One of the fundamental objectives of the European Union (EU) is to create an area without internal borders where people may move, live and work freely, knowing that their rights are fully respected and their security ensured.
CONTENTS

Why we need common border rules
The EU as an area of free movement...3

What the EU does
Common EU rules for border crossings...4

Why we need to work together
for a secure Europe
The EU as a secure area ............7

What the EU does
Common EU rules to ensure
security for all ....................8

Outlook ......................... 12

Find out more ................. 12

THE EUROPEAN UNION
EXPLAINED

This publication is a part of a series that explains
what the EU does in different policy areas,
why the EU is involved and what the results are.

You can find the publications online:
http://europa.eu/pol/index_en.htm
http://europa.eu/lbY34KD

How the EU works
Europe in 12 lessons
Europe 2020: Europe’s growth strategy
The founding fathers of the EU
Agriculture
Banking and finance
Borders and security ✗
Budget
Climate action
Competition
Consumers
Culture and audiovisual
Customs
Digital agenda
Economic and monetary union and the euro
Education, training, youth and sport
Employment and social affairs
Energy
Enlargement
Enterprise
Environment
Fight against fraud
Food safety
Foreign affairs and security policy
Humanitarian aid and civil protection
Internal market
International cooperation and development
Justice, fundamental rights and equality
Maritime affairs and fisheries
Migration and asylum
Public health
Regional policy
Research and innovation
Taxation
Trade
Transport

The EU explained: Borders and security
European Commission
Directorate-General for Communication
Citizens information
1049 Brussels
BELGIUM

Manuscript updated in November 2014

Cover and page 2 picture: © Jupiterimages

12 pp. — 21 × 29.7 cm
doi:10.2775/25135

Luxembourg: Publications Office
of the European Union, 2014

© European Union, 2014

Reproduction is authorised. For any use or reproduction
of individual photos, permission must be sought directly
from the copyright holders.
Why we need common border rules

The EU as an area of free movement

The Schengen area, an area of free movement without internal borders that now covers most of Europe, is one of the greatest achievements of the EU. Within it, people may freely move from one country to another without being subjected to passport controls. The Schengen area was initiated in 1985, when five EU Member States signed the Schengen Agreement, thus marking the beginning of cooperation to dismantle controls at their internal borders. In subsequent years, most EU Member States, along with a few non-EU countries, joined this cooperation. This means that the countries that are part of Schengen cooperation no longer carry out border checks at the borders they share with each other.

The removal of internal borders means that the Schengen countries need to cooperate with each other to maintain a high level of security within the Schengen area. It also means that they need to share responsibility for and cooperate in managing their common external borders and should, in that context, establish good cooperation with their non-Schengen neighbours outside the EU. Schengen cooperation entails common criteria for controlling the external borders, common rules for entering into the Schengen area and increased police cooperation between the participating countries.
Schengen countries follow a set of common rules for carrying out checks on persons at the external borders and for issuing visas for short stays in the Schengen area. Through these common rules, the EU can effectively control its external borders and prevent threats to its security, as well as deal with trafficking in human beings and better manage immigration (see the brochure on ‘Migration and asylum’ for more information on this). At the same time, having common rules on access to the Schengen area improves the transparency of the conditions non-EU nationals must fulfil if they wish to enter into the EU.

Common rules for short stays

Another element of Schengen cooperation is the common visa policy, which not only facilitates visitors’ lawful entry into the EU, but also helps strengthen the EU’s internal security. The Visa Code harmonises Schengen countries’ conditions and procedures for issuing short-stay visas (‘Schengen visa’). For example, it defines how a visa application must be lodged and how the country responsible for examining the application is determined. This Schengen visa is valid for stays of a maximum of three months per six-month period and its holder is allowed to travel freely within the entire Schengen area.

Not all non-EU nationals need a visa to enter into the Schengen area. The EU applies common lists of countries whose nationals require a visa and for whose nationals this requirement is waived. Among others, the
exemption applies to countries with which the EU has signed visa waiver agreements or to persons enjoying specific rights as a result of bilateral agreements, such as on local border traffic.

