerted action among Member States to limit the global spread of the virus.

Any action at the external border needs **to be applied at all parts of the EU's external borders**. A temporary travel restriction could only be effective if **decided and implemented by Schengen States for all external borders at the same time and in a uniform manner**. Uncoordinated travel restrictions by individual Member States for their parts of external borders risk being ineffective. Any unilateral decision of a Schengen State to apply a temporary travel restriction at its own part of the external borders could be easily undermined by those who would enter the Schengen area at another part of the external borders: likewise a coordinated decision requires the participation of all.

¹ The "EU+ area" should include all Schengen Member States (including Bulgaria, Croatia, Cyprus and Romania), as well as the four Schengen Associated States. It would also include Ireland and the United Kingdom if they decide to align.

Such a measure would also enable the lifting of internal border control measures, which several Member States have recently reintroduced in an effort to limit the spread of the virus. These measures risk having a serious impact on the functioning of the Single Market as the EU and the Schengen area is characterised by a high degree of integration, with millions of people crossing internal borders every day.

Scope

The temporary travel restriction should apply to all non-essential travel from third countries to the EU+ area.

For such a temporary travel restriction to have the desired effect in terms of restricting the spread of the virus, exceptions need to be limited to travel for essential purposes.²

The temporary travel restriction must **exempt nationals of all EU Member States and Schengen Associated States**,³ for the purposes of returning to their homes. This exemption must apply to:

- all EU citizens⁴ and citizens of the Schengen Associated States, and their family members;
- third-country nationals who are long-term residents under the Long-term Residence Directive⁵ and persons deriving their right to reside from other EU Directives or national law or who hold national long-term visas.

It should also not apply to other travellers with an essential function or need, including:

- Healthcare professionals, health researchers, and elderly care professionals;
- Frontier workers;
- 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;⁶
- Passengers travelling for imperative family reasons;
- Persons in need of international protection or for other humanitarian reasons.

Coordinated and reinforced health checks should be carried out for the individuals allowed to enter the EU+ area.⁷

² The special transit scheme to Kaliningrad should continue to apply, but the trains under this scheme should not stop in the territory of Schengen.

³ Iceland, Liechtenstein, Norway, Switzerland.

⁴ UK nationals are still to be treated in the same way as EU citizens until end 2020.

⁵ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, OJ L 16, 23.1.2004, p. 44.

⁶ Including those having been repatriated through consular assistance.

⁷ Guidelines for border management measures to protect health and ensure the availability of goods and essential services, 16.3.2020, C(2020) 1753 final.

Duration

The temporary travel restriction should apply for 30 days. Any possible prolongation of this period should be assessed depending on further developments.

Conclusion

A temporary restriction on non-essential travel from third countries into the EU+ area requires an **EU-coordinated decision** in agreement with the Schengen Associated States.

For that purpose, the Commission invites the European Council to act with a view to the rapid adoption, by the Heads of State or Government of the Schengen Member States, together with their counterparts of the Schengen Associated States, of **a decision on applying a travel restriction on non-essential travel from third countries into the EU+ area with immediate effect** at all part of the Schengen external borders.

Ireland and the United Kingdom, taking into account the Common Travel Area, are encouraged to also implement this temporary travel restriction.

EU Member States and Schengen Associated States should also strongly encourage citizens and residents not to travel outside their territories in order to prevent the further spread of the virus to other countries.

Eskişehir Sanayi Odası



EUROPEAN
COMMISSION

Brussels, 23.3.2020
C(2020) 1897 final

COMMUNICATION FROM THE COMMISSION

**on the implementation of the Green Lanes under the Guidelines for border management
measures to protect health and ensure the availability of goods and essential services**

Eskişehir Sanayi Odası

COMMUNICATION FROM THE COMMISSION

on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure the availability of goods and essential services

