



Council of the
European Union

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COMIX 63

NOTE

From: Spanish delegation

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

Subject: Temporary reintroduction of border controls at the Spanish internal borders in accordance with Article 28 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 29 January 2021 regarding temporary reintroduction of border controls by Spain at the borders with Portugal between 31 January and 10 February 2021.



MINISTERIO
DEL INTERIOR

E-MAIL

Received on
29. 01. 2021

Fernando Grande-Marlaska Gómez
MINISTRO

*Mr Margaritis Schinas
Vice-President of the
European Commission*

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*Ms Ylva Johansson
Commissioner for Home Affairs
European Commission*

*Mr Jeppe Tranholm-Mikkelsen
Secretary-General of the Council of the European Union*

*Mr David Maria Sassoli
President of the European Parliament*

*The Ministers of Interior of the
EU Member States and Schengen Associated Countries*

Madrid, January 29th, 2021

Spain has implemented since November 11th, 2020 measures to limit the spreading of COVID-19 in accordance with Council Recommendation (EU) 2020/1475 of 13 October 2020 on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic. Already before, the state of alarm was activated by Royal Decree 926/2020 of October 25th, and is still in force after being prolonged by Royal Decree 956/2020 of November 3rd. The state of alarm confers the governments of the Autonomous Communities the power to limit the movement of persons and adjust the duration of night curfew. Currently, under the present epidemiological situation, the measures adopted throughout the Spanish territory in accordance with the previous provisions severely restrict the movement of persons.

After consultations with the Portuguese authorities, who face a similar situation, it has been decided to go one step further and, in correspondence with internal restrictions, temporarily reintroduce controls at the common internal land border. Spain will implement this measure for an initial period of 10 days, in accordance with article 28 of the Schengen Borders Code, starting on January 31st at 01:00 and ending on February 10th at 01:00.

The public will be informed about the designated border crossing points and their opening times, to be agreed upon between the Spanish and Portuguese border control authorities.



The categories of persons allowed to cross the internal land border will be:

- *Spanish citizens and the partners with whom they have a registered partnership, as well as relatives in the ascending and descending line, if travelling together with or joining them.*
- *Residents in Spain and students.*
- *Residents in other Member States or Schengen Associated Countries travelling to their place of residence.*
- *Those staying or transiting the Spanish territory for work reasons.*
- *Cases of force majeure, state of necessity or humanitarian reasons.*
- *Staff of diplomatic missions, consular offices or international organizations seated in Spain, as well as members of police and armed forces.*

Please, rest assured that the duration of the internal border checks will be limited to what is strictly necessary and that we will carefully monitor and assess the evolution of the situation, as well as the impact and proportionality of measures taken, in order to lift them as soon as possible and in agreement with our neighbours.

Yours sincerely,

Fernando Grande-Marlaska Gómez