

PROTECTIVE MEASURE

As the administrative authority responsible in accordance with Section 80(1) letter h) of Act No. 258/2000 Coll., on the Protection of Public Health and on the amendment of certain related acts, as amended (hereinafter "Act No. 258/2000 Coll."), pursuant to the procedure in Section 68(1) of Act No. 258/2000 Coll. on protection against introduction of the disease COVID-19 caused by novel coronavirus SARS-CoV-2, the Ministry of Health **orders** the following protective measure:

I.

With effect from 00:00 hours on 5 June 2020 until 23:59 hours on 14 June 2020, the Ministry of Health

I. orders

1. a ban on entry to the territory of the Czech Republic for all foreign nationals who, as at 12 March 2020, did not hold temporary residence of over 90 days or permanent residence in the territory of the Czech Republic; this does not apply:
 - a) to family members pursuant to Section 15a(1) of Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Czech Republic, and on the amendment of certain acts, as amended, of citizens of the Czech Republic or of citizens of the European Union with residence on the territory of the Czech Republic,
 - b) to citizens of the European Union and foreign nationals with permitted residence in the European Union who transit through the Czech Republic on their way home and have for this purpose a note issued by the embassy (transit and repatriation),
 - c) where entry of such foreign nationals is in the interest of the Czech Republic,
 - d) to cross-border workers, pupils and students who for the purpose of work performance or education in the Czech Republic regularly justifiably cross the state border with the Czech Republic from a neighbouring state and submit a medical testing results certificate under conditions in point 9,
 - e) to international transport workers,
 - f) to critical infrastructure service workers,
 - g) to diplomats and officials of international organisations registered with the Ministry of Foreign Affairs,
 - h) in urgent emergency situations,
 - i) to citizens of the European Union and foreign nationals with the recognised status of long-term resident in another Member State of the European Union who enter the territory of the Czech Republic for the purpose of performing economic activity for a maximum of 72 hours, or to visit a person with whom they have substantiated family ties, including partnership relations, and provide the address at which they will remain, and also who submit a medical testing results certificate in accordance with point III./1.,

- j) to citizens of the European Union, who enter the territory of the Czech Republic for the purpose of economic activity performance or study at university who submit a medical test result certificate in accordance with point III./1.,
- k) to food processing workers to whom a visa was issued with beginning of validity on or after 11 May 2020 and to seasonal employees, who submit a testing results certificate in accordance with point III./2.,
- l) to key and research workers, to whom a visa was issued with beginning of validity on or after 11 May 2020, and their family members who accompany them and to whom a visa was issued with beginning of validity on or after 11 May 2020, and submit a testing results certificate in accordance with point III./2.,
- m) to workers in healthcare and social services, to whom a visa was issued with beginning of validity on or after 11 May 2020, and their family members who accompany them and to whom a visa was issued with beginning of validity on or after 11 May 2020, and submit a testing results certificate in accordance with point III./2.,
- n) to holders of a long-term visa in order to collect residence authorisation, who submit a testing results certificate in accordance with point III./2.,
- o) to spouses and minor children of foreign nationals with permitted long-term or permanent residence on the territory of the Czech Republic to whom a long-term visa or long-term visa in order to collect residence authorisation was issued and who submit a testing results certificate in accordance with the point III./2.,
- p) for citizens of the European Union with issued temporary residence or permanent residence permit in Hungary, the Federal Republic of Germany, the Republic of Austria or the Slovakia Republic and foreign nationals with the status of a long-term resident of those countries, who cross the land border between the Czech Republic and the Federal Republic of Germany, the Republic of Austria or the Slovak Republic,

if the reason for entry is supported by an appropriate document;

