



Council of the
European Union

Brussels, 27 July 2016
(OR. en, fr)

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FRONT 304
COMIX 545

NOTE

From: French delegation

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

Subject: 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 26 July 2016 regarding temporary reintroduction of border controls by France at its internal borders between 27 July 2016 and 26 January 2017.

Liberty · Equality · Fraternity
French Republic

**PERMANENT REPRESENTATION OF FRANCE
TO THE EUROPEAN UNION**

The Ambassador

Brussels, 26 July 2016

Ref CAD: 2016-523863
Ref SGAE: LCP/2016/597

Dear Sir,

Please find enclosed a note from the French authorities prolonging the reintroduction of controls at France's internal land borders with Belgium, Luxembourg, Germany, the Swiss Confederation, Italy and Spain, as well as at its air and sea borders, from 27 July 2016 to 26 January 2017.

(Complimentary close)

Mr Pierre SELLAL

Copy to: Ms Christine ROGER

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Paris, 25 July 2016

NOTE FROM THE FRENCH AUTHORITIES

Subject: Reintroduction of controls at France's borders from 27 July 2016 to 26 January 2017 owing to the state of emergency.

Ref.: LCP/2016/597

Hosting COP21, the terrorist threat, and the organisation of major sporting events on national territory led the government to reintroduce controls at France's internal borders, for various reasons, from 13 November 2015 until 26 July 2016.

Tragically, the attack in Nice on 14 July confirms the ongoing threat of terrorism faced by France. A risk analysis by the competent services has prompted concern about other attacks on national territory. Consequently, at the proposal of the French Government, Law No 2016-987 of 1 July 2016 has extended the state of emergency in France for a period of six months.

As evidenced by the attacks of 13 November 2015, crossing the external and internal borders of the Schengen area is part of the terrorist groups' strategy, which sometimes involves preparing attacks in one Member State from the territory of another Member State.

It therefore remains absolutely essential that effective checks can be carried out on the travel documents, visas and residence permits presented when internal borders are crossed, to verify that they are authentic. Controls at France's internal borders in recent months have made it possible to refuse entry at these borders to persons in possession of usurped, falsified and counterfeit travel documents, visas and residence permits. Persons flagged in the Schengen Information System (SIS) or in national databases have also been refused entry as a result of these controls.

The current migratory situation reinforces the link between the terrorist threat and the crossing of borders. In fact, the volume of flows at the EU's external borders and the geographical proximity of migratory routes to the regions at the source of the terrorist threat facilitate the arrival in the Schengen area and national territory of individuals - European and non-European nationals alike - who might be plotting a terrorist attack in France.

Over the past months, controls at the internal borders have proven their worth in preventing terrorism. Apart from serving as a deterrent, they make it possible to stop and question many individuals listed in European and national databases on account of the threat they pose.

The French Government has therefore decided, in accordance with the provisions in Article 25(1) of the Schengen Borders Code concerning cases where there is a serious threat to public policy or internal security and in line with the procedure laid down in Article 27 of the Schengen Borders Code, to reintroduce border controls from 27 July 2016 to 26 January 2017 at the internal land borders with Belgium, Luxembourg, Germany, the Swiss Confederation, Italy and Spain, as well as at its air and sea borders.

The controls will be carried out under the same conditions as those that have been in force since 14 December 2015. France is relying on the assistance of the other Member States to allow the French authorities to conduct fully effective controls at its internal borders.
