

Brussels, 13 May 2011

Statement by Cecilia Malmström, EU Commissioner for Home Affairs, on the announced permanent customs controls in Denmark

"I am concerned by the announcement of the Danish government aiming at strengthening intra-EU border control by establishing a permanent and visible customs control at all Danish borders.

The Commission's preliminary assessment raises real concerns that, if implemented as announced, the measures foreseen could be in breach of the obligations assumed by Denmark under EU and international law.

President Barroso has spoken to the Danish Prime Minister and followed up with a letter to him seeking the opinion of the Danish authorities about the preliminary assessment by the Commission and requesting further clarifications.

In particular, the Commission will ask for information about the legal basis for the envisaged checks, the sources of information based on which these checks will be carried out, and whether the announced measures will be part of larger measures to combat crime throughout the whole Danish territory.

I call on the Danish government to refrain from taking unilateral steps and to make sure that any measures taken are in line with the relevant law. The Commission stands ready to continue the dialogue with Denmark. But it will, if needed, use the tools at its disposal to guarantee the respect of EU law."

Background

On 11 May 2011, the Danish authorities informed the Commission of the agreement reached between the Danish government, the Danish People's Party and the Christian Democrats, on strengthening border control by establishing a permanent and visible customs control at all Danish borders within the framework of the Schengen Agreement.

A preliminary legal assessment of the foreseen Danish measures was done by the Commission's services this morning.

President Barroso has put Commissioner Malmström in charge of the coordination within the Commission and to maintain contacts with the Danish authorities regarding their intentions to introduce strengthened intra-EU border control measures to fight cross border crime and tax evasion.