For stays exceeding three months, EU Member States continue to grant long-stay visas and residence permits on the basis of their national rules.

The EU Local Border Traffic Regime allows EU Member States to conclude bilateral agreements with their neighbouring non-EU countries in order to facilitate the crossings of the external EU borders. On the basis of such agreements, the non-EU nationals who live in the border area and who need to cross the external EU borders regularly and frequently may do so without having to undergo regular border checks or without needing a Schengen visa. This kind of cooperation not only improves trade, but also social and cultural exchanges with neighbouring regions.

To better manage their common external borders, EU Member States have at their disposal common information systems that allow for easy information exchanges between national authorities throughout the Schengen area.

The recently launched second generation Schengen Information System (SIS II) allows these authorities to access and to exchange information on specific types of alerts on persons and objects (such as information on missing persons and on stolen or lost cars, firearms and identity documents) more effectively. It offers new functionalities, for example the use of biometric identifiers (e.g. fingerprints) and new types of alerts, as well as the possibility of linking different kinds of alerts (e.g. an alert on a person and a vehicle).

The Visa Information System (VIS) allows national authorities to access information and decisions on Schengen visa applications. It allows these authorities to

Common information systems use fingerprints for identification purposes.

SCHENGEN AREA — VISA REQUIREMENTS

- Schengen area
- EU states, not part of the Schengen area
- No visa required
- Visa required
- Airport transit visa (ATV) also required by all Schengen states.
perform biometric matching (mainly of fingerprints) in order to verify the identity of visa holders and to identify persons who are present in the Schengen area without identity documents or with fraudulent documents. The VIS not only facilitates the issuing of visas, but also helps to fight abuses and protect travellers. It can, for example, help to detect fraudulent behaviour.

Biometrics, and fingerprints in particular, are increasingly important tools for identification purposes. However, the technologies used by the different IT systems for collecting biometrics can vary considerably. The EU is therefore conducting research to develop a new biometric searching and matching solution, which is simple to use, provides efficient results and is inexpensive to maintain and operate without undermining privacy or data protection standards.

The European Border Surveillance System (Eurosur) is a mechanism for information exchange and cooperation among EU Member States and with Frontex. It improves the ability of EU Member States to share and coordinate their resources and to react to incidents occurring at the external borders. The mechanism also enables EU Member States to better counter cross-border crime, prevent unauthorised border crossings and reduce the death toll of migrants at sea.

The Schengen evaluation mechanism

The application of rules on border control, visa policy and other areas of Schengen-related legislation, such as police cooperation and data protection, is subject to an evaluation carried out jointly by the European Commission and EU Member States. The Schengen evaluation mechanism was initially set up as a peer review by experts from EU Member States, with the European Commission having the role of an observer. The European Commission now coordinates these evaluations, which are carried out on the basis of multi-annual and annual programmes agreed upon with EU Member States. The evaluations are done through on-site visits or based on a detailed questionnaire. Recommendations are made to the EU Member State concerned for it to address any deficiencies identified in the evaluation.

EU funding to support the management of the external borders

Having common external borders requires all EU Member States to invest in their protection in order to ensure security within the Union. However, the costs related to border management can be very high for some states, especially for those that are situated at the external frontiers of the Union and that, therefore, may experience particular migratory pressures at their borders. The External Borders Fund 2007–13 and the Internal Security Fund 2014–20 (ISF) support those states for which the controlling of the common external borders represents a heavy financial burden. Over the
period 2007–13, the External Borders Fund allocated €1 856 million for national and EU–level actions aimed at managing border checks, surveillance and flows of persons at the external borders, improving the activities of consular authorities and supporting the common visa policy to facilitate legitimate travel and to tackle irregular border crossings and visa fraud. These actions significantly improved EU Member States’ border controls, specifically by making passenger checks more rapid and by modernising border surveillance systems.

For the new financial framework period (2014–20), the Internal Security Fund (instrument for borders and visa) will allocate €2 764 million to finance actions related to external border management, with the possibility of financing operating costs of previously acquired systems and equipment. Funding is also allocated to support the purchase of equipment by EU Member States for Frontex joint operations, consular cooperation and smart borders (entry–exit system and registered travellers’ programme).

