

ANNEX

Report on the reintroduction or prolongation of border control at the internal borders

1. **Report submitted by:**

The Netherlands

2. **Date of submission:**

16 January 2025

3. **Period covered by the report:**

This report covers the period of internal border controls from 9 December 2024 up to and including 8 December 2025. The reintroduction of internal border controls by the Netherlands was initially communicated by notification of 11 November 2024. The first prolongation of internal border controls was communicated by notification of 25 April 2025. The second prolongation of internal border controls was communicated by notification of 10 November 2025.

4. **Report submitted:**

- within 4 weeks of the lifting of border control at internal borders
- at the expiry of the first 12 months, where border control was prolonged as referred to in Article 25a(5) of Regulation (EU) 2016/3990
- at the expiry of the second 12 months, where border control was prolonged as referred to in Article 25a(5) of Regulation (EU) 2016/399

5. **Report in relation to the lifting of border control at the internal border after:**

- first reintroduction of border control at internal borders (unforeseeable event): Article 25a(1) of Regulation (EU) 2016/399
- prolongation of border control at internal borders (unforeseeable event): Article 25a(3) of Regulation (EU) 2016/399
- first reintroduction of border control at internal borders (foreseeable event): Article 25a(4) and (5) of Regulation (EU) 2016/399
- prolongation of border control at internal borders (foreseeable event): Article 25a(4) and (5) of Regulation (EU) 2016/399
- prolongation of border control at internal borders after 2 years, for major exceptional situation: Article 25a(6) of Regulation (EU) 2016/399
- prolongation of border control at internal borders after 2 years and 6 months, for major exceptional situation: Article 25a(6) of Regulation (EU) 2016/399
- reintroduction of border control at internal borders in accordance with a Council Implementing Decision: Article 28(1) and (5) of Regulation (EU) 2016/399

6. Description of the practical implementation of border control at internal borders (per part and/or border crossing point)

From 9 December 2024 up to and including 8 December 2025, 52,769 persons were checked at the Dutch land border with Belgium and 91,194 persons were checked at the Dutch land border with Germany. In the same period 134,373 persons, of which 23,634 were third-country nationals, were checked on intra-Schengen flights. From 9 December 2024 up to and including 8 December 2025, 13,075 vehicles were checked at internal border controls at the Dutch land border with Belgium and 20,768 vehicles were checked at the Dutch land border with Germany. 1,497 intra-Schengen flights were subject to internal border controls.

The internal border controls were carried out statically, through spot checks. At the land borders with Belgium and Germany, the Royal Netherlands Marechaussee (RNLM) conducted 2,947 control operations. On average, 56 such control operations were conducted per week. The total duration of internal border controls at the Dutch land borders with Belgium and Germany from 9 December 2024 up to and including 8 December 2025 was at least 11,214 hours. The total duration of internal border controls at the Dutch land border with Belgium in this period was 2,883 hours, excluding internal border controls on trains. Internal border controls at the Dutch land border with Germany were carried out for 6,168 hours, excluding internal border controls on trains. These numbers concern the total duration during which individual officers carried out internal border controls. On average, 78 intra-Schengen flights were checked per week in the context of internal border controls.

The internal border controls by the Netherlands were carried out by the Royal Netherlands Marechaussee (RNLM). Internal border controls were only carried out on incoming traffic. Internal border controls were information- and risk-based and carried out on highways, motorways in border areas, cross-border train routes and incoming intra-Schengen flights. The Ministry of Infrastructure and Water Management and Rijkswaterstaat (the ministry's department of waterways and public works) supported these controls by implementing traffic measures. Automatic Number Plate Recognition (ANPR) systems operational at the border were also used, allowing the RNLM to conduct information- and risk-based checks, for example by checking vehicles that had been flagged by the authorities. For internal border controls at the land borders with Belgium and Germany, a border officer of the RNLM selected incoming vehicles for checks. After selection, the vehicle was taken to a static control post adjacent to the road and subjected to a border check. No cross-border traffic-connections were closed in order to carry out internal border controls. International trains were also checked according to an information- and risk-based approach, with passengers being randomly checked on the train or after arrival at the first station in the Netherlands. The same applied to intra-Schengen flights, where a number of flights were selected on the basis of information and risk analysis, and then checked. In most cases, part of the flight was checked (at the gate or at the counter) after arrival.

Neighbouring Member States were notified in advance of the Netherlands' intention to reintroduce and prolong internal border controls. There have been regular meetings with relevant Member States at an operational, administrative and political level to discuss mitigating measures and to address the reasons for the reintroduction of these controls.

