



# **EU COUNCIL** **- INFORMATION SHEET -**

## **ENLARGEMENT OF THE SCHENGEN AREA**

**REV 1**

Brussels, 8 November 2007

*As from December 2007, the European Union plans to extend the abolition of checks at internal land and sea borders (and air borders by March 2008) to nine of the new Member States of the European Union (Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia, Slovakia and the Czech Republic).*

*People will be able to move freely, without checks, within an area expanded to 3.6 million km<sup>2</sup> – the "Schengen area".*

### **WHAT IS "SCHENGEN"?**

SCHENGEN is the name of a small Luxembourg village at the geographical meeting-point of Germany, the Benelux countries and France, where the Schengen Agreement was signed in 1985 and the Schengen Convention in 1990.

However, SCHENGEN is above all a body of European Union law (the "Schengen acquis") with two main features that enable greater freedom of movement for persons while at the same time introducing the compensatory measures needed to maintain and reinforce the level of security:

# **P R E S S**

- checks on persons at the internal borders of the Signatory States are abolished and common external borders are established;
- entry conditions and the conditions for crossing external borders have been harmonised, along with the policy on issuing visas. By way of measures to compensate for the abolition of border controls, police and judicial cooperation has been strengthened, in particular by the introduction of rights of cross-border surveillance and hot pursuit for the police forces of the States of the Schengen area.

The Schengen acquis has been accompanied by the introduction of a Schengen Information System (SIS) aimed at supplying information on certain categories of persons and property. It is a sophisticated database that can be used by national border-control and other customs and police control authorities, as well as the judicial authorities of the Schengen States, for exchanging information on certain categories of persons and property.

## **THE ADVANTAGES OF SCHENGEN**

The great advantage of Schengen is to make it easier for people to move around by abolishing internal border checks. They can travel freely in the Schengen area, which makes for economic, regional and cultural dynamism within Europe and especially the border areas. Any foreign visitor can travel to all Schengen States on a single visa, which means, for example, that economic activity relating to tourism is promoted.

At the same time, Schengen cooperation aims to protect people and their property through increased cooperation between the police forces, customs authorities and external border control authorities of all the Member States. These new forms of cooperation have been introduced to offset any risk of a security deficit connected with the abolition of internal borders.

In the context of police cooperation, the Schengen acquis provides for improved systems of communication between police forces, hot pursuit of criminals and the cross-border surveillance of suspects, as well as mutual operational assistance and direct exchanges of information between police authorities. This is an enormous advantage in the fight against terrorism, organised crime, trafficking in human beings and illegal immigration.

At the same time, strict uniform rules adopted under the Schengen agreements ensure the protection of data and protect people against any infringements of their fundamental rights.

## **THE STATES PARTICIPATING IN THE SCHENGEN AREA**

Up until this latest enlargement, thirteen EU Member States have been participating fully in the Schengen acquis (Germany, Austria, Belgium, Denmark, Spain, Finland, France, Greece, Italy, Luxembourg, the Netherlands, Portugal and Sweden) together with Norway and Iceland. The United Kingdom has participated in only a part of the acquis (police and judicial cooperation).

With a view to this enlargement of the Schengen area, nine new Member States (Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia, Slovakia and the Czech Republic) have made a large number of changes to allow easier movement of persons: road, air and sea infrastructures have been adapted; new national networks have been successfully connected to the Schengen Information System; and standards to ensure the protection of people's data have been introduced.

The decision on extending the Schengen area has been taken following a detailed assessment, lasting two years, which the pairs of other Member States carried out on the new Member States' level of readiness.

Bulgaria, Cyprus, Romania and Switzerland are expected to play a full part in the Schengen acquis in the years to come. Ireland will be able to participate in Schengen on the same terms as the United Kingdom whenever it wishes.

## **THE SCHENGEN INFORMATION SYSTEM AND ITS DEVELOPMENT**

In Europe, the SIS is the most important common database on the maintenance of public security and the management of external border controls. It is one of the most important measures that have been taken concerning the control of borders, the issue of visas and residence permits and the fight against crime in order to compensate for the abolition of internal border controls.

The SIS gives the national police, border-surveillance and visa-issuing authorities permanent access to the latest information on persons who are wanted, missing or banned from residence and also on lost and stolen property.

For example, 1 826 908 alerts have been issued concerning stolen motor vehicles (as at 30 October 2007).

The SIS has been in operation since 1995. It is supplied with data by the Member States through national networks (N-SIS) connected to a central system (C-SIS). In view of the progress made in the field of information technology over the last decade, it has been deemed necessary to develop a new system (SIS II) with more advanced functions and based on cutting-edge technologies, such as the inclusion of biometric data. In order to enable the opening of borders as rapidly as possible in satisfactory conditions, Portugal proposed in December 2006 to establish a temporary system which enabled progress to be made on the dossier. In this way, pending the introduction of SIS II, project the SISone4ALL has been implemented and has enabled since 1 September 2007, the nine new Member States to be connected to the SIS prior to the opening of borders.

## **HISTORY OF SCHENGEN COOPERATION**

**1985:** The Schengen Agreement: the Benelux States, Germany and France sign an agreement on the gradual abolition of checks at their common borders. This agreement is signed in the Luxembourg village of Schengen.

**1990:** The Schengen Convention is signed, implementing the Schengen Agreement of 1985.

**1990-1992:** Italy, Spain, Portugal and Greece sign the Schengen Convention.

**1995:** The Schengen Convention comes into force, abolishing checks at the internal borders of the Signatory States (Benelux, France, Germany, Spain and Portugal) and creating a single external border where entry checks for the Schengen area are carried out in accordance with a single set of rules. "Compensatory" measures (such as a common visa policy, improved police and judicial cooperation and the Schengen Information System) are put in place.

Austria signs the Schengen Convention.

**1996:** Denmark, Finland and Sweden sign the Schengen Convention.

Although they are not in the EU, Iceland and Norway sign the Schengen Convention by virtue of prior agreements between the Nordic countries on the abolition of border controls.

**1997/1998:** Internal border controls are abolished at the borders with Austria and Italy.

**1999:** The Treaty of Amsterdam comes into force. The Schengen acquis is integrated into the European Union by means of a Protocol to the Treaty of Amsterdam. The Protocol also specifies that the United Kingdom and Ireland may take part in all or some of the Schengen arrangements, subject to unanimous approval by the Council.

**2000:** Controls are abolished at the internal borders with Greece.

The United Kingdom's application for partial participation in Schengen is approved (covering mainly police and judicial cooperation as well as partial participation in the Schengen Information System).

**2002:** Ireland's application for partial participation in Schengen is approved (this, too, covering mainly police and judicial cooperation as well as partial participation in the Schengen Information System).

**2004:** Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia join the European Union and partly apply the Schengen provisions (covering in particular external border controls and police and judicial cooperation).

**2004:** Switzerland signs an agreement on its association with Schengen.

**2004:** The United Kingdom starts implementing some of the Schengen provisions (however, it is not yet connected to the Schengen Information System).

**2006:** Liechtenstein initials a protocol on its accession to the Swiss association agreement.

**2007:** Bulgaria and Romania accede to the European Union and partially apply the Schengen provisions. Internal borders controls will be lifted later once all compensatory measures are in place and a positive assessment report has been adopted by the Council.

**End 2007/beginning 2008:** target date for the abolition of internal border controls at the borders of the Member States which joined the European Union in 2004 (except Cyprus).

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