A further source of support to the management of the external borders, albeit with a more long-term perspective, is the EU’s security research programme. Regarding border security, the programme addresses issues ranging from maritime surveillance to border checks, the development of novel ID cards and the detection of smuggled goods. A prime example is the project CLOSEYE, which aims to provide the EU with an operational and technical framework that would increase situational awareness and improve the reaction capability of authorities surveying the external borders of the EU.

Why we need to work together for a secure Europe

The EU as a secure area

In Europe, people can live in relative safety. National law enforcement authorities, such as police and customs officers, together with the relevant judicial authorities, play an important role in ensuring this. However, citizens, businesses and even governments in Europe can become victims of international organised crime, terrorism, cybercrime or crises and disasters. These kinds of threats are not only diverse and interconnected, but are also becoming more and more sophisticated as well as growing in scale. Consequently, the EU is boosting cooperation and coordination between its Member States in order to create a comprehensive approach against possible security threats that works across borders and jurisdictions. This includes better cross-border cooperation between EU Member States’ law enforcement authorities, especially in the form of exchanges of information.
What the EU does

Common EU rules to ensure security for all

The EU Internal Security Strategy forms the basis of EU Member States’ cooperation on security-related issues. It consists of actions that target the most urgent security threats the EU is facing. These actions pursue five main strategic objectives: disrupting criminal and terrorist networks, addressing radicalisation and recruitment, protecting citizens, businesses and societies against cybercrime, strengthening the management of the common external borders and improving the EU’s readiness and response to crises.

Fighting organised crime

Criminal networks not only operate internationally, but are also often involved in various kinds of criminal activities simultaneously, such as human, drug or firearm trafficking, money laundering or counterfeiting. For example, these networks may launder profits from one type of criminal activity to fund their other activities. Pursuing and prosecuting these criminals remains the responsibility of EU Member States. The role of the EU is to help its Member States fight organised crime more effectively by strengthening their cross-border law enforcement cooperation with the support of EU agencies, such as the European Police Office (Europol), the European Union’s Judicial Cooperation Unit (Eurojust) and the European Police College (CEPOL), harmonising their criminal law practices, applying multidisciplinary intelligence-led policing and strengthening information exchange and training. The new training approach, as set out in the European Law Enforcement Training Scheme (LETS), aims to equip law enforcement officials of all ranks (from police officers to border guards and customs officers and, where appropriate, other state officials, such as prosecutors) with the knowledge and skills they need to prevent and combat cross-border crime more effectively. Criminals must be brought to justice regardless of the country in which they are located or in which they committed the crime.

Trafficking in human beings is considered to be the slavery of our times. In the EU alone, several hundred thousand victims are trafficked each year for a variety of purposes, such as sexual exploitation, forced labour, forced begging, domestic servitude or removal of organs. The EU has harmonised its Member States’ criminal laws on trafficking in human beings, whilst also ensuring that robust provisions exist for the protection of victims. EU Member States must provide specific treatment for particularly vulnerable victims and can apply the principle of non-punishment to victims who have been forced to commit criminal activities by their traffickers. The EU has a comprehensive and multidisciplinary approach to address trafficking in human beings. Anchored on human rights, this approach is gender specific, victim centred and child sensitive, and promotes the role of national rapporteurs and equivalent mechanisms and the inclusion of civil society in the relevant processes. The EU anti-trafficking coordinator promotes coordination and coherence, as well as providing overall strategic policy orientation, among EU institutions, EU agencies, EU Member States, non-EU countries and international organisations to address trafficking in human beings.

The EU anti-trafficking website is a vast information source for practitioners, civil society, academics and others involved in addressing the problems related to trafficking in human beings.

The EU also fights the sexual exploitation and abuse of children by streamlining its Member States’ efforts to prosecute offenders and protect victims. In particular, it addresses new phenomena, such as the use of the Internet to groom children (child sexual abusers posing as children to befriend and lure their victims).

