



**COUNCIL OF
THE EUROPEAN UNION**



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**Schengen enlargement:
Liechtenstein to become 26th member state**

The Council decided that Liechtenstein will become on 19 December 2011 the 26th country to join the Schengen area.¹ To that end, the Council adopted a decision allowing for both the lifting of internal border controls with Liechtenstein at the land borders as well as the lifting of the current restrictions on the use of the Schengen Information System ([17219/11](#)).

In a preceding evaluation procedure, the Council had established that Liechtenstein fulfills all the necessary conditions for the practical application of the relevant parts of the Schengen acquis. Council conclusions confirmed the results of this evaluation procedure ([15570/1/11](#)).

¹ Including Liechtenstein, there will be 26 countries fully applying the Schengen acquis: all EU27-countries minus Bulgaria, Cyprus, Ireland, Romania and the United Kingdom, plus non-EU countries Iceland, Norway, Switzerland and Liechtenstein.

P R E S S

Schengen acquis

The Schengen acquis is a set of common rules providing for:

- free movement of persons and the abolition of systematic controls at internal borders: not only for over half a billion European citizens, but also for all third-country nationals who are legally present in the Schengen area. At the same time, every participating country has the right to perform checks on persons and customs checks anywhere inside its national territory, as part of the everyday work of the police, customs and immigration control. Examples range from road traffic checks to the fight against organised crime;
- police and customs cooperation: neighbouring countries cooperate closely, e.g. through joint operations and controls. In the event of a serious threat to public order or internal security, a member state may exceptionally reintroduce border controls at all or some of its internal borders for a limited period not exceeding 30 days. Examples include major sports events that may give rise to a security risk;
- judicial cooperation: e.g. specific rules to facilitate the procedures regarding mutual judicial recognition, including the principle *ne bis in idem*, so that a person may not be prosecuted and punished twice for the same acts in different countries;
- the establishment of the Schengen Information System (SIS), a common database for the border and migration authorities, as well as law enforcement authorities, of the participating countries on persons as well as on lost and stolen objects. Specific stringent data protection rules apply to the SIS;
- a common Schengen visa which grants free movement throughout Schengen territory during a period up to 90 days. In 2009, almost 10 million Schengen visas were issued worldwide. In October 2011, the Visa Information System (VIS), a common database of all Schengen visa applications and all Schengen visas issued, became operational.

The rules governing the Schengen area are currently under review. Proposed changes concern, among other things, the evaluation and monitoring mechanism to verify the application of the Schengen acquis as well as the rules governing the movement of persons across borders (Schengen Borders Code) and the Convention implementing the Schengen Agreement.

History of the Schengen area

The evolution of the Schengen area was a gradual one:

- It was born on 14 June 1985 when five countries (Belgium, France, Germany, Luxembourg and the Netherlands) signed the Schengen Agreement.
- Five years later, the Schengen Convention set out how the abolition of checks at internal borders would be applied in practice. It also established a series of necessary compensatory measures to strengthen external border checks, define procedures for issuing uniform visas, take action against drug trafficking and establish a common system for information sharing (the Schengen Information System (SIS)).
- The actual abolition of border controls started on 26 March 1995, when seven countries (the initial five plus Portugal and Spain) abolished checks at their internal borders.
- Since then, the Schengen area has been steadily expanded and in the future, with the accession to the Schengen area of Bulgaria, Romania, it will encompass 28 European countries. A number of them are not members of the EU: Iceland, Norway, Switzerland and Liechtenstein.
- Three EU member states (Cyprus, Ireland and the United Kingdom) are not part of the Schengen area, although they participate in some of the Schengen rules.
- Each Schengen country is regularly evaluated to make sure that the rules agreed upon are applied correctly by everyone.