Summary

- *The Guidelines for border management measures to protect health and ensure the availability of goods and essential services¹ adopted by the European Commission on 16 March 2020, stress the principle that all EU internal borders should stay open to freight and that the supply chains for essential products must be guaranteed. The free flow of goods, especially in times of emergency and in the interest of all, requires that Member States respect and fully implement the Guidelines at all border-crossings at internal borders. This document is designed to help Member States implement the Guidelines as regards the green lanes. It is intended to engender a cooperative process across the EU to ensure all freight, including but not limited to essential goods such as food and medical supplies, gets quickly to its destination without any delays.*
- *In order to preserve the EU-wide operation of supply chains and ensure the functioning of the Single Market for goods, wherever internal border controls exist or have been introduced Member States are requested to designate immediately all the relevant internal border-crossing points of the trans-European transport network (TEN-T) and additional ones to the extent deemed necessary, as “green lane” border crossings – for land (road and rail), sea and air transport.*
- *Going through these “green lane” border crossings, including any checks and health screening of transport workers, should not exceed 15 minutes on internal land borders. The “green lane” border crossings should be open to all freight vehicles carrying any type of goods.*
- *Member States should act immediately to temporarily suspend all types of road access restrictions in place in their territory (week-end bans, night bans, sectoral bans, etc.) for road freight transport and for the necessary free movement of transport workers.*
- *Transport workers, irrespective of their nationality and place of residence, should be allowed to cross internal borders. Restrictions such as travel restrictions and mandatory quarantine of transport workers, should be waived, without prejudice for competent authorities to take proportionate and specifically adapted measures to minimise the risk of contagion.*

¹ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20200316_covid-19-guidelines-for-border-management.pdf

1. The COVID-19 outbreak is having a major disruptive impact on European transport and mobility. The European supply chain is maintained through an extensive network of freight transport services, including all modes of transport. Continued and uninterrupted land, maritime and air cargo services are of key strategic importance for the whole EU. Land-based supply chains, particularly road, which today accounts for 75% of freight transport, have been particularly severely affected by the introduction of entry bans at internal land borders, and/or restrictions on professional drivers accessing certain Member States. Waiting times on some recent days, at certain internal EU borders, went beyond 24 hours, even for medical supplies.
2. The present Communication urges Member States to implement the Guidelines for border management in full on all intra-EU freight transports², and provides specific additional guidance to Member States on how to implement paragraphs 1 to 6, 8, 10, 11, 19 and 22 of those guidelines. It invites Member States to put in place the necessary operational and organisational measures, with the understanding that these exceptional measures will be temporary for the duration of the containment of the Coronavirus.

1 – Ensuring continuous flows along the TEN-T Network

3. The **trans-European transport network**³, which consists of the most important arteries for road, rail, and inland waterways, and which integrates ports, airports and multimodal terminals, plays an essential role to ensure the circulation of goods. Ensuring the smooth flow of all goods along this network is crucial in order to ensure an efficient sanitary response to the pandemic, to reassure the population that supplies will be safeguarded, and to mitigate the impact of the virus on the economy.
4. **Member States should implement immediately the following measures to ensure unobstructed transport of goods along the entire TEN-T Network.**
5. **All freight vehicles and drivers should be treated in a non-discriminatory manner**, irrespective of the origin, destination, or country of registration of the vehicle, or of the nationality of the driver. Member States should not distinguish between vehicles carrying goods for use in their territory and those merely transiting.
6. Wherever internal border controls exist or have been introduced, Member States are invited to designate the relevant internal border-crossing points of the TEN-T⁴ as well as additional major border-crossing points to the extent necessary, as **“green lane” border crossings**.
7. Passing through these “green lane” border crossings, including any checks and screenings, **should not exceed 15 minutes**. Additional border crossings should be opened, focused exclusively on goods passage, if those on the TEN-T Network are saturated. They should be located as near as possible to the TEN-T Network border crossings.
8. **The “green lane” border crossings should be open to all freight vehicles**, incl. all heavy and light duty vehicles and where applicable trains and vessels.

² The principles relating to transport of goods in this Communication apply mutatis mutandis to shipments of waste under Regulation (EC) No 1013/2006 of the European Parliament and the Council of 14 June 2006 on shipments of waste, OJ L 190, 1.7.2006, p. 1.

³ <https://ec.europa.eu/transport/infrastructure/tentec/tentec-portal/site/en/maps.html>

⁴ See for reference in Annex 1 and online: [TEN-T Network road internal border crossings](#)