As the Internet becomes more and more part of our daily lives through the use of home banking and online shopping, so the risk of cybercrime increases. Cybercrime is a rather low-risk, yet profitable activity that knows no borders. It can be committed on a mass scale and at a great distance. Individuals, businesses, governments and even entire societies can become vulnerable to online fraud and attacks, such as identity theft, phishing (luring people to give up sensitive data), spam, computer viruses and hacking. Information systems and infrastructures are particularly vulnerable against attacks through botnets (groups of virus-infected computers that, unbeknown to their owners, are
under another computer’s control). The EU supports national authorities’ operational cooperation in fighting cybercrime through awareness-raising, training and research activities. It also coordinates EU Member States’ actions to safeguard any services provided to citizens online and actions to fight fraud and counterfeiting of non-cash means of payment. Furthermore, the EU has harmonised its Member States’ actions to secure information systems against cyber-attacks. Within Europol, the European Cybercrime Centre (EC3) also helps protect European citizens and businesses against cybercrime threats by pooling expertise and information, by supporting criminal investigations and promoting EU-wide solutions and by raising awareness of cybercrime issues across the Union.

Illicit drugs are a major threat to the health and safety of individuals and societies in the EU. Every year around 6 100 Europeans die from an overdose and another 1 700 die because of HIV/AIDS attributable to drug use. Hundreds of thousands suffer from severe health problems caused by drugs. Drug consumption remains high, with a quarter of the EU’s adults (80 million) having used illicit drugs. Drug trafficking is, by far, the largest criminal market worldwide, and a key source of cash for criminal groups. Europe’s drugs problem is evolving rapidly — trafficking methods and routes are changing fast and new drugs are spreading at an unprecedented rate. More than 360 new drugs have been detected in the EU, outnumbering illicit drugs (234). New drugs are often marketed as legal alternatives to illicit drugs (‘legal highs’), although most of them have never been tested on humans and can be as harmful as illicit drugs are. The EU has an important role to play, together with its Member States’ governments, to address the drugs problem. EU legislation facilitates the detection, risk assessment and banning of harmful new drugs and boosts the fight against trafficking. EU-financed projects enable the development of innovative prevention or treatment methods, to reduce drug use and boost cross-border cooperation to disrupt trafficking. The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) provides the EU and its Member States with information about drugs and drug addiction in Europe to support the development of effective responses to the drugs problem.

To hit criminal networks where it hurts them the most, the EU targets their financial profits. It assists EU Member States in better fighting against money laundering, corruption and counterfeiting, as well as in effectively confiscating criminal assets.

Money laundering consists of ‘cleaning’ criminal proceeds in order to hide their illegal origins. The EU tackles this problem by regulating financial institutions, for example by requiring them to report any suspicious or unusual transactions. At the same time, the EU has also harmonised its Member States’ criminal penalties for money laundering.

Corruption is closely linked to organised crime and often facilitates the operation of illegal markets (e.g. illegal cigarettes, trafficking in human beings, drugs, prostitution) that most often represent trans-regional threats. In 2014, the EU published its first anti-corruption report with a cross-cutting focus on public procurement and country chapters on each of the 28 EU Member States. The report highlights good practice and areas in need of improvement, proposing concrete steps to better prevent and combat corruption. In addition, the EU is committed to mainstreaming anti-corruption measures into internal and external policies, including the European semester (cycle of economic coordination), enlargement and neighbourhood policies.

Counterfeiting is a global problem that has serious economic and social consequences. For example, in 2009, the customs authorities at the external EU borders prevented the entry of over 43 500 cases of goods that were suspected of violating intellectual property rights. These totalled 118 million articles. Furthermore, counterfeit foodstuffs, medicines, fertilisers, body-care products and children’s items can present serious health and safety risks. The distribution of counterfeit products is not only easier today with the increased use of the Internet, but also represents an extremely profitable, low-risk business. To tackle the distribution of fake goods...
The European Police Office (Europol) assists EU Member States in fighting serious international crime and terrorism. As a criminal intelligence agency, it gathers, analyses and disseminates information on criminal and terrorist networks, as well as reports on organised crime and terrorism trends in the EU. Europol also provides operational support to EU Member States’ law enforcement agencies and coordinates EU Member States’ joint cross-border investigations.

