



Council of the
European Union

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FRONT 30
COMIX 50

"I" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: Improved information sharing on temporary reintroduction of border controls at internal border

On 19 September 2014, the Swedish delegation presented its proposal¹ aiming at improving the sharing of information in cases where a Member States decides to reintroduce border control at internal borders in accordance with Articles 24 and/or 25 of the Schengen Borders Code (SBC)².

Following discussions in the Working Party on Frontiers / Mixed Committee on 19 September, 19 and 20 November 2014 and subsequent written comments, agreement was reached on the matter in that Working Party on 23 January 2015.

Coreper is, on this basis, invited to approve the following procedures, with a view to improve information sharing on temporary reintroduction of border controls at an internal border:

¹ doc. 11672/14.

² Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (OJ L 105, 13.4.2006, p. 1-32 as amended).

- When a Member State decides to reintroduce temporarily border control at internal borders (in accordance with Article 24 or 25 SBC), it should send an express notification, via an e-mail, to the other Member States via the contact points for border management issues¹. The notification should contain the information referred to in Article 24(1) SBC. The same notification should be sent, via e-mail, to the Commission, the Council General Secretariat and, where possible, to the JHA Counsellors of the other Member States².
- In the cases of planned reintroduction (Article 24 SBC) or, as well as in the cases requiring immediate action (Article 25 SBC), Member States should send in due time an “official” confirmation of the notification (normally transmitted by the Ambassador of the Member State concerned) to the Commission and to the Council General Secretariat. The General Secretariat should then issue this confirmation of the notification as an official, public document. As regards the cases of planned reintroduction, the Member State concerned should also send the notification to the European Parliament in accordance with Article 24(2) SBC, whereas for cases foreseen in Article 25 SBC it should be for the Commission to inform the European Parliament.
- In order for this procedure to constitute an integrated part of Member States’ practises, the Commission is invited to examine the possibility to publish information about the procedure on the EU platform CIRCABC³ and keep the updated list of contact points (as referred to above), as an attachment to Practical Handbook for Border Guards⁴. Furthermore, contact details should be published on CIRCABC for transmitting the relevant notifications to the European Commission, the Council Secretariat and - in the cases under Article 24 SBC - to the European Parliament.

¹ The most recent list of these contact points is set out in document 10955/2/14 FRONT 122 COMIX 319 REV 2, List of contact points for border management issues. For this purpose, those Member States which have not yet notified a contact point with 24/7 service would be requested to do so; the rest of the Member States should as soon as possible verify the details of their contact points. The list shall be kept duly updated by Member States.

² The e-mail to the JHA Counsellors could be sent via the Permanent Representation of the Member State concerned.

³ Website: <https://circabc.europa.eu>.

⁴ C(2006) 5186 final, as updated by later amendments.

- Additional information, e. g. a decision to lift or to prolong the border control, should also be conveyed to the same contact points.
 - This notification procedure shall not affect the consultation requirements foreseen for cases of planned reintroduction of border control at internal borders (Article 24 SBC).
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