



EUROPEAN COMMISSION

Directorate General Justice,
Freedom and Security

CITIZEN'S SUMMARY

Border package: Facilitating travel and securing Europe's borders

What is the problem?

Organised crime groups are getting better and better at by-passing border controls to traffic human beings into the European Union (EU). At the same time, migratory pressure remains high, especially at the southern maritime border of the Union. People often try to enter the EU illegally, putting their lives at risk. While each EU Member State is responsible for controlling its own border, the EU supports the efforts of the Member States to respond to the ever evolving challenge of safeguarding the Union's external border. Measures to enhance border security must go hand in hand with facilitating passenger flows and promoting mobility in an increasingly globalised world.

Experience has demonstrated that:

- current means are not sufficient to detect and rescue all those who try to reach Europe in an irregular way;
- operational coordination between Member States through joint border patrols, for example, is not functioning to its full potential;
- the Union lacks a tool that allows for efficiently identifying overstayers, i.e. people who legally entered the Schengen area, but have not respected the maximum time of authorised stay;
- the current legal framework is a one-size-fits-all approach, regardless of the purpose and frequency of the individual third-country national's travel. Everybody is subject to the same checks. New technology, allowing for automated border checks at the border crossing points, is not deployed to any greater extent.

What are the benefits of the proposal?

On 13 February the Commission presented a package of measures to reinforce all dimensions of border controls: border checks, border surveillance and operational coordination:

- measures to develop border surveillance, by improving cooperation between Member States and by using new technology;
- reinforcement of operational coordination between Member States through FRONTEX (the EU Border agency) by fully exploiting the current mandate of the Agency, in particular by further intensifying joint operations between Member States including sea border patrols;
- the introduction of an entry-exit system to record the dates of entry and exit of each third-country national admitted to the Schengen area using biometric identifiers (facial image and fingerprints). This will verify that a person is not overstaying;
- a programme to facilitate border checks for certain categories of frequent travellers from third countries by pre-screening travellers wishing to be part of such a programme and by introducing automated checks to speed up their border crossing;



- a system requiring an electronic authorisation to travel before arriving at the border itself could be introduced for people not requiring a visa.

These measures will contribute to the continued smooth functioning of the Schengen system, i.e. the absence of border controls between 24 countries in Europe. They will improve border security while keeping Europe open to the world by facilitating contacts and links between EU citizens and people in neighbouring countries in particular.

Why was this action taken at EU level?

In the area without internal border control called Schengen each Member State controls its external border on behalf of all the others. A person admitted to one Member State can travel freely to any other country in which the internal border control has been lifted. A person may enter the Schengen area through one Member State, spend most of his/her stay in a second Schengen State and exit through a third. As a result Member States need to work together and agree common standards on the criteria for: checks at the external borders, how unauthorised border crossings should be prevented as well as on what data should be collected and shared.

Member States must also have a framework for how they can cooperate and support each other to achieve a fair sharing of responsibilities in managing the external borders of the Schengen area as a whole.

Since the conclusion of the Schengen Convention in 1990 and the entry into force of the Treaty of Amsterdam the EU has gradually set in place a common policy on the management of the external border of the Schengen area. Uniform standards for border control have been introduced by Community legislation. A tool for operational coordination has been created through FRONTEX and a programme for financial support and **burden-sharing** between Member States has been launched with the External Borders Fund.

How will this work?

The measures proposed by the Commission would apply to the 25 Member States currently part of the Schengen cooperation (incl. those for which internal border controls not yet been lifted), and to the countries associated with the Schengen cooperation (currently Norway and Iceland; Switzerland is expected to become fully associated in 2008). The full text of the proposal is on the Internet: http://ec.europa.eu/justice_home/news/intro/news_intro_en.htm

When will these proposals take effect?

The package presented by the Commission takes the form of three Communications, each accompanied by an impact assessment that analyses in further detail the expected effect on the ground of each measure. The Commission has invited the EU Council represented by the Justice and Home Affairs Ministers and the European Parliament to discuss the package as a priority during the Slovenian Presidency, which means during the first half of 2008.

Most of the measures concerning FRONTEX, notably an intensified participation of Member States in joint border patrol operations, could be taken forward in 2008 and preparations are on-going with regard to reinforcing border surveillance. Other suggestions would need to be followed up with detailed legislative proposals from the Commission and could subsequently become operational between 2010 and 2015.

