



Council of the
European Union

Brussels, 14 April 2020
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NOTE

From: Norwegian Mission

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

No. prev. doc.: 7013/20

Subject: Prolongation of the temporary reintroduction of border controls at the Norwegian internal borders in accordance with Article 28 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 a letter received by the General Secretariat of the Council on 14 April 2020 regarding the prolongation of the temporary reintroduction of border controls by Norway at the internal borders between 15 April and 4 May 2020.

E-MAIL



IF 003602 2020
14 04 2020

Brussels, 14.04.2020

Dear Vice-President of the Commission
Dear Commissioner
Dear Secretary-General of the Council
Dear Sir/Madam

Enclosed please find a letter from the Norwegian Minister of Justice and Public Security dated 14 April 2020 on the prolongation of the border control at the Norwegian internal borders.

We kindly ask delegations to forward it to their respective capitals.

Yours sincerely

Rolf Einar FIFE

Enclosed: 1

Mr Margaritis SCHINAS
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To the
Ministers of Home Affairs in the Schengen States

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ROYAL NORWEGIAN
MINISTRY OF JUSTICE AND PUBLIC SECURITY

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 - KKA

Date
14.04.2020

Temporary controls at the Norwegian internal borders

In order to combat the further spread of the Covid-19 virus infections, Norway reintroduced internal border controls at all internal borders (land, sea and air borders) for 10 days on the 16th of March this year, pursuant to article 28 of the Regulation 2016/399 on the rules governing the movements of persons across borders (Schengen Borders Code). The measure was prolonged for 20 days from the 26th of March.

National statistical information indicates that the unprecedented measures taken to reduce and prevent the further spread of the Covid-19 virus infections are having a positive effect. However, there are still new cases of infection reported, which means the time has yet not come to reduce our efforts. In light of this, I would kindly like to inform you that Norway pursuant to the Schengen Borders Code article 28 will prolong the internal border controls for another 20 days effective as of 15th of April at 08.00. A decision on prolongation for a final period of 10 days as provided for under the article 28 will be taken at a later time.

It is at this stage not possible to predict with any certainty how the spread of the covid-19 virus infections will develop in Norway or in the EU over the coming months. The current estimate of the Norwegian Institute of Public Health is that the epidemic will reach its peak in Norway between May and October this year. Thus, it can reasonably be assumed that several of the current measures taken to contain and combat the infections will have to be kept in place over time. In light of this the Norwegian government have decided to reintroduce internal border controls at all borders (land, sea and air borders) for 90 days from 15th of May at 08.00, in line with the Schengen Borders Code articles 25 and 27, in order to combat the further spread of the virus

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infections.

Furthermore, on the 12th of November 2019 the Norwegian government decided to temporarily reintroduce border control at the internal borders for six months, pursuant to the Schengen Borders Code articles 25 and 27. This measure was taken with reference to an assessment of the terrorist threat to Norway by the Norwegian Police Security Service, and in light of the overall terrorist threat to the security of the EU. Reference was also made to the potential for significant secondary movements into Norway of migrants with an unclear identity, posing a risk to our internal security. These controls have as stated in our letter of the 9th of October 2019 been limited to ports with ferry connections to Denmark, Sweden and Germany.

The ongoing temporary internal border controls in the Schengen area introduced as a measure to contain and combat covid-19, have made it more difficult for potential terrorists to exploit the freedom of movement within the area to plan, prepare and execute terrorist attacks. Similarly, the measures counteract the potential for secondary movement of migrants with an unclear identity. However, it is the view of the Norwegian government that the underlying situation concerning these threats remain mostly unchanged, and that the threats will resurface as the internal border controls introduced as a measure against covid-19 are gradually lifted.

In its annual threat assessment for 2020, the Norwegian Police Security Service concludes that extreme Islamist groups still represents one of the most serious terrorist threats towards Norway in 2020. At the same time, according to Europol, the terrorist threat to the security of the EU remains acute. In addition, according to the European Border and Coast Guard Agency, there are still significant differences between the number of checks performed at the external borders against relevant databases and the total volume of passenger flow. The ongoing process of repatriation of a large number of EU citizens in a situation where resources for border control are under pressure creates further insecurity in this respect.

Norway strongly supports restoring the functioning of the Schengen area as an area without internal border controls. However, in light of the above, the Norwegian government has decided, in accordance with the provisions of the articles 25 and 27 of the Schengen Borders Code, to temporarily reintroduce border control at the Norwegian internal borders for six months from 12th of May 2020.

The temporary reintroduction of internal border controls are an exceptional measure of last resort. As such, the carrying out of internal border controls both as a measure to limit the further spread of the Covid-19 virus infections and as a measure to respond to the underlying serious threat to our internal security, will be limited in scope, both operationally and geographically, to what is considered strictly necessary to prevent the possible threats to internal security and public policy. The controls will be targeted, based on risk assessment and carried out in accordance with the Commission

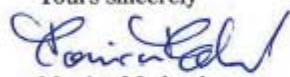
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guidelines for border management measures to protect health and ensure the availability of goods and essential services.

The internal border controls as a measure against Covid-19 will continue on all internal borders (land, sea and air borders). The internal border controls as a measure against the underlying terrorist threat will be limited to ports with ferry connections to Sweden, Denmark and Germany.

In accordance with the Commission recommendation on proportionate police checks and police cooperation in the Schengen Area of 12th May 2017, Norway has been carrying out, and will continue to carry out, intensified police checks in the areas of the 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 with ferry connections to Sweden, Denmark and Germany, as it does not provide for the possibility to perform controls based on the screening of passenger lists.

Yours sincerely



Monica Mæland

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