As regards the risk assessments made prior to, during or after the reintroduction of border control at internal borders, notifications on the first and second prolongation of internal border controls by the Netherlands stated that the current threat level was comparable to that at the time of reintroduction of internal border controls. Additionally, it was difficult to predict how long the threat would persist, as pressure on external borders and secondary flows is subject to fluctuations. With regard to limiting the duration of the internal border controls wherever possible, it was stated that the Netherlands is working on amending national legislation with a view to improving and enhancing the effectiveness of mobile security monitoring checks (MTV) (on the basis of the Aliens Act 2000 (Vreemdelingenwet 2000) and Article 23 of the Schengen Borders Code (SBC)), including changes to the restrictions on the number and duration of police checks. This risk assessment is considered accurate and also applies to the situation after 12 months of internal border controls by the Netherlands.

The Netherlands is in contact with neighbouring countries Belgium and Germany to improve cooperation on internal border controls (including the transfer of foreign nationals). To this end, a cooperation protocol between Belgium and the Netherlands regarding Benelux transfers entered into force on 15 September 2025. Additionally, at an operational level there is daily/weekly contact between the RNLM and Belgium and Germany regarding operational details. At a tactical level, periodic consultations are held on cooperation (high-level meetings), while at a strategic level periodic consultations are held with Belgium and Germany on strategy and policy at the internal border.

7. Initial and follow-up assessment, as well as **ex-post** assessment, of proportionality and necessity

7.1. **Appropriateness: extent to which the reintroduction or prolongation of border control at internal borders adequately remedied the threat**

The Netherlands' reasons for introducing internal border controls in December 2024 relate to the significant impact of the continued influx of irregular migration, particularly secondary flows through which asylum seekers also reach the Netherlands. The internal border controls were aimed at combating irregular migration and cross-border (migration) crime, such as human smuggling. The pressure from irregular migration and human smuggling causes problems in the migration system, particularly the asylum process and reception. These problems are exacerbated by the inadequate functioning of the Dublin system. In April 2025, a decision was made to extend the temporary measure due to the persistence of the main reasons for reintroducing internal border controls.

According to Frontex, the number of irregular entries into the European Union declined by 21% in the first eight months of 2025. The influx of asylum seekers into the Netherlands also fell by 37% in the first eight months of 2025 (13,920) compared to the first eight months of 2024 (22,000). The effect that Member States' internal border controls have had on the reduction of irregular border crossings at external borders and asylum applications in the Netherlands cannot be determined easily and unambiguously. Measures taken by other European countries may also have influenced the number of irregular border crossings and must also be taken into account. Although irregular migration flows depend on many factors, it is possible that internal border controls within the Union are having a preventive effect on migrants and human smugglers and thus contributing to a shift in secondary migration flows. Dutch internal border controls can be seen as part of a broader approach to combating irregular migration and human smuggling. It can be concluded that this combination of measures by multiple Member States has contributed to tackling the identified threat of irregular migration and cross-border crime, such as human smuggling, which prompted the reintroduction and prolongation of controls by the Netherlands at internal borders.

7.2. **Reasons for which it was not possible to attain the objectives by:**

- a) the use of alternative measures, such as proportionate checks carried out in the context of checks within the territory as referred to in Article 23, point (a), of Regulation (EU) 2016/399;
- b) the use of the procedure laid down in Article 23a of Regulation (EU) 2016/399;
- c) other forms of police cooperation provided for under Union law;
- d) common measures regarding temporary restrictions on travel to the Member States as referred to in Article 21a(2) of Regulation (EU) 2016/399.

Before the reintroduction of the temporary measure of internal border controls, the Royal Netherlands Marechaussee (RNLM) performed mobile security monitoring checks (MTV) on the basis of the Aliens Act 2000 (Vreemdelingenwet 2000) and Article 23 of the Schengen Borders Code (SBC) in the border regions with Belgium and Germany. Such MTV checks, performed on a random basis and/or based on information and intelligence, are carried out on roads, on trains, and at airports for certain flights arriving from the Schengen area. The duration and frequency of MTV checks are limited by the legal framework in the Aliens Decree. Although the existing legal framework does allow for intensified MTV checks, which would enable the same number of checks to be carried out in practice as under the current internal border controls, the advantage of internal border controls is that there is no legal limit on the number the RNLM may conduct. The only limit on internal border controls is the available RNLM capacity. The temporary reintroduction of internal border control has given the RNLM greater flexibility. It allows the RNLM to carry out checks for a longer period of time, to conduct more checks at the same spot, and to swiftly and effectively deny entry to individuals who do not fulfil the conditions under the Schengen Borders Code. In addition, internal border checks have a broader purpose than MTV. By assisting in the detection and prevention of irregular migration, and the detection of cross-border crime (including human smuggling) they contribute to the security of the Schengen area and the prevention of irregular migration.

7.3. Impact on the movement of persons within the area without internal border control and the functioning of cross-border regions

The RNLM has been instructed to conduct border checks in such a way as to minimise the impact on cross-border traffic, for example by refraining from measures that could disrupt traffic flows. In addition, the Dutch authorities attach great importance to remaining in close contact with the Belgian and German authorities to prevent internal border checks from having a significant impact on the movement of persons and goods. Furthermore, the Netherlands is committed to ensuring that the economic, social and infrastructural impact on border regions and their residents is minimised to the greatest possible extent. Therefore, since the reintroduction of internal border controls, the impact on traffic flows and cross-border regions has been closely monitored, including through continuous contact with local authorities, other ministries and neighbouring Member States. To date, there have been no indications that the Dutch border controls have had a significant negative impact on the border regions. The border checks are carried out along the entire border with Germany and Belgium, on both highways and motorways. Inconvenience is also limited by the way in which the border controls are spread out.

