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NOTE

From:	Norwegian delegation
To:	Working Party on Frontiers / Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)
No. prev. doc.:	13676/22
Subject:	Prolongation of border controls at the Norwegian 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)

Delegations will find attached a copy of the letter received by the General Secretariat of the Council on 17 April 2023 regarding the prolongation of border controls by Norway at parts of the internal borders for six months as of 12 May 2023.

MAIL

**ROYAL NORWEGIAN
MINISTRY OF JUSTICE AND PUBLIC SECURITY**IM 004635 2023
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14. 04. 2023*Minister of Justice and Public Security*

European Commission
European Parliament
Secretary-General of the Council
Member States of the Schengen Cooperation

Your ref.

Our ref.
20/1379 - KAMDate
14.04.2023**Temporary controls at the Norwegian internal borders**

On the 13th October 2022, the Norwegian government decided to temporarily reintroduce border control at the internal borders for six months from 12th of November 2022, pursuant to the Schengen Borders Code articles 25 and 27. This measure was taken with the reference to an assessment of the need to increase the security of the Norwegian on-shore and off-shore oil and gas facilities.

Pending the result of the investigation into the breach of the Nord Stream pipeline, we still have to take into consideration that a state actor might have the capacity and an intention to disrupt the supply of energy to Europe. The report from The Netherlands from February that Russia has tried to gain intelligence to sabotage critical infrastructure in the Dutch part of the North Sea, underlines the gravity of this concern.

Over the past year, relations between Russia and Norway have deteriorated significantly. Norwegian and Russian authorities are meeting in fewer arenas than before. Moreover, economic sanctions have weakened trade relations, investments and economic cooperation between the two countries. This means that Russia's access to information about conditions in Norway is no longer as easy as it once was. To compensate, Russian authorities must rely on their intelligence services to a greater extent to cover their need for information in Norway. This tends to exacerbate the Russian intelligence threat in Norway. Another consequence of the deteriorating relations between Norway and Russia is that Russia has less to lose if the country's intelligence operations in Norway are exposed. The Norwegian Police Security Service therefore believes that Russia may be willing to accept higher risk in respect of its intelligence activities in Norway.

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Furthermore, yesterday Norway declared 15 intelligence officers working at the Russian embassy in Oslo personae non gratae further exacerbating this threat.

The security of these facilities is still of the greatest importance for the Norwegian government and the support from our Allies in this endeavour is highly appreciated. It is, however, necessary to ensure that the security of these facilities is maintained with all tools available.

Norway strongly supports restoring the functioning of the Schengen area as an area without internal border controls. However, in the light of the above, the Norwegian government has decided, in accordance with articles 25 and 27 of the Schengen Borders Code, to temporarily reintroduce border control at the internal borders for six months from 12th of May 2023. The border controls will be limited in scope, both operationally and geographically to what is strictly necessary to prevent the possible threats to the internal security and public policy. The controls will be targeted and based on risk assessment, and carried out in accordance with the Commission guidelines for border management issues. Furthermore, the controls will be limited to ports with ferry connections to the Schengen Area.

In accordance with the Commission recommendation on proportionate police checks and police cooperation in the Schengen area of 12th of May 2017, Norway has been carrying out intensified police checks in the areas of Viken region bordering on Sweden. The Norwegian and Swedish police authorities have a very good bilateral cooperation. However, such measures cannot fully substitute internal border controls in the Norwegian ports.

All in all, these measures are, in my opinion, small compared to the interests they are meant to protect.

Yours sincerely



Emilie Mehl

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