2. all persons according to point 1 letter a) to h) and p) who enter the territory of the Czech Republic to announce this fact immediately after the entry to the territory of the Czech Republic, either by telephone or by other remote access, to the appropriate regional hygiene station according to the place of residence or declared stay; this does not apply to the persons listed in point 1
 - a) letter a) if they submit a medical testing results certificate in accordance with the point III./1.; family members to whom a long-term visa was issued shall submit a certificate in accordance with point III.2.,
 - b) letters b) and h) if the period of their stay on the territory of the Czech Republic does not exceed 24 hours or if they submit a medical testing results certificate in accordance with point III./1.,
 - c) letters c), e), f) and g) if the period of their stay on the territory of the Czech Republic does not exceed 14 days or if they submit a medical testing results certificate in accordance with point III./1.,
 - d) letter d) if they submit a medical testing results certificate, which fulfils the conditions listed in point 9; workers in healthcare and social services, basic integrated rescue system bodies, or the staff critical infrastructure entities are not required to submit such certificate if their intended stay on the territory of the Czech Republic does not exceed 14 days; furthermore, farmers, foresters, gamekeepers and fishermen working in the

immediate borderland whose stay in the territory of the Czech Republic does not exceed 24 hours are not required to submit such certificate;

3. all citizens of the Czech Republic and foreign nationals with temporary residence of over 90 days or permanent residence on the territory of the Czech Republic who do not submit at the entry to the territory of the Czech Republic a medical testing results certificate in accordance with the point III./1., to immediately after the entry to the territory of the Czech Republic announce this fact, either by telephone or by other remote access, to a regional hygiene station according to the place of residence or a declared stay; this does not apply to persons who prove by means of an appropriate document that
 - a) they cross the state border on a regular basis for the purpose of employment or education in a neighbouring state, if they submit a medical testing results certificate which satisfies the conditions listed in point 9; workers in healthcare and social services, basic integrated rescue system bodies, or the staff of critical infrastructure entities are not required to submit such certificate if they submit a verification letter from the destination country's embassy confirming that they are workers in healthcare and social services, basic integrated rescue system bodies, or staff of a critical infrastructure entity and that there have been measures taken at work to prevent the spread of SARS-CoV-2, especially the obligation to wear respirators if the period spent abroad did not exceed 14 days,
 - b) they travelled abroad in an urgent emergency situation, if the period of travel did not exceed 24 hours,
 - c) they travelled abroad as international transport workers, as critical infrastructure service workers, diplomats or officials of international organisations, if the period of travel did not exceed 14 days; critical infrastructure service abroad must be in these cases accompanied by a verification letter from the destination country embassy,
 - d) they work as farmers, foresters, gamekeepers or fishermen in the immediate borderland, if the period of travel did not exceed 24 hours,
 - e) they travelled for the purpose of economic activity performance, if the period of travel did not exceed 72 hours and if they are not a cross-border worker according to letter a),
 - f) they are citizens of the Czech Republic, citizens of the European Union with temporary residence of over 90 days or permanent residence in the territory of the Czech Republic and foreign nationals with the status of a long-term resident of the Czech Republic, who return from the stay only in Hungary, the Federal Republic of Germany, the Republic of Austria or the Slovak Republic across the state border between the Czech Republic and the Federal Republic of Germany, the Republic of Austria or the Slovak Republic,
 - g) they are citizens of the Czech Republic, who prove that they reside in Hungary, in the Federal Republic of Germany, in the Republic of Austria or in the Slovak Republic and entered from Hungary, the Federal Republic of Germany, the Republic of Austria or the Slovak Republic across the state border between the Czech Republic and the Federal Republic of Germany, the Republic of Austria or the Slovak Republic;
4. regional hygiene stations to decide upon necessary quarantine measures for those persons who announce entry to the territory of the Czech Republic in accordance with points 2 and 3, and who fail to submit a testing results certificate in accordance with point 2 and 3 to the respective regional hygiene station within 72 hours of entry to the territory of the Czech Republic, and, if the test proves the presence of SARS CoV-2, to decide upon isolation in accordance with Section 64 letter a) in conjunction with Section 2(6) and (7) of Act No. 258/2000 Coll., on the Protection of Public Health, and on the amendment of certain related acts, as amended;