9. The Commission recognises that some Member States wish to prioritise certain types of freight in this crisis. However, given the complex nature of supply chains and the need to ensure the free circulation of all goods, **vehicles carrying any type of goods should be able to use “green lane” border crossings**. The Commission is ready to explore if needed whether further measures are necessary to prioritize particular categories of goods, building also on best practices at national level, but underlines that Member States should do their utmost to keep *all* goods moving. Emergency transport services should be given priority at all times.
10. At “green lane” border crossings, **procedures should be minimised and streamlined** to what is strictly necessary. Drivers of freight vehicles should not be asked to produce any document other than their identification and driving licence and if necessary a standard template letter from the employer (Annex 3). The electronic submission/display of documents should be deemed sufficient.
11. **Health screening can be carried out before or after the internal border**, depending on the available infrastructure, to ensure traffic remains fluid. Member States should coordinate to carry out health screening on one side of the border only to avoid overlaps and waiting times. Health screening should in principle be based on electronic body temperature measurement, unless equally speedy but more effective methods become available.
12. **Other checks on documents and cargo** – such as road-side checks – should be minimised, and not exceed normal levels, to ensure the free flow of goods and avoid additional delays.
13. **Checks and health screening** should be undertaken in a way that minimizes delay and therefore should not necessitate the drivers to leave the vehicles.
14. The **national contact points** established following the teleconference of the Transport Ministers on 18 March should work together to ensure the effective functioning of the “green lane” border crossing points. A platform to provide information on the relevant crisis transport measures taken by Member States has been set up by the Commission⁵.
15. As regards the United Kingdom, being treated as a member of the EU until the end of the transition period, as well as neighbouring non-EU countries, EEA members, Switzerland, the Western Balkans countries and economies, as well as cooperation with countries participating in the Union Civil Protection Mechanism, in particular those on the extended TEN-T network, the respective national authorities are invited to closely work with the EU contact point network. This is essential to fully align all the necessary procedures to ensure flow of all goods, both destined for these countries and in transit from one part of the EU (or of this wider group of countries) to another. The Commission will also work closely with the Permanent Secretariat of the Transport Community to facilitate the coordination and implementation of measures between the EU and the Western Balkans Six countries. Without prejudice to specific controls on goods or transport workers inherently and habitually linked to crossing external borders of the single market, the customs union or the Schengen area, respectively, Member States should apply to the greatest extent possible at such external borders the implementation guidance set out in this Communication.

⁵ https://ec.europa.eu/transport/coronavirus-response_en; contact: EU-COVID-TRANSPORT@ec.europa.eu

16. On all their territories, Member States should temporarily **suspend all types of driving restrictions** in place (week-end bans, night bans, sectoral bans, etc.) for freight transport. The suspension of these driving bans will contribute to increase the fluidity of traffic.
17. Member States should ensure the availability of adequate sanitary facilities and food supplies / catering for transport workers on the main transport routes. As accommodation facilities along routes are likely to be unavailable, and in order to limit exposure to contagion, Member States should consider urgent suspension of the ban on transport workers spending rest periods in vehicle cabins, in accordance with Article 14 of Regulation 561/2006⁶. For periods exceeding 30 days, in light of persisting problems, the Commission will consider favourably Member State requests for authorisation for extension of such exceptions.
18. The Commission urges Member States to set up safe passage **transit corridors** to allow private drivers and their passengers, such as health and transport workers, as well as all EU citizens being repatriated, regardless of their nationality, to directly pass with priority through the country in each necessary direction along the TEN-T Network, while respecting the need to stay strictly on the designated route and to take the necessary minimum rest breaks. Member States should also ensure that they have at least one airport functional for repatriation and international relief flights.

2 - Better tailored application of rules for transport workers

19. As part of the overall effort to keep essential transport flows moving, Member States should also take action to ensure the free movement within the EU of all workers involved in international transport in all transport modes, such as drivers, seafarers, pilots, crew, wagon inspectors, maintenance workers, etc.
20. In particular, **rules such as travel restrictions and mandatory quarantine of transport workers not displaying symptoms, should be waived**, without prejudice for competent authorities to take proportionate and specifically adapted measures to minimise the risk of contagion. For example, Member States should abandon requirements to oblige asymptomatic transport workers to produce for inspection a doctor's certificate to demonstrate that they are in good health. Such requests would be disproportionate and of limited value, given the possibility of asymptomatic infection after such a certificate is issued, and as access to doctors is already restricted by the COVID-19 outbreak.
21. Workers should not be prevented from crossing an internal border in order to carry out their transport functions: **internationally recognised certificates of professional competence should be considered sufficient to prove that a worker is active in international transport**. These certificates should temporarily be deemed valid for a reasonable period beyond their date of expiry during the Covid19 outbreak.
22. If necessary, for example in the absence of an internationally recognised professional certificate (e.g. van drivers) or in case the certificate expired, Member States may require a letter from the worker's employer to establish their *bona fides* together with the

⁶ Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85, OJ L 102, 11.4.2006, p. 1.

appropriate identification papers in order to enable them to cross the internal border in the exercise of their profession. The Commission is assisting this process by providing a standard template letter (Annex 3).

