



Council of the
European Union

**Brussels, 17 April 2018
(OR. en)**

8023/18

**FRONT 90
COMIX 185**

NOTE

From: Danish delegation
To: Working Party on Frontiers/Mixed Committee
(EU-Iceland/Liechtenstein/Norway/Switzerland)
Subject: Prolongation of the temporary reintroduction of border controls at the Danish internal borders in accordance with Articles 25 and 27 of Regulation 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 13 April 2018, concerning the prolongation of the temporary reintroduction of borders controls by Denmark at its internal borders between 12 May and and 11 November 2018.

E-MAIL / FAX

IM 03789 2018
13.04.2018

Danish Minister for Immigration and
Integration



**Ministry of Immigration
and Integration**

Dear colleagues,

13 April 2018

In the past years, many efforts have been made at the European and national levels to prevent illegal migration into the Schengen area, to reduce the secondary movements of unregistered migrants within Europe, and to manage migration in a more comprehensive way.

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Nevertheless, shortcomings in the protection of the EU's external borders and significant irregular secondary movement within Europe still persist.

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This is confirmed not only by the large number of asylum seekers who are arriving to our neighbouring countries, but also by the Danish authorities who continue to detect a significant number of illegal entries at the Danish-German border. Since the reintroduction of the internal borders control, the Danish Police has registered more than 5,500 illegal entries (as of 10 April 2018).

CVR no. 36977191

Case no. 2017 - 1973

It is the view of the Danish Government that the irregular secondary movements within Europe constitute a real threat to the public order and internal security in our societies, which should not be underestimated. It is the assessment of the Center for Terror Analysis (CTA) under the Danish Security and Intelligence Service that ISIL and other militant Islamist groups may still exploit refugee and migrant routes to bring persons to Europe to commit acts of terrorism in Europe.

Furthermore, CTA assesses that there may be individuals among refugees and migrants who have arrived in Europe and Denmark who can pose a terror threat either because of a direct link to militant Islamist groups abroad or due to radicalisation.

Thus, the persistent and serious threat to our public order and internal security caused by terrorists groups who are likely to exploit the free mobility within the Schengen area, e.g. by preparing attacks in one Member State from the territory of a neighbouring Member State, is a grave concern for the Danish Government. In a number of cases in Europe, terror attacks have been planned in one country

but executed in another. We have also seen examples of this kind of attack planning against Denmark.

In a specific instance, a person was during border control at the border with Germany found not to be in possession of valid travel documents and was consequently denied entry into Denmark. Danish police contacted German police and the person was apprehended on the German side of the border, where he was found in possession of paraphernalia, which can be used in an attack. It is assessed, that this attack was supposed to have been executed in Denmark. The person was subsequently convicted a six and a half year prison sentence by a German court. The person has had connections to others abroad, who can pose a threat to Denmark. One person is imprisoned and charged in this connection.

In light of this unpredictable and volatile situation, internal border controls are considered by the Danish Government as an effective response to the identified threats to our public order and internal security, and it is also found – after careful consideration – that alternative measures such as e.g. intensified police checks in the border areas would not achieve the same effect.

Against this background, the Danish Government has decided, in accordance with the provisions in Article 25 and 27 of Regulation (EU) 2016/399 of 9 March 2016 (Schengen Borders Code) to temporarily reintroduce border controls at the internal borders with Germany due to the severe threat to our public order and internal security.

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 National Police. However, the border control will initially focus on the Danish-German land border and the Danish ports with ferry connection to Germany.

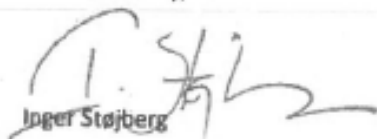
The reintroduction of border control at the Danish internal borders will be carried out for 6 months as from 12 May 2018.

Please rest assured that the scope of the internal border checks will continue to be limited to what is strictly necessary to respond to the threat to internal security. Furthermore, the scope of the internal border checks will be subject to regular review and organised in a manner that ensures that obstacles to the free movement of persons and goods are kept to an absolute minimum.

In this context, the Danish Police authorities will continue to have a close cooperation with its German counterparts. This cooperative framework has been, and will continue to be, a central platform for information exchange and discussions on the effects of internal border control.

In accordance with the Schengen Borders Code, the Danish Government will notify the European Commission about this decision.

Yours sincerely,



Inger Støjberg