



Council of the
European Union

**Brussels, 11 March 2016
(OR. en)**

**6490/1/16
REV 1**

**FRONT 94
COMIX 149**

NOTE

From: Belgian delegation

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

Subject: Temporary reintroduction of border controls at the Belgian internal borders in accordance with Article 25 of Regulation (EC) 562/2006 establishing a Community 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 10 March 2016 concerning the temporary reintroduction of border controls by Belgium at its internal borders between 23 February and 23 March 2016.

THE PRIME MINISTER



SECRÉTARIAT GÉNÉRAL DU
CONSEIL DE L'UNION EUROPÉENNE
SGE16/02412
Reçu le 10-03-2016
DEST. PRINC.
DEST. COPISTES

To the attention of:

Mr. Dimitri AVRAMOPOULOS, Commissioner for Home Affairs
Mr. Klaus WELLE, Secretary-General of the European
Parliament
Mr. Klaas DIJKHOF, President of the Justice and Home Affairs
Council of the European Union
Mr. Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the
Council of the European Union

Your letter of

Your references

Our references

CAB CM-AE-MR-ap-
140850

date
01 MARCH 2016

Dear Commissioner, President, Secretaries-General,

We are contacting you following your letter of 25 February 2016 and the subsequent consultation that took place between our services.

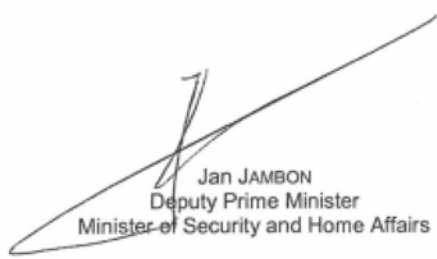
We have come to understand that the procedure under article 25 of the Regulation No256/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) as amended by Regulation 1051/2013 applies to situations where a serious threat to the public policy or internal security in a Member State requires immediate action to be taken, including the case of an evolving situation which requires urgent action.

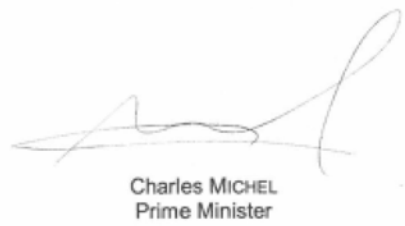
We therefore notify the reintroduction of the internal border controls according to article 25 of Regulation No256/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) as amended by Regulation 1051/2013.

These controls at our internal borders are introduced from 23rd February 2016 at our land border between the Province of West-Vlaanderen and the Republic of France, for an initial period of 10 days.

Given the announced closure and evacuation of further migrant camps in the Nord-Pas-de-Calais region, the Belgian government has decided to prolong the border control for an additional period of 20 days, in order to guarantee public order and national security. The internal controls at the above mentioned section of the land border are therefore organized till 23 March 2016. You will find enclosed an updated assessment, including new elements, as required per article 25.3.

Please accept, Dear Commissioner, Dear President, Dear Secretaries-General, the assurances of my highest consideration.


Jan JAMBON
Deputy Prime Minister
Minister of Security and Home Affairs


Charles MICHEL
Prime Minister

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SÉCRÉTARIAT GÉNÉRAL DU CONSEIL DE L'UNION EUROPÉENNE	
SGE16/02412	
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votre communication du	vos références	nos références	date
		20160302/00413	/03/2016
			04 -03- 2016

Dear Commissioner,

Concerns : temporary reintroduction of the border controls between France and Belgium – notification

Following your letter of 28 February 2016, I have the pleasure of enclosing a letter signed by Mr Charles MICHEL, Prime Minister of the Belgian Government and Mr Jan JAMBON, Deputy Prime Minister and Minister of Security and the Interior.

Yours sincerely,

Dirk WOUTERS
Ambassador
Permanent Representative of Belgium to the EU

cc : Mr Klaus Welle, Secretary General, European Parliament
Mr Jeppe Tranholm-Mikkelsen, Secretary General, Council of the EU
Mr Klaas Dijkhoff, President of the Justice and Home Affairs Council of the EU

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NOTIFICATION
TEMPORARY REINTRODUCTION OF THE BORDER CONTROLS BETWEEN FRANCE
AND BELGIUM

The Belgian authorities have recently been confronted with a number of migratory related evolutions generating a serious impact on our public policy and internal security situation, particularly in the Province of West-Vlaanderen.

As you are aware of, and similar to the situation in the North of France, the Port of Zeebrugge creates a major pull effect to migrants trying to reach the UK.

A number of recent worrying tendencies confirm and underline the increasing impact on the security situation in West-Vlaanderen:

- The number of intercepted irregular migrants in this province has risen significantly since October 2015.

Evolution in numbers for West-Vlaanderen

2015

Jan: 133
Feb: 115
March: 190
April: 154
May: 228
June: 233
July: 178
Aug: 236
Sept: 235
October 2015: 542 (!)
November 2015: 362
December 2015: 783

2016

Jan: 950
Feb (until) 22/02/2016: 725

- The Police are confronted with an increasing number of criminal organisations involved in the trafficking and smuggling of human beings to West-Vlaanderen and to the Port of Zeebrugge. Violent incidents with these criminal organisations are reported far more frequently than before;

- The visual presence of the significantly increased number of irregular and homeless migrants has a direct and non-negligible negative impact on public security;
- The security situation in the Port of Zeebrugge has deteriorated frighteningly due to the regular illegal intrusions in the portal area. These trespassings engender unacceptable safety and security risks, not only to the harbour activities but, even more importantly, to the migrants themselves (e.g. stowaways in lorries or other means of transport with a direct risk for their physical integrity). The volume of these interceptions has been growing continuously since last Summer;
- The expected and announced closures of illegal settlements of migrants around the main portal areas of Calais and Dunkirk in the North of France will most likely generate a further significant growth of the number of irregular migrants towards West-Vlaanderen. The major negative effect on public security and, subsequently, on the economic activities cannot be underestimated.

Since the temporary reintroduction of border control at the border between France and the Province of West-Vlaanderen on 24 February, 334 irregular migrants have been apprehended whereas an additional 235 could be returned to their initial points of entry to the Belgian territory. These figures of the last couple of days emphasise the rising pressure on the security situation.

Taking into account the above mentioned developments and in order to safeguard public policy and the internal security, the Belgian government is obliged to immediately reintroduce temporarily border control at the border of France and the Belgian Province of West-Vlaanderen. We refer to Article 25 of the Schengen Border Code as a legal basis for this exceptional measure.

All necessary initiatives to coordinate with the French authorities and other concerned Member States will be taken.