23. Where deemed necessary by national authorities, health screening of transport workers should in principle be based on electronic body temperature measurement. Temperature checks on drivers should normally not be done more than three times within the same day. In case the worker has fever and the border authorities deem that s/he should not be allowed to continue with the journey, the transport worker should have access to appropriate health care. The Member State in question should provide appropriate facilities for the temporary storage of the vehicles, until replacement drivers arrive.
24. The Commission also recommends the use of measures to deliver enhanced hygiene in airports, ports, railway stations and other land transport hubs. Designation of priority staff should also be considered in transport hubs as well as measures to ensure disinfection, etc. Recommendations to ensure the safety of transport workers such as those referred to in Annex 2 should be followed.
25. To ensure the continuation of the flow of goods and materials, particularly fresh food and essential food products, live animals and feed, agricultural production inputs, medicines including veterinary medicines, personal protection equipment (PPE), and substances of human origin, and industrial inputs for production and maintenance of these processes, transport workers and operators of critical and essential supply chain services in all modes of transport should be considered as one of the priority groups – after strictly medical needs are addressed - in the distribution and allocation of personal protection equipment (PPE) such as disinfection products and gloves.
26. Member States should cooperate to facilitate the repatriation of transport workers whose contracts have terminated and provide them with any necessary assistance to get home.
27. All of the above principles should also apply to 3rd country nationals if they are essential to provide free movement of cargo in and to the EU.



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ANNEXES 1 to 3

ANNEXES

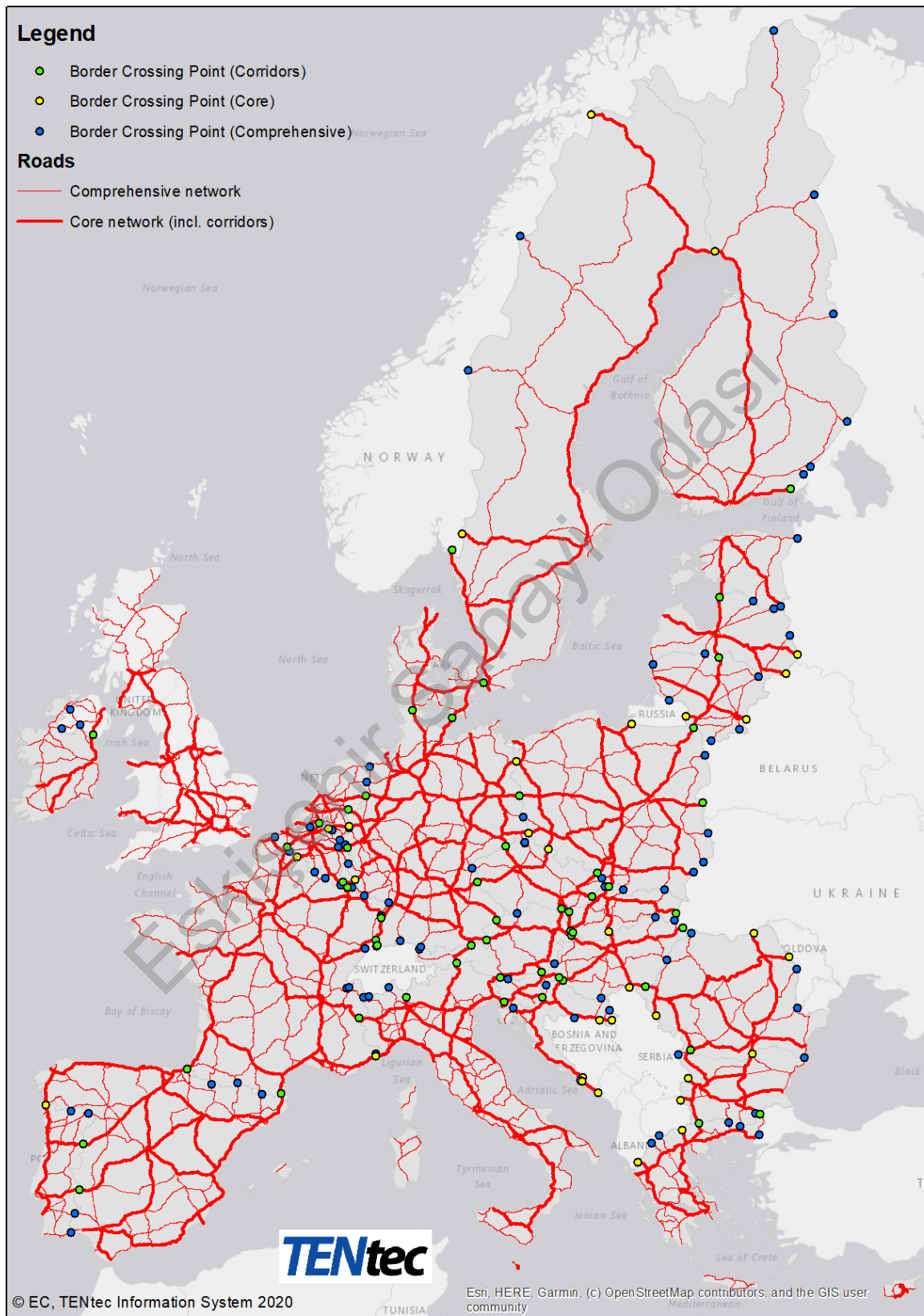
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Communicaton from the Commission

