



Council of the
European Union

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NOTE

From: Swedish delegation

To: Working Party on Frontiers/Mixed Committee
(EU-Iceland/Liechtenstein/Norway/Switzerland)

Subject: Prolongation of the temporary reintroduction of border controls at the Swedish internal borders in accordance with Articles 25 of the Regulation 2016/399 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)

Delegations will find attached a copy of a letter received by the General Secretariat of the Council on 12 April 2018, concerning the prolongation of the temporary reintroduction of borders controls by Sweden at its internal borders between 12 May and 11 November 2018.

E-MAIL / FAX



Government Offices of Sweden

IM 03699 2018
12.04.2018

12 April 2018

Ministry of Justice Sweden
Minister for Justice and Home Affairs

Secretary General of the
Council
Jeppe Tranholm Mikkelsen

Dear Secretary General,

I would hereby like to inform you that due to the continuous serious threat to public policy and internal security, the Swedish government intends to take a decision on the temporary reintroduction of border control at the Swedish internal borders. The control will be carried out for six months as from 12 May 2018. Other measures at our disposal have, after detailed consideration, been deemed insufficient.

The decision will be taken in accordance with article 25 of the Regulation (EU) no 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code).

The scope of the border control may extend to all internal borders, be it land, sea or air borders, whereby the specific border sections and border crossing points will be determined by the Swedish Police Authority, following a continuous risk analysis. However, the scope will be limited to what is strictly necessary to respond to the threat to public policy and internal security and constantly adapted to the relevant circumstances.

The serious threat to public policy and internal security in Sweden remains. The Head of the Swedish Security Service has decided that the threat level in Sweden remains at the current elevated level (level 3 out of 5) which is the same level as on 7 April 2017 when Stockholm witnessed what is considered a terrorist attack. Shortcomings in the protection of the external borders persist and contribute to this threat, as they enable potential terrorists and other criminals to enter the Schengen territory unnoticed. As I foresee that this situation will last beyond the near future, the temporary reintroduction of border control at the Swedish internal borders will be carried out for a period of six months.

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The reintroduction of border control at the internal border is truly a last resort. The existing Swedish legislation does not allow for police checks on persons in the border areas in line with the Commission's Recommendation from 12 May 2017. The Swedish Ministry of Justice is currently reviewing the need for revised or new legislation, inter alia regarding checks in internal border areas as well as the use of modern technologies to monitor traffic flows. The government has for this purpose assigned the Swedish Police Authority to assess, by 2 May 2018, how to achieve a more effective use of police checks in border areas. This assessment will constitute the basis for the government's further deliberations on how to proceed with this issue. However, instruments like these can never have the exact same effect as border control at the internal border.

Let me assure you that I remain committed to the goal of returning to an area without internal border controls and a well-functioning Schengen cooperation.

Yours sincerely,



Morgan Johansson

2 (2)