

Minister for Immigration, Integration and Housing

The European Commission



**Ministry of Immigration,
Integration and Housing**

22 February 2016

Dear Commissioner Avramopoulos,

1. The Danish Government decided on 4 January 2016 to temporarily reintroduce border control at the Danish internal borders between 4 January 2016 at 12.00 hours and 14 January 2016. Other measures had, after detailed consideration, been deemed insufficient. The Danish Government decided on 13 January 2016 to prolong the border control at the internal borders for the period from 14 January to 3 February 2016. On 2 February 2016, The Danish Government decided to prolong the border control at the internal borders for the period from 3 February to 23 February 2016.

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The decision on 2 February 2016 to prolong the border control at the Danish internal borders was made due to the measures set in place by our neighbouring countries and particularly the measures set in place by Sweden. As a consequence of these measures, Denmark is faced with a serious risk to public policy and internal security because a very large number of illegal immigrants might be stranded in the Copenhagen area within a short period of time.

2. Since my letter of 11 February 2016, there has been no change in the police efforts in the border areas. Thus, the border controls consist of spot checks based on continuous observation of traffic across the border. The controls are targeted towards passengers on the ferries to Rødby and Gedser 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.

There has not been registered a change in the normal traffic patterns that can be directly attributed to the temporary border controls.

From 6 September 2015, where vast groups of immigrants and asylum seekers began to cross the Danish-German borders, until 14 February 2016, the Danish Police assesses that a total of approximately 93,800 immigrants and asylum seekers have entered Denmark. From 4 January until 17 February 2016, 2,200 immigrants and asylum seekers have entered Denmark and approximately 193,000 people have been checked at border crossings. In that same period, 716 people have been refused entry and 104 people have been charged with human trafficking.

The Danish Police has not since 4 January reported any build-up of illegal immigrants anywhere in the country.

As mentioned in my letter of 11 February 2016, Denmark received a historical high number of asylum seekers in 2015. In November alone, Denmark received around 5,100 asylum seekers including around 500 unaccompanied minor asylum seekers. Since November 2015 the number of asylum seekers has decreased. In the period 1st of January-17th of February 2016, Denmark received around 2.300 asylum seekers including around 400 unaccompanied minor asylum seekers. Even though the number of asylum seekers has decreased since the introduction of temporary border controls, the number of asylum seekers seems to remain at a relatively high level.

Up until the Swedish decision to temporarily introduce border control on the Danish-Swedish border, the influx of unaccompanied minor asylum seekers into Sweden was very high. Even though the influx of unaccompanied minor asylum seekers into Denmark in January and February 2016 seems somewhat high, it is not as high as the influx into Sweden in late 2015. Moreover, the Danish border control seems generally to have reduced the number of asylum seekers and migrants entering Denmark.

The Danish Government is as you know monitoring the situation at the borders very closely to secure that the scope and duration of the border control will not exceed what is strictly necessary to respond to the serious threat.

It is still the opinion of the Danish Government that the Danish border control does not exceed what is strictly necessary in this situation. The border control is deemed to have had a preventive effect as the above figures give grounds to believe that fewer people have a desire to travel through Denmark. In this regard, the border control has resulted in maintaining public policy and internal security in Denmark.

3. On 4 February 2016, the Swedish Government decided to prolong the border control at the Swedish internal borders until 9 March 2016. Furthermore, the Swedish regulation obliging carriers to ensure that persons transported into Sweden are in possession of identity documents is still in force.

As mentioned in my letter of 11 February 2016, the numbers of asylum seekers in Europe are still historically high, and according to Frontex, there is an ongoing pressure on Europe's external borders. Our neighboring countries to the North have prolonged their temporary border controls and still have ID-controls at their internal borders in order to reduce the numbers of asylum seekers. These measures have – as mentioned before – left Denmark with a serious risk to public policy and internal security if the Danish border control were to be lifted at this point.

On this background, the Danish government has today decided to prolong the border control at the Danish internal borders until 4 March 2016.

The border control may extend to all internal borders, including land-, sea- and air borders, whereby the specific border sections and border crossing points are determined by the Danish Police. The border control will, however, remain focused on the ferries arriving from Germany and the land border between Denmark and Germany. The scope of the control will remain limited to what is strictly necessary to respond to the threat to public policy and internal security.

The decision to prolong the border control is made in accordance with Article 23 and 25 of Regulation (EU) No 1051/2013 of the European Parliament and of the Council of 22 October 2013 amending Regulation (EC) No. 562/2006 of the European Parliament and the Council of 15 March 2006 establishing a Community Code on the rules of governing the movement of persons across borders (Schengen Border Code).

If the overall situation does not improve in the near future and the serious threat to public policy and internal security remains, the Danish Government intends – as mentioned in my letter of 2 February 2016 – after 4 March 2016 to prolong temporarily carrying out the controls at the internal borders on the basis of articles 23 and 24 of the Schengen Border Code.

In accordance with the Schengen Border Code, the Danish Government will notify the other Member States about the Danish decision.

Yours sincerely,


Jørgen Støjbørg