

Minister for Immigration, Integration and Housing

The European Commission



**Ministry of Immigration,
Integration and Housing**

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Udlændinge-, Integrations- og
Boligministeriet

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Case no. 2016 - 12238

Dear Commissioner Avramopoulos,

On 12 May 2016, the Council adopted an Implementing Decision setting out a Recommendation allowing for the continuation of temporary internal border control on the basis of Article 29 of Regulation (EU) 2016/399 of 9 March 2016 (Schengen Borders Code).

In its report of 28 September 2016 on the application of the Council Implementing Decision of 12 May 2016 setting out a Recommendation for temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk (COM(2016) 635), the European Commission has requested Denmark to provide information regarding the nature of the temporary border control carried out until 15 October 2016 and its outcome.

Since implementing controls at Denmark's internal borders in accordance with the Council Implementing Decision of 12 May 2016, a total number of 1,380,744 persons have been checked at the border, 1,249 persons have been refused entry and 857 persons have applied for asylum at the border.

Since the letter of 14 September 2016, whereby the Danish Government provided information to the European Commission about the implementation of the measures and the situation at the internal borders, there has been no change in the Danish police's efforts in the border areas. The border controls consist of spot checks based on continuous observation of traffic across the border. The controls are mainly targeted towards passengers on the ferries to Rødby, Gedser and Rønne and towards persons and vehicles crossing the Danish-German border in Southern Jutland. The situation is monitored closely, and the control effort is adjusted accordingly to ensure public order and internal security.

Furthermore, no change has been registered in the normal traffic patterns that can be directly attributed to the temporary border controls. In relation to this, the Danish Ministry of Business and Growth has informed the Ministry of Immigration, Integration and Housing that it has not been approached by any companies, industry associations or other organisations regarding any problems with delays attributed to the border controls.

For statistical data on the number of persons checked, the number of refusals of entry, the number of asylum applications registered/lodged as well as on delays to the general public flow, please see the Annex.

In light of the above, the Danish Government considers the border controls to be proportionate with regards to scope, frequency, location and time and limited to what is strictly necessary to respond to the serious threat and to safeguard public policy and internal security in Denmark.

The Danish Government still finds it necessary to continue the border control. The European Union's external border is still under pressure and continues to give reasons to concern. There are still many unregistered migrants in the Schengen area, and the risk of secondary movements will increase if internal border controls are lifted. In addition, since the Dublin III Regulation still cannot be applied vis-à-vis Greece, there is also a risk of secondary movement even of migrants, who have been registered in Greece.

Furthermore, from the point of view of the Danish Government there is a risk that Denmark – due to our geographical location – will see an inflow of irregular migrants and asylum seekers who do not want to stay in Denmark, but who cannot continue their onward journey due to the Swedish border controls and ID checks. This could constitute a serious risk for public order and security. In addition, it is still uncertain how many irregular migrants are present in Germany without being properly registered by the authorities.

In conclusion, the Danish Government finds no grounds, at this stage, for phasing out or scaling down the border controls vis-à-vis Germany.

Yours sincerely,



Inge Støjberg