



Council of the
European Union

Brussels, 10 January 2017
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FRONT 3
COMIX 7

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 4 January 2017 regarding temporary reintroduction of border controls by France at its internal borders between 27 January and 15 July 2017.

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

Brussels, 27 December 2016

The Ambassador

Ref CAD: 2016-930083

Ref SGAE: LCP/2016/903

Dear Sir,

Please find enclosed a note from the French authorities regarding the reintroduction of controls at France's borders from 27 January to 15 July 2017 owing to the state of emergency.

(Complimentary close)

Caroline KRAJKA
Duty counsellor

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NOTE FROM THE FRENCH AUTHORITIES

Subject: Reintroduction of controls at France's borders from 27 January to 15 July 2017 owing to the state of emergency.

Ref.: LCP/2016/903

Tragically, the attack in Nice on 14 July 2016 confirmed the unremitting threat of terrorism faced by France. The ongoing risk analysis by the competent services confirms a further increase in this threat and has prompted fears of fresh attacks on national territory, as evidenced by the recent arrests of members of terror cells in September and November 2016, which back up this analysis.

This was corroborated by the recent analyses from various services highlighting the risks of attack associated with the return to Member States of combatants who have been fighting in Syria and Iraq. This risk is also substantiated in the Europol report of 2 December 2016 on changes in the modus operandi of 'Islamic State'. France is specifically mentioned in this report as a country that is particularly vulnerable to the risk of terrorist attacks.

Against this background, the French Government decided to draft a bill extending the state of emergency until 15 July 2017, which was adopted by Parliament.

It has been confirmed that crossing the external and internal borders of the Schengen area is part of the terrorist groups' strategy, which often involves preparing attacks in one Member State from the territory of a neighbouring Member State.

Moreover, the current situation reinforces the link between the terrorist threat and the crossing of borders owing to the geographical proximity of migratory routes to the regions at the source of the terrorist threat, which facilitates the arrival in the Schengen area and the return to the national territory of individuals - European and non-European nationals alike - who might be plotting a terrorist attack in France.

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 their authenticity and the identity of the holder. Over the past few months, controls at the internal borders have proven their worth in preventing acts of terrorism in Europe and significantly increasing both the number of detections of usurped or falsified travel documents and the volume of alerts on persons in the Schengen Information System (SIS) or in national databases.

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 January to 15 July 2017 at the internal land borders with Belgium, Luxembourg, Germany, the Swiss Confederation, Italy and Spain, and at the air and sea borders.