5. all persons who announce their entry to the territory of the Czech Republic in accordance with points 2 and 3, to undergo immediately a RT-PCR test for the presence of SARS CoV-2 and submit a medical testing results certificate in accordance with point III./1 to the locally competent regional hygiene station at the latest within 72 hours of entry to the territory of the Czech Republic, unless the public health authority in individual cases of persons classified under the interest of the Czech Republic, critical infrastructure service, diplomats and officials of international organisations, or an urgent emergency situation, has decided different quarantine measures consistent with Act No. 258/2000 Sb., and the length of such measures; in those cases where a person does not submit a testing results certificate in accordance with point III./1., the regional hygiene station follows point 4,
6. all persons who enter the territory of the Czech Republic as of 00:00 hours on 26 May 2020
 - a) in the event of any symptoms of the beginnings of an infectious disease (particularly high temperature, cough, shortness of breath, indigestion, loss of smell, general weakness or other symptoms) to announce this fact without delay, either by telephone or by other remote access, to their registered healthcare service provider in the field of general practical medicine or practical medicine for children and adolescents, or, in cases they do not have a registered provider, to any provider in the field of general practical medicine or practical medicine for children and adolescents,
 - b) to undergo a check for symptoms of an infectious disease at the state border crossing point and, if the symptoms of an infectious disease are found, to provide necessary cooperation to the healthcare personnel with taking a biological sample for the presence of COVID-19;
7. all entities, taking on foreign nationals for the purpose of economic activity in accordance with the exemption listed in point I./1. letters j) to n), to provide for such foreign nationals
 - a) accommodation throughout the period of their stay on the territory of the Czech Republic,
 - b) medical care or a registered provider of medical services for the duration of their stay on the territory of the Czech Republic, including the medical care expenses, unless provided otherwise,
 - c) transportation from the state border to a place of accommodation and, for a period of 14 days of entry to the territory of the Czech Republic, transportation between the place of accommodation and the work place, while such foreign nationals are forbidden to use a public transport for the journey to and from the work place for this period,
 - d) return to the country of origin in the event of job loss in the territory of the Czech Republic;
8. all persons according to point I./1. letters i) to n), whose entry is considered essential, may exceptionally be permitted to enter the territory of the Czech Republic without submitting a testing results certificate; their essential status must be confirmed by the Minister responsible for the given segment; these persons are obliged to undergo a RT-PCR test for the presence of SARS CoV-2 within 72 hours of entry to the territory of the Czech Republic and to submit the medical testing results certificate according to point III./1. to a locally competent regional hygiene station;
9. cross-border workers, pupils and students who are required to submit a testing results certificate upon crossing the state border, in the case of persons according to point I./3. letter a), to submit the first time they cross the state border to the Czech Republic or, in the case of persons according to point I./1. letter d), if crossing the state border to the

Czech Republic within 72 hours of their first crossing, to present the medical testing results certificate according to point III.1., and thereafter upon every subsequent crossing of the state border to the Czech Republic, occurring during 30 days of submission of the first testing results certificate in accordance with point III./1., to submit a medical testing results certificate confirming the performance of a test no older than 4 days in accordance with point III./1.;

10. suspension of acceptance of applications for visas and temporary and permanent residence at the diplomatic missions of the Czech Republic with the exception of applications for:

