



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 13 May 2003
(OR. en)**

8830/03

**FRONT 50
COMIX 273**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject : Initiative of the Hellenic Republic with a view to adopting a Council Decision determining the minimum indications to be used on signs at external border crossing points

COUNCIL DECISION

of

determining the minimum indications to be used on signs
at external border crossing points

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62,
point (2)(a) thereof,

Having regard to the initiative of the Hellenic Republic ¹,

Having regard to the Opinion of the European Parliament ²,

¹

²

Whereas:

- (1) It is necessary to update the existing indications on signs at external air border crossing points marking the channels for persons entering and/or leaving the territory of the Member States contained in Schengen Executive Committee Decision SCH/COM-EX(94) 17, rev 4 of 22 December 1994, in order to take account of the Agreement on the European Economic Area and of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons.
- (2) Accordingly, it is necessary to determine, in a uniform manner, the minimum indications for new signs marking the passenger channels at external land and sea borders, where such channels are used.
- (3) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Decision, and is not bound by it or subject to its application. Given that this decision aims to implement the provisions of the Schengen acquis in accordance with the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark shall, in accordance with Article 5 of the said Protocol, decide within a period of six months after the Council has adopted this Decision whether it will implement it in its national law.

- (4) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, point A of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement².
- (5) This Decision constitutes a development of provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis³; the United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (6) This Decision constitutes a development of provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis⁴; Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (7) This Decision constitutes an act building on the Schengen acquis or otherwise related to it within the meaning of Article 3(2) of the 2003 Act of Accession,

HAS ADOPTED THIS DECISION:

¹ OJ L 176, 10.7.1999, p. 36.

² OJ L 176, 10.7.1999, p. 31.

³ OJ L 131, 1.6.2000, p. 43.

⁴ OJ L 64, 7.3.2002, p. 20.

Article 1

Member States shall provide separate lanes at authorised air border crossing points at their external borders in order to carry out the necessary border checks on persons entitled under Community law and other persons. The lanes shall be differentiated by means of the signs referred to in Article 2.

The same signs shall be used if Member States wish to provide separate lanes at land and sea border crossing points at their external borders.

Article 2

The indications on the signs, which may be displayed electronically, shall be as follows:

- The emblem of the European Union with the letters "EU", "EEA" and "CH" within the circle of stars and the word "CITIZENS" beneath the circle of stars, as shown in Annex I.
- The words "ALL NATIONALITIES", as shown in Annex II.

Article 3

Citizens of the EU, nationals of States parties to the Agreement on the European Economic Area and nationals of the Swiss Confederation shall, as a general rule, use the lane indicated by the sign in Annex I. All other third-country nationals shall use the lane indicated by the sign in Annex II.

However, in the event of a temporary imbalance in the traffic flows at a particular border crossing point, this general rule may be waived by the competent authorities for the time necessary to eliminate such imbalance.

Article 4

At land border crossing points, Member States may separate vehicle traffic into different lanes for light and heavy vehicles, by using signs as shown in Annex III.

Article 5

Point 2 of the Annex (SCH/I-Front (94) 39 rev. 9 to Schengen Executive Committee Decision SCH/COM-EX(94) 17, rev 4 of the of 22 December 1994, together with point 2 of the decision attached to that Annex on introducing and applying the Schengen arrangements in airports and aerodromes (secondary airports), shall be repealed.

Article 6

This Decision shall enter into force on 2003.

Article 7

This Decision is addressed to the Member States in accordance with the Treaty establishing the European Community.

Done at

For the Council
The President





ALL
NATIONALITIES

