



Commission Issues Opinion on Temporary Reintroduction of Controls at Internal Borders: Germany and Austria acting in compliance with Schengen Borders Code

Brussels, 23 October 2015

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The European Commission has published today its [Opinion](#) on the temporary reintroduction of controls at internal borders by Germany and Austria. The Commission has concluded that the initial reintroduction of controls at internal borders by Germany and Austria, as well as the subsequent prolongations, are in compliance with the Schengen Borders Code.

The Opinion assesses the necessity and proportionality of the measures introduced by Germany on 13 September and Austria on 16 September. The two Member States resorted to this extraordinary measure, foreseen in the Schengen Borders Code, to cope with a large influx of persons seeking international protection.

In particular, the Commission recognises that the German and Austrian decisions were "*motivated by the serious threat to the internal security and public policy caused by the extraordinary influx of persons seeking international protection, crossing the borders[...] in a spontaneous manner, often without necessary documents and/or without adequate recording in Eurodac upon their first arrival in the EU*" and that the reintroduction of border controls was intended "*to maintain the control over the extraordinary number of arriving persons by means allowed under national and EU law*".

The Commission is of the opinion that the sudden increase in the number of persons seeking international protection at the borders of these countries did lead to a threat of public policy and internal security, which justified the application of the extraordinary measures available under the Schengen Borders Code. Therefore, according to the Commission, the decisions taken by the German and Austrian authorities were necessary and the measures were proportionate. The Opinion also makes clear that it does not prejudge the assessment of any future prolongations.

In the same Opinion, the Commission expresses its appreciation of the decision of the Slovenian authorities to discontinue as of 16 October the temporary border controls it had introduced at its internal border with Hungary on 17 September.

The Hungarian decision on the temporary reintroduction of border control at its internal border with Slovenia, notified to the Commission on 17 October, will be assessed in a separate Opinion.

For more information:

Opinion of the Commission on Temporary Reintroduction of Controls at internal Borders by Germany and Austria: <http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/borders-and-visas/general/docs/>

Commission Statement on Temporary Reintroduction of Border Controls by Germany: http://europa.eu/rapid/press-release_STATEMENT-15-5638_en.htm

Commission Statement on Temporary Reintroduction of Border Controls by Austria: http://europa.eu/rapid/press-release_STATEMENT-15-5648_en.htm

Commission Statement on Temporary Reintroduction of Border Controls by Slovenia: http://europa.eu/rapid/press-release_STATEMENT-15-5667_en.htm

IP/15/5900

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