- a) short-stay visas, if submitted for the purposes listed in point I. letters a), c), e), f), g), h), k) and m),
- b) long-stay visas for the purpose of seasonal employment,
- c) special work visas
- d) temporary residence, if submitted by foreign nationals participating in the government's Key and Research Staff Programme,
- e) temporary residence, if submitted by foreign nationals participating in the government's Qualified Worker Programme, if they will be working in the medical profession or in social services, in agriculture or food processing,
- f) temporary residence, if submitted by foreign nationals participating in the government's Highly Qualified Worker Programme
- g) a long-term residence permit for the purpose of research and applications for residence authorisation of over 90 days for the spouses and minor children of research workers,
- h) a long-stay visa and long-term residence permit for study purposes or other educational activities,
- i) a long-term or permanent residence permit for the purpose of family cohabitation in the territory and applications for long-term family visas for the spouses and minor children of foreign nationals with long-term or permanent residence permit on the territory of the Czech Republic,
- j) a long-term visa in order to collect residence authorisation in the territory of the Czech Republic,

these exemptions apply only to applications for visas and temporary residence authorisation at diplomatic missions of the Czech Republic in countries where measures implemented due to the COVID-19 pandemic permit the acceptance of such applications; the Ministry of Foreign Affairs shall publish a list of these countries in a manner that facilitates remote access;

13. interruption of all proceedings on applications for residence authorisation of over 90 days submitted at diplomatic missions of the Czech Republic with the exception of applications submitted at diplomatic missions of the Czech Republic in countries where measures implemented due to the COVID-19 pandemic permit performing operations component to proceedings; the Ministry of Foreign Affairs shall submit a list of these countries in a manner that facilitates remote access;

II. prohibits free movement in the territory of the Czech Republic for all persons who enter the territory of the Czech Republic and for whom quarantine has not been ordered in

accordance with point I./4. with the exception of persons listed in point I.3. letter f) and g), and to persons listed in point I./1. letter i) to o) for the duration of their stay on the territory of the Czech Republic, or during period of a maximum 14 days from the date of entry to the territory of the Czech Republic, with the exception of:

- a) journeys to work and movement involved with performing their job and journeys for doing business or other comparable activity and movement involved with the performance of such activity,
- b) journeys absolutely essential for obtaining basic needs, for ensuring child care, for ensuring animal care, for using necessary financial and postal services, refuelling,
- c) journeys to medical facilities and social services facilities,
- d) journeys for the purpose of handling of urgent official matters,
- e) journeys back to place of their residence,
- f) funerals;

III. stipulates

1. that a medical testing results certificate means a certificate issued by a physician or a public health protection authority confirming that an RT-PCR test on SARS CoV-2 presence has been performed with a negative results and is no older than 4 days; the test shall be performed at the own expense of the person tested;
2. that a testing results certificate means a medical testing results certificate in accordance with point 1. together with a certificate issued by a relevant laboratory confirming that an RT-PCR test on SARS CoV-2 presence has been performed with a negative results and is no older than 4 days; the test shall be performed at the own expense of the person tested; the certificate must include data on the basis of which it is possible unequivocally to determine and verify data concerning the type of test, the age of the test, data about the laboratory that performed the test, and the fact that the certificate was in truth issued by that laboratory;
3. that an urgent emergency situation according to the point I./1. letter h) means
 - a) crossing the border by members of the integrated rescue system, including the mountain rescue service and other integrated rescue system bodies,
 - b) transfer of blood, bone marrow and other biological material by transplantation teams, transfer and transit by ambulance or funeral service vehicle,
 - c) necessary provision of medical services,
 - d) performing obligations imposed by a court, a journey on the basis of a summons by a state authority, enforcement of a judgment, or other official meeting or use of essential financial and postal services,
 - e) picking up or dropping off family members for or from trips abroad, including cars from airports,
 - f) essential care for close family members who cannot take care of themselves, exercising the right to care for a minor child or contact with such child and provision of necessary care for animals,

g) attending funerals or weddings,

h) other humanitarian situations;

II.

With effect of 5 June 2020, the Ministry of Health Protective Measure of 3 June 2020, ref. MZDR 20599/2020-6/MIN/KAN, is hereby repealed.

III.

This protective measure takes effect on the day of its issuance.