on the implementation of the Green Lanes under the *Guidelines for border management measures to protect health and ensure the availability of goods and essential services*

Eskişehir Sanayi Odası

Annex 1 TEN-T Network road border crossings*



*Legend: Green for Border Crossing Point (Corridors); Yellow for Border Crossing Point (Core); Blue for Border Crossing Point (Comprehensive); Thin red line for Comprehensive network; Thick red line for Core network (incl. corridors)

Annex 2 Recommendations for drivers and relevant transport-related undertakings and competent public authorities involved in freight transport following the COVID-19 outbreak

These recommendations are without prejudice to the need to respect specific hygiene, social distancing or other rules imposed by national authorities in their respective territories.

- Social distancing should be the rule and drivers should avoid leaving the cabin of the truck for social interactions, as far as possible.
- Employers should provide drivers with sanitising/disinfecting gel and soap.
- Employers should inform drivers of the recommendations of this Annex.
- The use of digital documents should be encouraged and employers should do the utmost to send documents in advance to companies when they know these documents may be required at loading/unloading points.
- When social interactions cannot be avoided, drivers should wear adequate relevant protective gear such as gloves.
- The cabin of truck should be disinfected between each new use (e.g. when another driver or hub staff drive the vehicle).

At loading and unloading locations:

- Drivers should remain, as far as possible, in the cabin on the truck at loading and unloading points.
- The activities of loading and unloading should be performed, as much as possible, by the local staff of the company receiving/sending the goods. When drivers are required to supervise these activities, they should stay at a minimum safe distance from other staff and wear available protective material such as gloves.
- All documents related to the transport operation should be sent electronically by the company beforehand when possible. If physical documents are exchanged at un/loading points, it is recommended that the drivers/staff use gloves, anti-bacteria hand gel or wash hands with soap and water immediately after.

Breaks and rest times:

- Drivers should practise social distancing during breaks and rest periods on the road. During those, it is recommended to avoid close contacts with other people (drivers, parkings staff etc).
- Meals should be taken, as much as possible, in open air away from other people or in the cabin of the truck. When catering is available at their stopping places, it is advised not to eat at the restaurant/cafeteria but to rather order take-away food in order to eat away from other people.

During controls and waiting lines at borders:

- As a general rule, drivers should not be required to leave the cabin of their truck for checks.

- During checks of documents, paper documents should be exchanged respecting a minimum safe distance. When drivers are required to fill-in documents, national control officers should let drivers fill them in the cabin of the truck.
- If physical documents are exchanged, or controlled, it is recommended to use an antibacterial hand gel or wash hands with water and soap when possible. It is recommended that the drivers/staff use gloves, anti-bacteria hand gel or wash hands with soap and water immediately after.

Eskişehir Sanayi Odası

Annex 3 Template of Certificate for International Transport Workers



Certificate for International Transport Workers

It is hereby confirmed that the person:

Name and surname:

Birthdate:

Residence:

carries out activities in international transport as *

- a driver of a heavy goods vehicle (HGV)
- a bus driver
- a public transport aircraft crew
- a train driver
- a train crew
- a carriage inspector
- a ship's captain/a boatmaster
- a vessel crew member
- a road administration crew
- a driver of a vehicle of up to 9 persons carrying one of the above categories of persons, who is an employee of the same employer and transports them to or from the workplace, and empty journeys connected with such transports

* *Mark with a cross*

Place, date:

For the company/office/organization (*Name and signature*):