The European Police College (CEPOL) supports cross-border cooperation and information exchanges by providing EU-level training to EU Member States’ law enforcement staff, in order to ensure that they are familiar with cross-border cooperation tools and know how to use them.

Within the EU, the enforcement of intellectual property rights has been strengthened so that EU Member States can now use non-criminal sanctions and measures against counterfeiters.

The tracing and confiscation of funds and other property acquired through crime is an effective way of obstructing the activities of criminal groups and of discouraging criminal activity. Using the recovered funds for social purposes and for strengthening law enforcement to prevent crime is beneficial to society as a whole.

Combating terrorism

The threat of terrorism is borderless. Within the European area of free movement, EU Member States must act in a concerted way to protect the democratic values of their societies and the rights and freedoms of their citizens. To this end, the EU counter-terrorism strategy has four goals:

- prevent terrorist radicalisation and recruitment;
- protect citizens and critical infrastructures;
- pursue terrorists and bring them to justice;
- respond to terrorist attacks so that their consequences are minimised.

In order to prevent terrorist attacks, it is essential that terrorism be eradicated at its source, meaning that people are prevented from turning to terrorism and that any possible new generations of terrorists are prevented from emerging. The EU strategy for combating radicalisation and recruitment contains joint standards and measures for EU Member States to better prevent these phenomena. The EU focuses on specific actions that may add value to international, national and local efforts to prevent radicalisation to terrorism and violent extremism and that provide an important framework for cooperation on appropriate responses to be prompted across the EU.

Involving civil society and people in direct contact with targeted individuals or vulnerable groups of population can bring to bear a range of tools and resources. The Radicalisation Awareness Network connects practitioners involved in countering radicalisation with a view to exchanging best practices and to pooling knowledge and experiences.

Countering the financing of terrorism is equally a core component of the EU’s strategy in the fight against terrorism. The EU has developed a range of measures that aim at cutting off terrorists’ access to funding and deprive them from the possibility to engage in criminal activity.

In recent years, most terrorist attacks have been conducted by using explosives, usually home-made from widely distributed chemical products that are available to the general public. Consequently, the EU is working to reduce access to these kinds of chemical precursors and to improve the security of explosives and bomb-making equipment so that they cannot be misused by terrorists. The EU action plan on enhancing the security of explosives provides for concrete actions that focus on preventing, detecting and responding to the misuse of explosives.

The threat of terrorist attacks with chemical, biological, radiological and nuclear (CBRN) materials also remains high. The EU’s CBRN action plan has an overall goal of reducing the threat of and damage from CBRN incidents.

Terrorists often use home-made explosives to carry out attacks.
of accidental, natural and intentional origin by, among others, enhancing detection capability and increasing preparedness and response capacity.

Terrorist attacks can also result in a variety of crises, such as in failures in critical infrastructures (this is also the case with natural disasters). Damage and other disruptions to critical infrastructures used for the maintenance of vital societal functions can be hazardous to the security and well-being of the EU and its citizens. The EU has a European Programme for Critical Infrastructure Protection (EPCIP) composed of different measures, of which one is a common approach for assessing the protection needs of designated European Critical Infrastructures (ECI), focusing on the energy and transport sectors.

Dialogue and cooperation with non-EU countries

The EU is involved in policy dialogues and cooperation with non-EU countries and international organisations, such as the United Nations (UN), in order to effectively address common security challenges and concerns. To do so, the EU can also take advantage of its network of 140 EU delegations around the world, which are responsible for representing the interests of the EU and its citizens abroad. This ensures that possible threats to Europe’s internal security are addressed at their origin and before they reach the EU’s territory. It also ensures that actions to combat crime and terrorism are taken in full coherence and complementarity with the EU’s overall external policies.

The EU has several kinds of instruments for cooperating with non-EU countries in the area of security. These consist of political instruments (bilateral and regional policy dialogues and action plans and security strategies, such as for the Sahel region or the Horn of Africa), legal instruments (such as international conventions in the area of terrorism, drugs, organised crime or corruption), EU civilian missions in non-EU countries under the common security and defence Policy and financial support and capacity-building under the EU external cooperation instruments (Instrument for Pre-Accession Assistance, European Neighbourhood Instrument, Development Cooperation Instrument, European Development Fund, Instrument for Stability).