Rationale:

An epidemic is a widespread outbreak of a disease that is limited geographically and in time. Typically during an epidemic of an infectious disease, a sharp increase in numbers of cases occurs over a period of time, morbidity reaching higher figures than normal sporadic morbidity. The values of morbidity that then lead to epidemic spread (the so-called epidemic threshold) are various and differ according to the disease. With some diseases, the epidemic threshold figure is not precisely known. The main criterion indicating whether or not this is an epidemic is the epidemic correlation between individual cases of the disease. The speed at which the disease spreads within the populace is dependent on the originators of the disease, the incubation period, and transmission routes. The most severe epidemics from a point of view of impact on and burden in the population are epidemics caused by interpersonal transmission. The highest morbidity in the populace is reached by transmission via the respiratory system by means of droplets containing an infectious agent expelled into the surroundings in the course of speaking, breathing, coughing and sneezing. Each epidemic of an infectious disease is an epidemic process comprising three basic elements: origin of infection, transmission route and a susceptible individual.

With respect to the ongoing COVID-19 pandemic and the measures adopted for safeguarding immediate impact on the health of the population of the Czech Republic, it has become clear that one of the most important instruments for influencing the current epidemic and stop it from spreading uncontrollably is to influence these individual elements of the epidemic process. Originators of the infection may be isolated and treated, transmission routes blocked, and susceptible individuals protected, for instance using quarantine measures or vaccinations which, in the case of the COVID-19, are not available.

During an epidemic spread of an infectious disease there is a risk that without the adoption of emergency measures, uncontrollable spread of infection among the population will occur presenting the risk of exhaustion of capacities in the healthcare system in terms of isolation facilities and treatment, having dire consequences for the health of the population. Parallel spread of infection is one of the most dangerous scenarios, where one infected person simultaneously infects more than one other person, thereby resulting in massive spread of infection among the population.

Essential measures include the possibility of effectively interrupting the spread of infection between individuals and the entire population (restricting gatherings, restricting the provision of certain services, use of protective clothing and disinfectants).

The main aim of the measures is to interrupt the smooth epidemic process and to stop the epidemic in as short a time as possible with the least possible loss of human lives, while simultaneously minimising negative impacts on the economy (while following the primary aim

of stopping the epidemic). This can be achieved by restricting freedom of movement of persons, restricting mass events, restricting the conduct of activities that present a serious epidemical risk, the use of adequate personal protective clothing and increased use of disinfectant.

In combination with the other applicable measures, this measure is targeted in such a way as to ensure a wider range of special measures while applying anticipatory caution with regard to further spread of the disease COVID-19.

The aim of the measures issued is to restrict certain activities or services where such restriction is particularly important in cases of contagious diseases such as COVID-19. With a serious infection that is transmitted by contaminated droplets (aerosol), concentrations of people especially in closed spaces must be avoided, by potential observance of further conditions for congregating in such a place. It is therefore necessary to use an instrument for regulating the operation in such places.

It is equally essential to restrict or regulate the operation of public activities and services involving increased production of droplets and aerosol such as indoor and outdoor swimming pools, common showers, saunas, wellness centres etc. During outbreaks of diseases transmittable via the respiratory tract, places where large numbers of people congregate and therefore where it is far easier transmission of such disease, must be regulated. And this applies even more in the case of activities involving a serious epidemical risk such as hairdressing, pedicure, manicure or solarium or cosmetic and massage services.

Bearing in mind the above principles leading to the limiting or elimination of COVID-19 it is also appropriate to ban or restrict the holding of public and private events. During an epidemic, fundamental anti-epidemic measures include interruption of transmission routes within the population. Such measures are most effective in the case of infections transmitted by air or direct contact. Restriction of movement and gatherings have proven to be an effective instrument for controlling the COVID-19 epidemic, if adopted as soon as possible after the epidemic breaking out.

