



Council of the
European Union

Brussels, 11 January 2019
(OR. en)

5219/19

FRONT 5
COMIX 11

NOTE

From: Swedish delegation

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

Subject: Prolongation of the temporary reintroduction of border controls at the Swedish internal borders in accordance with Article 25 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 10 January 2019, concerning the prolongation of the temporary reintroduction of borders controls by Sweden at its internal borders between 12 February and 11 May 2019.



9 January 2019

Ministry of Justice
Minister for Justice and Home AffairsSecretary General for Justice and
Home Affairs
Jeppe Tranholm Mikkelsen

Dear Secretary General,

I would like to inform you that the Swedish caretaker government is contemplating a decision on the temporary reintroduction of border control at the Swedish internal borders. The control would be carried out for three months as from 12 February 2019. Other measures at our disposal have, after detailed consideration, been deemed insufficient.

Such a decision would be taken in accordance with article 25 of the Regulation (EU) no 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code).

The scope of the border control may extend to all internal borders, be it land, sea or air borders, whereby the specific border sections and border crossing points would be determined by the Swedish Police Authority, following a continuous risk analysis. However, the scope would be limited to what is strictly necessary to respond to the threat to public policy and internal security and constantly adapted to the relevant circumstances.

The serious threat to public policy and internal security in Sweden remains. The terrorism threat level in Sweden remains at the current elevated level (level 3 out of 5) which is the same level as on 7 April 2017 when Stockholm experienced a terrorist attack. Shortcomings in the protection of the external borders persist and contribute to this threat, as they enable potential terrorists and other criminals to enter the Schengen territory unnoticed.

The reintroduction of border control at the internal border is truly a last resort. The existing Swedish legislation does not allow for police checks on persons in the border areas in line with the Commission's Recommendation

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from 12 May 2017 and instruments like these can never have the same effect as border control at the internal border.

Let me assure you that I still remain committed to the goal of returning to an area without internal border controls and a well-functioning Schengen cooperation.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M. Johansson', written in a cursive style.

Morgan Johansson

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