



Council of the
European Union

Brussels, 5 January 2016
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5021/16

FRONT 1
COMIX 1

NOTE

From:	Danish delegation
To:	Working Party on Frontiers/Mixed Committee (EU-Iceland/Liechtenstein/Norway/Switzerland)
Subject:	Temporary reintroduction of border controls at the Danish internal borders in accordance with Articles 23 and 25 of Regulation (EC) 562/2006 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 4 January 2016 concerning the temporary reintroduction of border controls by Denmark at its internal borders between 4 and 14 January 2016.

E-MAIL / FAX

Minister for Immigration, Integration and Housing

SECRÉTARIAT GÉNÉRAL DU
CONSEIL DE L'UNION EUROPÉENNE
SGE16/00023
Reçu le 04 -01- 2016
DEST. PRINC.
DEST. COPIES Mme ROGER



Ministry of Immigration,
Integration and Housing

Dear colleagues,

In accordance with Regulation (EU) No 1051/2013 of the European Parliament and of the Council of 22 October 2013 amending Regulation (EC) No. 562/2006 of the European Parliament and the Council of 15 March 2006 establishing a Community Code on the rules of governing the movement of persons across borders (Schengen Border Code), the Danish Government has today notified the Commission that the Danish Government has decided to temporarily reintroduce border control at the Danish internal borders.

Since the beginning of September 2015, it is the estimate of the Danish National Police that more than 91.000 migrants and refugees have crossed the border between Denmark and Germany. At the same time, more than 13.000 people have applied for asylum in Denmark bringing the total number of asylum seekers in 2015 up to more than 21.000. At this point, the Danish National Police considers that a majority of the persons who have not applied for asylum in Denmark have travelled to either Sweden or Norway.

Furthermore, it is the estimate of the Danish authorities that at least 50 percent of the persons who have crossed the border between Denmark and Germany are not in possession of a passport or lawful identification. Based also on information from the Swedish authorities, a significant number of the unaccompanied minors travelling to Nordic countries are not in possession of identification documents.

The Swedish, the Norwegian and the German Governments have already temporarily reintroduced border controls at their internal borders. Furthermore, today on 4 January 2016 the Swedish Government has implemented a new regulation obliging carriers to ensure that the persons they are transporting into Sweden are in possession of identity documents.

The new Swedish regulation applies to the ferries between Helsingør and Helsingborg and on trains going over the bridge between Denmark and Sweden.

At this point, Denmark is already experiencing an unprecedented migration pressure as well as a significant number of asylum seekers, including unaccompanied minors. The Swedish Government has stated that one of the reasons for introducing the new regulation is to prevent refugees from applying for asylum in Sweden.

Given that there is no land border between Denmark and Sweden, the internal border control reintroduced by the Swedish Government combined with the new regulation preventing both immigrants and asylum seekers to travel to Sweden, will in fact result in a closed border for immigrants and asylum seekers with no identification.

4 January 2016

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Moreover, the Norwegian border control is supplemented by rules making carriers transporting persons to Norway liable in case they transport passengers without valid travel documents and visa. Furthermore, I have been informed that the Finnish authorities have requested the Finnish carrier Finnlines – in addition to the passport and photo ID card – to check also other documents that passengers are required to hold to enter Finland, i.e. visa, residence permits or other equivalent documents.

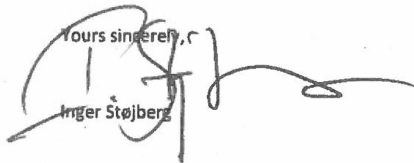
Due to these measures set in place by our neighboring countries and particularly the measures set in place by Sweden, Denmark is of now faced with a serious risk to public order and internal security because a very large number of illegal immigrants may be stranded in the Copenhagen area within a short period of time.

On this background, the Danish Government has decided to temporarily reintroduce border control at the Danish internal borders. As mentioned in my letter of 14 December 2015, the Danish Government has been considering the situation very carefully, and at this point other measures have – after detailed consideration – been deemed insufficient.

The reintroduction of border control at the Danish internal borders will take place between 4 January 2016 at 12 pm. and 14 January 2016.

The border control may extend to all internal borders, including land-, sea- and air borders, whereby the specific border sections and border crossing points are determined by the Danish Police. The border control will initially focus on the ferries arriving from Germany to the harbours in Gedser, Rødby and Rønne, and the land border between Denmark and Germany. The scope of the control will be limited to what is strictly necessary to respond to the threat to public order and internal security.

The decision is made in accordance with Article 23 and 25 of the Schengen Border Code.

Yours sincerely,

Inger Støjberg

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