The aim of this measure is to take steps essential for further slowing of the spread of COVID-19, further flattening of the curve in the graph for the Czech Republic of the number of persons infected by the coronavirus SARS-CoV-2 that causes the respiratory disease COVID-19, thereby avoiding collapse of the healthcare system, as happened and is happening in countries where the appropriate measures were not adopted early enough (i.e. China (Wuhan), Italy, Spain, France, the United Kingdom, certain areas in the USA, especially New York); and conversely to continue with implementation of relaxation measures. Based on the knowledge we have today, flattening the curve of persons infected by the coronavirus SARS-CoV-2 in the current situation is intended to achieve three fundamental positive results:

- To prevent filling hospital capacities. This is meant to facilitate maintenance of essential medical care both for patients who are not infected by the SARS-CoV-2 coronavirus, and for patients with the disease COVID-19 who need to be hospitalised. The aim is to maintain the mortality rate in the region that the Czech Republic has been able to, between 2 and 3 %, and not to let it rise to the worldwide average of almost 7 %, and, in some areas 10 and more percent, as is the case in France (where mortality has reached almost 18 %), the Netherlands, Belgium, Spain, Italy or the United Kingdom. According to data and analysis of the European Centre for Prevention and Control of Disease, serious conditions demanding hospitalisation may arise in more than 30 % of those infected, of whom on a wider average of almost 2.5 % of those infected (although probably considerably more) are patients in critical condition. With an uncontrolled spread of the epidemic, the disease may affect many tens of percent of the population.

- To prevent explosive spread of COVID-19 which might result in (a) the spread of more aggressive types of coronavirus SARS-CoV-2 and (b) increased concentrations of coronavirus SARS-CoV-2 in the body, where according to current scientific findings the presence of more aggressive types of this virus leads to a wider range of medical complications in infected persons and to higher mortality.
- To reduce mortality and the number of cases with a serious course of infection, because as time proceeds, our knowledge of the behaviour of the SARS-CoV-2 coronavirus and methods for treating the infection and alleviate its consequences. Finally it is intended to develop medicines or vaccines. Is it common knowledge that right now experiment tests are underway involving treatment using various types of antiviral drugs (e.g. remdesivir and hydroxychloroquine), and that in certain cases such treatment is delivering certain results.

Should no emergency measures be taken and with respect to the above circumstances, the possibility that the total number of those infected in the Czech Republic may rise to millions cannot be precluded, with hundreds of thousands potentially requiring hospitalisation (while, on the basis of our experience so far, a considerable number of those hospitalised could require highly demanding intensive care). Tens of thousands of people could fall victim to the infection. The healthcare system of the Czech Republic (or even the healthcare systems of any other country) would not be able to handle such high numbers, even despite the number of intensive care beds for adults (i.e. in anaesthesiology and resuscitation departments and intensive care units) and the number of ventilators for adults, whose capacity must also serve patients suffering from other illnesses, meaning that only a fraction of that capacity could be set aside for coronavirus patients. If the number of available intensive care beds and pulmonary ventilators were exceeded by the number of patients, the number of victims would begin to increase dramatically and in a situation of explosive spread of the infection, even according to quite conservative estimates, the number of victims could run into the hundreds of thousands of inhabitants of the Czech Republic, and this would not just involve senior citizens.

Similar measures as have been adopted in the Czech Republic have gradually been adopted also by the governments of other countries. It should be emphasised that certain countries initially chose less strict steps and measures. As time progressed it became clear that in almost all countries such less strict measures have proved ineffective. The same governments have gradually stiffened their measures. It has proved however that the impact on the population in such cases is more serious than where immediate implementation of the relatively stricter measures that occurred in the Czech Republic. Not only does an initial more relaxed approach lead to an explosive spread of COVID-19 (see for instance Sweden, the Netherlands, Spain, Italy, the United Kingdom and the USA) and to loss of life of thousands to tens of thousands in each of these countries, but in the end it leads to equally strict or even stricter measures than were decided upon in the Czech Republic.

