

E-10323/10EN  
Answer given by Ms Malmström  
on behalf of the Commission  
(8.2.2011)

In accordance with Article 23 of the Schengen Borders Code, a Member State may exceptionally reintroduce border control at the internal borders for a limited period of time where there is a serious threat to its public policy and internal security while respecting all the procedural safeguards set out in the Code. As stated in the Report from the Commission to Parliament and the Council on the application of Title III (Internal Borders) of the Schengen Borders Code<sup>1</sup>, on the basis of the information available to the Commission on the reasons for temporary reintroduction of internal border controls, the Commission considers that, to date, Member States have not abused the possibility to reintroduce border controls.

According to the information notified by Portugal to the Commission on 3 November 2010, Portugal reintroduced internal border controls between 16 and 20 November 2010 as a result of increased security requirements linked to the North Atlantic Treaty Organization (NATO) Summit which took place in Lisbon on 19 and 20 November 2010.

Pursuant to Article 27 of Regulation (EC) No 562/2006 of Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)<sup>2</sup>, the Member State concerned or, where appropriate, the Council shall inform Parliament as soon as possible of the measures taken when border control at internal borders is temporarily reintroduced. The obligation to inform Parliament thus falls on the Council and on the Member State concerned. The Commission will remind Member States of this obligation.

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<sup>1</sup> COM(2010) 554 final.

<sup>2</sup> OJ L 105, 13.4.2006.