The border regions of the Netherlands, as notified under Article 42b of Regulation (EU) 2016/399, are the provinces Groningen, Drenthe, Overijssel, Gelderland, Limburg, Noord-Brabant and Zeeland. In communications that the Ministry of Asylum and Migration has had with municipalities in the border regions and provinces bordering Belgium and Germany, municipalities and provinces have indicated that the Netherlands' internal border controls are resulting in a greater psychological barrier and that this would have consequences for cross-border cooperation initiatives as well as the cross-border labour market and international cohesion. However, other municipalities in the border regions have not noticed any negative impact relating to internal border controls.

7.4. If the threat consisted of an exceptional situation characterised by sudden large-scale unauthorised movements of third country nationals, within the meaning of Article 25(1), point (c), of Regulation (EU) 2016/399

N/A

7.5. If applicable, factors that led to the decision to lift border control at internal borders

N/A

7.6. If available, number of persons apprehended during the reintroduction of border control at internal borders

From 9 December 2024 up to and including 8 December 2025, 265 persons were apprehended in the context of internal border controls. Zero persons were apprehended in the context of internal border controls on suspicion of terrorist offences. 39 persons were apprehended on suspicion of human smuggling. One person was apprehended on suspicion of human trafficking. 225 persons were apprehended on suspicion of criminal offences other than terrorism, human smuggling, or human trafficking. Zero persons were apprehended at internal border controls for failing to meet the entry requirements stated in Article 6 of the Schengen Borders Code.

7.7. Number of applications for international protection made at the internal border during the reintroduction or prolongation of border control at internal borders

From 9 December 2024 up to and including 8 December 2025, 114 persons at the internal borders with Belgium and Germany indicated that they wanted to apply for international protection. At airports, 12 persons indicated during internal border controls that they wanted to apply for international protection.

8. Refusal, transfer and readmission at the internal borders

From 9 December 2024 up to and including 8 December 2025, a total of 533 third country nationals were not admitted at the internal borders with Belgium and Germany during the reintroduction of internal border control. In this period, 147 persons who were not admitted were issued with a return decision following a refusal of entry decision under analogous application of Article 14 of Regulation (EU) 2016/399. 41 persons were given immediate return orders. Zero persons who were not admitted were transferred under the procedure referred to in Article 23a of Regulation (EU) 2016/399. Zero persons who were refused entry were readmitted under pre-existing bilateral readmission agreements or arrangements.

Since the reintroduction of internal border controls the RNLM has not carried out MTV checks in the border regions with Belgium and Germany under Article 23a of the Schengen Borders Code. It has however carried out surveillance through cross-border police teams pursuant to that same article. These teams are composed of Dutch and German units from the Dutch police, the Royal Netherlands Marechaussee, and the Bundespolizei. This cooperation stems from the Treaty of Enschede, and mainly focuses on cross-border crime.

9. Overview of measures applied in parallel during the reintroduction or prolongation of border control at internal borders

The Netherlands and Belgium have been continuously in contact with regard to enhancing cooperation on checks at the internal borders. The Netherlands and Belgium have agreed on a cooperation protocol with regard to improving the transfer process for migrants who are apprehended there. The Netherlands and Germany have continuously explored possibilities to improve their cross-border cooperation. The Royal Netherlands Marechaussee works closely with the Bundespolizei in the border area at the Joint Border Coordination Center (JGC). The JGC combats illegal border crossings and illegal residence in the Netherlands and Germany by exchanging information. The JGC is staffed 24/7 by personnel from the Royal Netherlands Marechaussee and the Bundespolizei. The Netherlands and Germany also have bilateral agreements in place on the transfer of aliens refused entry in the context of border surveillance.

Cooperation agreements/MoUs are in place between the Royal Netherlands Marechaussee and Bundespolizei. There are also bilateral agreements and arrangements with Belgium and Germany in relation to transfers. The Joint Border Coordination Center and the Border Police Teams are active along the German-Dutch border and work together with German colleagues.

Coordinated checks are carried out regularly with the Belgian Immigration Office and the Bundespolizei, and the Royal Netherlands Marechaussee contributes to multinational and multidisciplinary checks in the field of document expertise and migration flows.

The EPICC (Euregional Police Information Coordination Centre), established in 2005, facilitates the exchange of information between Belgium, the Netherlands and Germany. Its staff work directly together to combat cross-border crime and prevent offences and threats to public order and safety, particularly in the border region.

10. Confidentiality of information (Article 35 of Regulation (EU) 2016/399)

N/A