Preventing and combating irregular migration and eradicating trafficking in human beings is also one of the priority areas of the EU’s Global Approach to Migration and Mobility (GAMM), which provides the overarching framework for the external migration and asylum policy (see the brochure ‘Migration and asylum’ for more information on this).

EU funding to support the fight against crime and terrorism

Over the period 2007-13, the ‘Security and safeguarding liberties’ framework programme supported European cross-border cooperation in fighting and preventing crime and terrorism. It did so through the specific programmes ‘Prevention of and fight against crime’, which allocated €600 million for actions focused on crime prevention, law enforcement and operational cooperation, and ‘Prevention, preparedness and consequence management of terrorism and other security-related risks’, which contributed with €140 million to the protection of critical infrastructures and the management of crises.

In order to continue ensuring a high level of security in the EU, the Internal Security Fund (instrument for police cooperation, preventing and combating crime and crisis management) will allocate over the 2014–20 period slightly over €1 billion to finance actions that focus on combating cross-border, serious and organised crime, including terrorism, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of EU Member States. The fund will also contribute to enhancing the capacity of EU Member States and the Union to effectively manage security-related risks and crises and to protect people and critical infrastructures against terrorist attacks and other security-related incidents.

The EU’s security research programme also supports the development of novel and innovative solutions for the
fight against crime and terrorism. Under the overarching goal of increasing citizens' security, the programme addresses issues such as urban security, forensics, CBRNE (chemical, biological, radiological, nuclear and explosives) protection, intelligence against terrorism and law enforcement technologies. A good example of this investment is the EDEN project, which covers the whole CBRNE cycle (prevention, preparedness, response and recovery), aiming at developing and ensuring the resilience capacity of the EU.

Outlook

The creation of the Schengen area — a wide area of free movement that covers most of Europe — is one of the most remarkable and tangible achievements of the EU. This development has provided an unprecedented increase in mobility for European citizens and nationals of non-EU countries, who can freely travel across this common territory. It is also a major factor for EU Member States’ growth and prosperity. Recent and future enlargements of the Schengen area further strengthen the freedom of movement for individuals. The EU will continue to facilitate legal access to the territory of its Member States, while taking measures to ensure that its external borders remain secure. To this end, a system will be developed whereby Frontex — the European border agency — will be able to pool resources from all EU states to create European border guard teams that can be put to action quickly.

Cross-border crime and terrorism continue to challenge the internal security of the Union and, therefore, require clear and comprehensive responses. EU action will enhance cooperation between EU Member States’ law enforcement authorities, in particular to tackle trafficking in human beings, smuggling, cybercrime and corruption. To counter terrorism and radicalisation, the EU will define measures that will have concrete impacts on issues such as foreign fighters. European citizens travelling abroad to join terrorist organisations pose the most serious threat to the EU’s internal security upon return, both in terms of radicalisation and recruitment as well as capacity to perpetrate terrorist attacks. The EU is also working to create a system for processing passenger name record (PNR) data, which is information collected by an air carrier in the course of ordinary business, such as the booking method and full travel itinerary, and is important for the purposes of fighting serious crime and terrorism. For example, the processing of PNR data allows detecting the movement of foreign fighters who leave or return to the EU by air. A Union-wide coherent approach will also ensure an adequate and consistent level of data protection for PNR data processing in the EU.

Find out more

- European Agency for the Operational Management of Large-Scale IT Systems: http://www.eulisa.europa.eu
- EU Anti-Trafficking website: http://ec.europa.eu/anti-trafficking
- European Monitoring Centre for Drugs and Drug Addiction website: http://emcdda.europa.eu
- European Police Office website: https://www.europol.europa.eu
- European Police College website: http://www.cepol.europa.eu
- Questions about the European Union? Europe Direct can help: 00 800 6 7 8 9 10 11 — http://europedirect.europa.eu