The different approach of individual governments is mainly due to the fact that sufficient information about the coronavirus SARS-CoV-2, about its precise properties and characteristics or about the details of its spreading and transmission was and remains unavailable. Various measures are taken in good faith by the governments of individual countries, taking into account all available information. Nevertheless, in the course of the pandemic almost all countries of western civilisation affected by the spread of the COVID-19 disease have gradually acceded to the same steps as the Czech Republic (i.e. declaration of a state of emergency, restriction of movement and entry for foreign nationals, restriction of retail sales etc.), even if the approach of individual countries may differ in certain details.

The degree of uncertainty and higher level of risk related to the COVID-19 epidemic is also due to the fact that the virus is gradually developing and mutating, changing its properties. The genetic information of coronaviruses is fairly changeable in comparison with other

viruses, which is one of the reasons for selection of various varieties of virus. At the same time, findings concerning the coronavirus SARS-CoV-2 and its properties are changing.

Available empirical data nevertheless go to substantiate that an unrestrictive approach leads to markedly more severe adverse consequences than adoption of restrictions. A characteristic example not applicable to the above countries is that of still benevolent Sweden where, according to available data, the number of infected is already three-times higher than in the Czech Republic, with a number of deaths more than an twelve times higher (while the populations of Sweden and the Czech Republic are almost the same).

Available, mainly international, comparisons attest that the strategy adopted by the Czech Republic was and is correct and adequate. Basically, only active strategy of social distancing enforced by public authorities can lead to reduction of the reproduction (R) number of COVID-19 and to gaining control over its spreading, or else to avoid its explosive spread. Such explosive spread is being experienced in a wide range of countries, along with those who delayed in adoption of restriction of freedom of movement and public gatherings.

Potential sudden relaxation of implemented measures could have dire consequences and in extreme cases could lead to complete reversal of the positive results that have been achieved so far in the fight against COVID-19 in the Czech Republic.

Since the massive spread of the SARS-CoV-2 virus and the outbreak of the global COVID-19 pandemic, over the course of just a few days an unprecedented cease of worldwide movement of persons came about. Most countries of the world introduced more or less strict restrictions on entry to their territory. The vast majority of countries limited entry to their territory only to essential journeys (return home by citizens and foreign nationals with authorised residence, international transport, family reunification and cross-border workers). the entire European Union reacted to this step on 16 March 2020 by coordinated introduction of a blanket ban on entry to the European Union from third countries with stipulated exemptions.¹ This ban has subsequently so far been extended until 15 June 2020.

Even the Member States of the European Union have gradually in turn introduced first medical and then most of them also border checks for entry into their territory which restricted entry only for selected categories. Reintroduction of checks on the internal borders have been announced by 18 Member States of the Schengen Area (of a total of 26) and several other Member States of the European Union and the Schengen Area have introduced further restrictive measures on entry. During debates at European Union level, it was recommended to ensure freedom of movement for persons using similar categories to those for entry from countries outside the European Union and also to ensure freedom of movement for workers in selected sectors.²

Right from the start, the Czech Republic was no exception to the world and the European average in terms of the measures adopted. National and European legislation permit the stipulation of rules for entry in connection with measures to prevent the introduction of infectious diseases from abroad (Section 68 of Act No. 258/2000 Coll. on Protection of Public Health). In reaction to the favourable development of the epidemic, the Czech Republic was among the first in the European Union to adopt gradual relaxation measures.

Relaxation in the area of travel is very cautious and concentrates on absolutely essential grounds for entry to the territory where the risk connected with possible introduction and cause of a potential further wave of the disease is acceptable.

The following areas or professions have so far been categorised as essential travel:

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:115:FIN>

² [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020XC0330\(03\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020XC0330(03))

- repatriation (executed in the Czech Republic in the form of a wide-ranging repatriation operation lasting from 14 March 2020 to 14 April 2020),
- international transport,
- diplomats and officials despatched to perform service tasks,
- critical infrastructure service,
- family reunification,
- cross-border workers,
- seasonal agricultural workers,
- medical social services personnel.

