



Council of the  
European Union

**Brussels, 4 April 2019**  
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**COMIX 196**

**NOTE**

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From: French delegation

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

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Subject: Prolongation of the 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)

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Delegations will find attached a copy of a letter received by the General Secretariat of the Council on 3 April 2019 regarding the temporary reintroduction of border controls by France at its internal borders between 1 May and 31 October 2019.

Paris, 1 April 2019

**NOTE FROM THE FRENCH AUTHORITIES**

**Subject: Extension of border controls from 1 May 2019 to 31 October 2019 at France's internal land borders with Belgium, Luxembourg, Germany, Italy, Spain and the Swiss Confederation, and at its air and sea borders.**

The terrorist threat in France is not abating. At the end of 2018 another terrorist attack, for which Da'esh claimed responsibility, took place on the Christmas market in Strasbourg on 11 December, leaving five dead and 11 wounded.

On 5 March 2019, a further terrorist attack was carried out by a radicalised inmate at the Alençon-Condé-sur-Sarthe prison, injuring two and resulting in the death of the attacker's partner. His wish was to avenge the perpetrator of the Strasbourg attack.

These attacks bring the total number actually carried out in our country to 13, of the 18 that have been attempted since the flows of Syrians began in October 2013. Over the past six years, our intelligence services have foiled a further 56 terror plots. France therefore remains highly exposed to the threat of terrorism.

Developments in Syria mean that the likelihood of a mass return of foreign fighters, and in particular European nationals, is greater than ever. More than 160 French Da'esh members are currently being held by the Syrian Democratic Forces (SDF) and may have the opportunity to disperse as a result of fluctuations in the balance of power on the ground. In total there may be up to 550 French nationals or foreign residents of France in the area, who might attempt to return to French territory.

Europe is now, more than ever, a target for Da'esh. Crossing the internal borders of the European Union remains a strategy for terrorist groups, which do not hesitate to plan an attack in one Member State in order to carry it out in a neighbouring Member State.

In this context, France has supported the negotiations on providing better protection for Europe and strengthening external border control. The extension of Frontex's mandate, the establishment of a 1 000-strong European border guard, the strengthening of the databases (SIS), the development of new instruments (Entry/Exit system, ETIAS) and the increased interoperability of the IT systems are innovations that will undoubtedly improve our security.

Despite our joint efforts, the strengthening of the EU's external borders is not yet complete and the urgency of the threat means we must remain vigilant.

Moreover, it is against this background that France holds the presidency of the G7 in 2019. This role will involve holding several ministerial meetings, including in particular the G7 Interior Ministers' meeting on 4 and 5 April 2019, which will be followed by eight further ministerial meetings between April and July, before the summit of Heads of State and Government takes place in Biarritz from 24 to 26 August 2019.

With this in mind, it would seem imperative to strengthen controls on cross-border movement, in particular at the Spanish border, and to ensure France's security since these events oblige our country to demonstrate the utmost vigilance.

That is why the French authorities have decided to extend the controls at France's internal borders from 1 May 2019 until 31 October 2019, in accordance with the provisions of Articles 25(1) and 27 of the Schengen Borders Code. The controls will respect the proportionality principle, and be carried out in accordance with up-to-date risk analyses.

While national measures have been in place since October 2017 in order to replace checks at the internal borders on an ad hoc basis, they do not have the same effect as border controls. That is why the reintroduction of internal border controls is still necessary.

These controls at France's national borders have proved their worth: between November 2015 and the end of February 2019 they led to 338 381 arrests, of which 143 857 were made due to records being detected in European databases. This represents a fourfold increase in the number of alerts, with an average of 3 785 records being discovered each month.

They have also proved useful in the fight against document fraud: in total 29 617 individuals carrying false documents were arrested at the borders between November 2015 and February 2019, including 3 743 at the internal borders. The use of false documents and identity theft are techniques that are frequently employed by criminal networks to travel within the EU.

Measures will be taken to ensure that crossing French borders remains as smooth a process as possible so as not to infringe the principle of freedom of movement and with a view to returning to the normal functioning of the European area of free movement. Officers will carry out increased surveillance between crossing points by means of fixed or mobile patrols and will be able to more accurately target their operations thanks to the 10 Police and Customs Cooperation Centres (PCCCs) in operation at the borders with the neighbouring Member States. The PCCCs will make it possible to ensure a high level of cooperation between the neighbouring countries and, thanks to regular risk analyses, to focus controls on the sections of the internal border that pose the greatest risk.

The Minister for the Interior will send a letter to his counterparts in the neighbouring countries, in particular to ensure that their services cooperate in carrying out these border controls.