



**COUNCIL OF
THE EUROPEAN UNION**

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PUBLIC

NOTE

from : French delegation
to : delegations

Subject : **Reintroduction of land border controls between France and Spain under Articles 23 et seq. of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community 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 22 September 2009 concerning the temporary reintroduction of land border controls between France and Spain on 19 September 2009.



GENERAL SECRETARIAT
FOR EUROPEAN AFFAIRS

Paris, 18 September 2009

The Secretary General

Sir,

On Saturday 19 September 2009 a demonstration arranged by "BATASUNA" will take place in Saint Jean de Luz. It has been organised in protest over the disappearance of Basque militant Jon Anza on 18 April 2009.

650 people attended the last demonstration on this issue on 11 July 2009, and on that occasion incidents took place between protesters and police. There is a risk that the demonstration on 19 September 2009 will be tense or even confrontational, with slogans and banners condemning France. An increased risk of violent incidents, presumably at the end of the demonstration, is being taken seriously.

The call to protest also involves Spain. We therefore expect extra protesters, including extremely determined radicals, looking to clash with the French and Spanish authorities which are considered as too repressive.

Given the above, and for reasons of public order, the French government has decided to reintroduce border controls between France and Spain, in accordance with the procedure laid down in Articles 23 et seq. of the Schengen Borders Code.

You will find attached information relating to the temporary reintroduction of border controls.

I should be most grateful if you would inform the members of the Council of the European Union as well as the States which participate in Schengen cooperation as soon as possible.

For its part, the French government has contacted the Spanish authorities seeking their help in implementing this decision.

(Complimentary close)

For the Secretary General
The Deputy Secretary General

Emmanuel BARBE

Mr Javier SOLANA
Secretary General of the Council of the European Union
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**REPORT ON THE IMPLEMENTATION OF THE TEMPORARY REINTRODUCTION
OF BORDER CONTROLS BETWEEN FRANCE AND SPAIN ON SATURDAY
19 SEPTEMBER 2009**

Prior notification of the temporary reintroduction of interior border controls in the case of foreseeable events under Articles 23, 24, 28 and 30 of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 (Schengen Borders Code)

Planned arrangements for the temporary reintroduction of interior border controls

1. Reason for reintroduction

A demonstration is planned on Saturday 19 September at 17:00 in Saint Jean de Luz, arranged by "BATASUNA", the Basque separatist movement, with the involvement of Spanish Basque nationalists and the Basque political refugee community.

650 people attended the last demonstration on this issue on 11 July 2009, also at Saint Jean de Luz, and on that occasion there were incidents between protesters and police in front of the residence of the Minister for Justice in Ciboure. It is feared that there will be incidents once again, particularly as there will be more young Spaniards involved in the coming demonstration.

The demonstration is likely to be tense or even confrontational, with banners and slogans condemning France. An increased risk of violent incidents, presumably at the end of the demonstration, is being taken seriously.

The call to protest also involves Spain. We therefore expect more protesters, including extremely determined radicals, looking to clash with the French and Spanish authorities which are considered as too repressive.

Given the above, and for reasons of public order, the French government has decided to reintroduce border controls between France and Spain, in accordance with the procedure laid down in Articles 23 et seq. of the Schengen Borders Code.

The reintroduction of border controls on the Spanish border at the 5 crossing points below is therefore warranted.

2. Scope of application (borders concerned)

French-Spanish land border in the Pyrénées-Atlantiques, Hendaye complex.

3. Name of authorised crossing-points

A63 motorway, St Jacques international bridge, Béhobie international bridge, Hendaye station, port of Hendaye.

4. Date and time planned for the start of the reintroduction

Saturday 19 September 2009 at 13:00.

5. Date and time planned for the lifting of the reintroduction

Saturday 19 September 2009 at 20:00.

6. Information and coordination envisaged with the Member State

Information via diplomatic channels.

7. Method of information to the public

None.