Therefore, in principle, further relaxation is dependent on limiting the degree of risk on one hand (with the requirement of a negative PCR test for SARS-CoV-2) and the essential nature of travel on the other.

On 23 April 2020, the European Union at the European Council agreed upon maximum coordination of lifting of measures for containing the spread of COVID-19 on the basis of a common European plan (Joint European Roadmap).³ The main principle for a cross-border regime is to begin with gradual relaxation of measures on the internal borders and only then on the external borders. In this context, on 13 April the European Commission presented more concrete guidance for further steps affecting the internal borders that calls for a relaxation on a phase basis, i.e. relaxation of measures between regions or Member States where a similar epidemiological situation exists and the necessary medical and hygiene measures are performed. Any relaxation should be coordinated and should adhere to three main criteria (epidemiological development; protective measures, including *social distancing*; and economic and social impacts). Priority for relaxation should be given to travel for professional purposes and for family reasons. The European Commission also recommends the option of replacing blanket controls on the borders with targeted or random checks.⁴ With respect to the external borders (travel from countries outside the European Union), the recommendation to restrict travel to essential journeys only continues to apply due to the risk of a second wave of the disease.

Resumption of the possibility of entry from European Union countries is currently restricted in accordance to European Union recommendations only to:

- family reunification,
- economic activities
 - o business trips for up to 72 hours under condition of a negative test,
 - o new workers from European countries under condition of a test abroad or, in exceptional cases, a test inside the territory,
 - o cross-border workers from neighbouring countries under condition of regular testing once every 30 days,
- study
 - o cross-border schoolchildren and students from neighbouring countries under condition of regular testing once every 30 days,
 - o new students from European Union Member States under condition of a test abroad or, in exceptional cases, a test inside the territory,
- a new preferential regime is introduced for citizens of certain countries on the basis of reciprocity for journeys not exceeding 48 hours.

The reintroduction of the possibility of entry from third countries is now planned in order to be fully in accordance with the recommendations of the European Commission, which confirmed

³ https://ec.europa.eu/info/sites/info/files/communication_-_a_european_roadmap_to_lifting_coronavirus_containment_measures_0.pdf

⁴ https://ec.europa.eu/info/sites/info/files/communication_freemovement.pdf

the conclusions of the European Council and the opportunity for entry by the following categories will be newly introduced:

- research workers,
- reunification of close family also for third country foreign nationals.

Measures governing travel from third countries nevertheless are fully dependent on the condition of a negative test for SARS-CoV-2 before travelling. In exceptional cases, the test may be conducted inside the territory of the Czech Republic.

Restriction on free movement for 14 days after returning from abroad also continues to apply for foreign nationals and for Czech citizens returning home. Each person who crosses the border into territory of the Czech Republic (regardless of with or without a test) who is not ordered into quarantine must observe the rules of restricted free movement of persons (i.e. movement around the territory only for predefined reasons). The main reason for this even in these cases is the imprecision of testing and the related necessity of limiting the risk of transmission during the incubation period.

For the Czech Republic to be prepared for gradual further relaxation, the presented materials propose continuation in administrative proceedings where gradual relaxation may be expected and where possible with respect to the situation in individual countries.

Relaxation in the area of short-term stays (tourism) is now subject to coordination within the European Union and bilateral negotiations, specifically due to pressure from Member States for which tourism is a key economic segment. In its guidance of 13 May 2020, the European Commission recommends possible resumption of tourist activities and the introduction of a range of measures based on considerations such as low numbers of infected persons, sufficient healthcare capacity, close monitoring, testing capacity and coordination and communication.

This protective measure follows up on Protective Measure ref. MZDR 20599/2020-1/MIN/KAN of 15 May 2020, which is hereby repealed.

Mgr. et Mgr. Adam Vojtěch, MHA
Minister of Health