



Council of the
European Union

Brussels, 6 October 2020
(OR. en, fr)

11479/20

FRONT 277
COMIX 444

NOTE

From:	French delegation
To:	Working Party on Frontiers/Mixed Committee (EU-Iceland/Liechtenstein/Norway/Switzerland)
No. prev. doc.:	7138/1/20 REV 1
Subject:	Prolongation of the temporary reintroduction of border controls at the French internal borders in accordance with Articles 25 and 27 of Regulation (EU) 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 5 October 2020 regarding the prolongation of the temporary reintroduction of border controls by France at its internal borders between 1 November 2020 and 30 April 2021.

Paris, 2 October 2020

NOTE FROM THE FRENCH AUTHORITIES

Subject: Extension of border controls from 1 November 2020 to 30 April 2021 at France's internal land borders with Belgium, Luxembourg, Germany, the Swiss Confederation, Italy and Spain, and at its air and sea borders.

Annexed: Updated list of authorised crossing points.

On 1 April 2020, the French authorities notified the European Commission of the extension of internal border controls from 1 May to 31 October.

As this extension is coming to an end, the terrorist threat remains very elevated, nationally and internationally.

At the national level, three attacks of this kind took place, and a major attack was foiled, on French territory in the first half of 2020. This is in addition to the 17 attacks carried out, and numerous plots foiled, since 2015.

In addition, the start of the trial concerning the September 2020 *Charlie Hebdo* attack, and the magazine's republication of the caricatures of Mohammed, make increased vigilance necessary, since several Al Qaida-affiliated bodies have published communiqués containing threats against *Charlie Hebdo* and against France. These communiqués come in the wake of numerous recriminations, threats and calls for 'vengeance' disseminated on the internet, both in France and abroad, by the pro-Al Qaida and pro-Islamic State jihadisphere and, more broadly, by supporters of radical Islam.

The resentment caused internationally by the republication of the caricatures, the ongoing trial concerning the January 2015 attacks, the forthcoming fifth anniversary of the attacks on 13 November 2015 and the holding of several other terrorist trials with a considerable media impact in the coming months contribute to the terrorist threat to France, at the same time as the mobilisation of the security forces to curb the spread of the COVID-19 pandemic is likely to spur new attack plots.

The attack using a meat cleaver which seriously wounded two journalists on 25 September in Paris, near the former *Charlie Hebdo* offices, perpetrated by a Pakistani who had been declared an unaccompanied minor and entered French territory unlawfully, also shows the need for the highest degree of vigilance.

Nor do international developments suggest that the terrorist threat is likely to decrease in the coming months. The Syrian area is still unstable and the risk of foreign fighters returning as a result of the defeat of Islamic State in the Levant remains considerable.

In this connection, there is a real possibility that European jihadists currently in the north-west of Syria may be dispersed in the event of an offensive by the Syrian regime and its Russian allies. The situation in the detention and refugee camps in the north-east of Syria, where hundreds of European women jihadists are currently being held, also remains unstable. The recent tensions on the border between Greece and Turkey also should not be overlooked, since the migration issue could be used by Ankara, as in 2015, as a means of bringing pressure to bear on the discussions with the EU.

These elements account for the need for controls on intra-Schengen cross-border movements to maintain public order.

In addition, the resumption of secondary movements of migrants observed in recent months is also cause for concern since it results in the installation, on an almost daily basis, of camps in certain areas (the Hauts-de-France and Paris regions in particular). The proliferation of migrant camps has disrupted public order, particularly in Paris, Nantes, Strasbourg and the Hauts de France region, despite recent dismantling operations.

Such situations can become breeding grounds for criminal networks (drugs, pimping, human trafficking, etc.) and give rise to local tensions or even violence involving local residents.

France would also point out that it has been working for several months on improving the coordination of measures restricting movement in response to the COVID-19 pandemic and that the development of the situation, in this regard, calls for constant vigilance.

For this reason, France wishes to give notice that it is prolonging controls at its internal borders from 1 November 2020 to 30 April 2021, pursuant to Article 25(1) and Article 27 of the Schengen Borders Code. This decision has been taken following an evaluation of the necessity and proportionality of the controls in relation to the threat to public order, using up-to-date risk assessments. Attached to this notification is an updated list of its authorised crossing points, it being understood that the border crossing points published in the OJEU of 15 July 2020 also constitute authorised crossing points during periods when internal border controls are reintroduced.

In this connection, the Minister of the Interior will send a letter to the authorities of neighbouring Member States informing them of this decision and ensure effective cross-border cooperation.

The reintroduction of internal border controls remains a measure of last resort and the French authorities wish to reaffirm their commitment to the principle of free movement, one of the founding principles of the European Union.