



Council of the
European Union

Brussels, 16 March 2016
(OR. en)

7136/16

FRONT 135
COMIX 219

NOTE

From: Austrian delegation

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

No. prev. doc.: 6071/16 FRONT 67 COMIX 104

Subject: Prolongation of the temporary reintroduction of border controls at the Austrian 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 AUSTRIAN DELEGATION

Delegations will find attached a copy of a letter received by the General Secretariat of the Council on 15 March 2016, concerning the prolongation of the temporary reintroduction of border controls by Austria at internal borders until 15 May 2016.

H. E.

Mr. Dimitris AVRAMOPOULOS

EU-Commissioner for Migration,

Home Affairs and Citizenship

1049 Brussels

BELGIUM

Vienna, 14 March 2016

Dear Commissioner!

Due to the enormous influx of third country nationals persisting since September 2015, by letter dated 11 February 2016 and effective on 16 February 2016 (midnight), Austria announced the prolongation of internal borders controls for another 30 days, i.e. until 15 March 2016, having regard to Art. 23 and 24 of the Regulation (EC) No. 562/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), and in order to provide for common rules on the temporary reintroduction of border controls at internal borders in exceptional circumstances.

Although, not least because of the measures taken by Austria in close cooperation with the West Balkan States, the situation at the Slovenian border has somewhat eased, we cannot assume that any noticeable reduction of the influx of third country nationals will be sustainable.

Therefore, I wish to inform you once again, that Austria, due to ascertained and still prevailing serious flaws in external border controls in Greece, will continue to conduct internal border controls for another 2 months pursuant to Art. 23 and 24 Schengen Borders Code, depending on location and situation. This is the only way within the scope of legal and actual opportunities to avoid security deficits in the future for the benefit of all citizens within the Schengen area. The focal points will be at the Slovenian-Austrian, Hungarian-Austrian and Italian-Austrian borders, but in view of possible shifts of the irregular flows of migrants such focal points may move at any time to other sections of our borders.

The intensity of border controls shall continue to be limited to the extent necessary for maintaining public order and internal security. This further measure is indispensable lest public order and internal security be endangered. Moreover, continuous overburdening of the executive branch, of emergency rescue services, and of public infrastructure in our country must be avoided, and the Austrian Federal police force must be enabled to comprehensively perform their duties at internal borders. It shall be only possible or allowed to pass such borders at designated border crossings.

I shall also inform the First Vice President of the European Commission, the General Secretariat of the Council of the European Union, the President of the European Parliament, and all Member States and associated States applying the Schengen acquis of this decision, and ask for their close cooperation in implementing this measure.

Your support for this decision is requested.

With kind regards
