



Council of the
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COMIX 103

NOTE

From:	German delegation
To:	Working Party on Frontiers/Mixed Committee (EU-Iceland/Liechtenstein/Norway/Switzerland)
No. prev. doc.:	13569/15 FRONT 231 COMIX 532
Subject:	Prolongation of the temporary reintroduction of border controls at the German internal borders in accordance with Articles 23 and 24 of Regulation (EC) No 562/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)

TRANSLATION PROVIDED BY GERMAN DELEGATION

Delegations will find attached a copy of a letter received by the General Secretariat of the Council on 10 February 2016, concerning the prolongation of the temporary reintroduction of borders controls by Germany at internal borders until 13 May 2016.

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Mr Jeppe Tranholm-Mikkelsen
Secretary-General
Council of the European Union
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussels
BELGIUM

Berlin, 5 February 2016

Dear Mr Secretary-General,

In my letter of 27 October 2015, I informed you of the changed legal basis and the extension of border controls beyond 13 November 2015.

Unfortunately, no lasting or significant reduction in the numbers of third-country nationals entering German territory has occurred which would enable the suspension of temporary controls at the internal borders.

The temporary border checks concentrated on the internal land borders between Germany and Austria continue to be an effective and necessary instrument to ensure orderly procedures at the border (including checking databases of wanted persons, photographing and fingerprinting those entering, denying entry to third-country nationals who are not seeking protection and who entered the Schengen area illegally) to manage the influx of refugees and address aspects of public order and internal security. To prevent any security gaps, we have made further progress especially with regard to photographing and fingerprinting those entering Germany.

The procedures at the German-Austrian border have been agreed on with the Austrian authorities and are constantly monitored and revised as needed. To do so, we are in contact with our Austrian partners at every level, with whom we share information and experience and coordinate our actions. In this way, we are keeping the impact on cross-border transport of persons and goods in regional and long-distance trains, lorries, buses and cars to the minimum required for security reasons.

Checks at the internal borders thus continue to be necessary and, after extensive consideration, will be extended for another three months from 13 February 2016. If the migration situation does not change significantly by May 2016, checks at the German borders will still be necessary. With this in mind, I am glad that the European Commission is now examining the application of the crisis mechanism pursuant to Article 26 of the Schengen Borders Code.

Together, we in Europe must succeed in significantly reducing and slowing the influx of refugees in order not to place excessive demands on our citizens and to prevent resentment.

I am sending this letter also to the European Commissioner for Migration, Home Affairs and Citizenship, the First Vice-President of the European Commission, the President of the European Parliament and the home affairs ministers of the EU and Schengen member states.

Sincerely yours,

(signed)

Thomas de Maizière
