



MEPs suspicious about Schengen rules review

Committees: Committee on Civil Liberties, Justice and Home Affairs

The European Commission's announcement that it is considering a temporary re-introduction of checks at the EU's internal borders, at the request of Italy and France, prompted concern among Civil Liberties Committee MEPs on Monday. MEPs say that Schengen must not be weakened and that all internal border checks should be strictly justified.

"Schengen governance is suffering too much from inter-governmentalism", said the Commission representative, adding that the Commission would table a communication on the issue on 4 May. The Commission paper will seek to "replace the unilateral re-introduction of border controls by a Community mechanism". This would enable the Commission temporarily to impose checks at national borders, in exceptional circumstances and as a last resort.

"The decision would be taken collectively, and not unilaterally as is now the case", said the Commission representative, pointing out that, at present, Member States' decisions to restore internal border checks cannot be challenged before the European Court of Justice.

"Schengen should not be weakened", said Civil Liberties Committee rapporteur Carlos Coelho (EPP, PT), asking for "some precaution" on this issue. "Schengen is free movement and, like the euro, is one of the symbols of Europe", he underlined. Mr Coelho agreed that "we should have a European approach" and stressed that these issues should be discussed in the context of the new Schengen evaluation system.

The Commission has presented a proposal to introduce a Community system to evaluate the application of Schengen rules. This draft law is being discussed by Civil Liberties Committee MEPs.

Are border checks justified?

"Is it physically possible to reintroduce border checks? How will this be done?", wondered Jan Mulder (ALDE, NL), evoking the possibility of huge traffic jams at the border between Germany and the Netherlands. Sophia in't Veld (ALDE, NL), stressed that the number of requests for temporary re-introduction of border checks is rising and wondered whether these requests are justified. "I am not sure that peer review really works", she said.

According to the Commission, reintroducing checks at internal borders is a measure of last resort, "but it can happen", as is sometimes the case with major sports events.

Asylum and migration: Member States need to agree

Claude Moraes (S&D, UK), argued that the Council should move forward with proposed asylum and migration legislation, overcoming its past "narrow majorities" and "blockages" in these fields. "We asked for [the activation of] the temporary protection [directive]", he noted, asking whether the Commission would say again that there is no majority in Council to use it.

According to the Commission representative, the 4 May communication, to be unveiled ahead of the extraordinary meeting of the Justice and Home Affairs Council on 12 May and of the European Council in June, will provide a long-term perspective for migration policies.

Press release

The communication will focus on the management of the Schengen area and propose ways to improve the administration of the visa system. It will also address the common asylum system, which needs to overcome the current impasse in the Council, and the "security and mobility partnership".

As to activating the temporary protection directive, the Commission representative replied that so far, the conditions established in the directive had not been met. He also noted that these provisions apply to people in need of protection and not to regular migrants.

A social problem

"This is not a Schengen problem, this is a social problem" to do with migration, said Birgit Sippel (S&D, DE), adding that "I am bothered about the timing" of these requests by Sarkozy and Berlusconi.

The "Council is not willing to deal with migration", added Judith Sargentini (Greens/EFA, NL). Concerning the reintroduction of border controls, she called for a clear definition of "temporary". Franziska Keller (Greens/EFA, DE), asked "Which are the specific cases and who decides what is an emergency or not?" and "Who will take the decision to cut visa liberalization?"

The Commission representative explained that the communication does not address specific issues and only presents long-term guidelines. "The June European Council should endorse policy lines on the direction to take", he added.

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