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EU moots new Schengen rules



EU Commissioner Malmström presents her new proposals (Keystone)

heavy unexpected pressure”.

But the EU commissioner for home affairs, Cecilia Malmström, has stressed that any such measures must be temporary and geographically limited. Switzerland, which has been a full member of the Schengen area since March 2009, will take part in the discussions of the new measures, but not have a vote.

The Swiss government will decide whether to apply any new rules on immigration and border controls.

Rethink

Many of the proposals are in fact updates of previous ideas which had been somewhat coolly received in EU capitals. But the row between France and Italy over the arrival of 25,000 migrants from Tunisia in the Schengen area has led to a rethink in many countries.

For example, France is currently exercising strict border controls at Ventimiglia (on its border with Italy) because of the influx of North Africans via the Italian island of Lampedusa, many of whom have said they want to go to France.

by Alain Franco in Brussels, swissinfo.ch

The European Commission has put forward new proposals to ensure the “better management of migration” in the wake of an influx of immigrants from North Africa.

The Commission has been pressed by Italy and France, who say reform is needed to “restore the faith of citizens in free movement”.

The proposals, outlined on Wednesday, are being submitted to European Union interior ministers and to the three non-EU Schengen member states, Switzerland, Norway and Iceland.

The 25-member Schengen area has scrapped systematic border controls between its members, allowing for passport free travel within the zone.

The Commission has now said the “temporary reintroduction” of limited border controls could sometimes be necessary “under very exceptional circumstances, such as where a part of the external border comes under

Until now, the only situation in which border controls can be reintroduced is when there is a serious threat to public order.

Any requests for the reestablishment of controls are assessed by the Commission. So far – about a dozen cases – it has always agreed.

Who decides?

The question is now whether the Commission should also be the one to decide if either of the new criteria is applicable. It believes that it should, on the grounds that its decisions will be impartial.

Commission officials plead that otherwise the articles of the Schengen agreement will have to be changed through a legal process which would involve the European parliament, and they do not believe that that is in the interest of the member states.

This does not convince everyone.

"The answer to migration flows should not be a reintroduction of border controls or a change in the Schengen rules," wrote former Belgian prime minister Guy Verhofstadt on the website of the Alliance of Liberals and Democrats for Europe, which he chairs.

"What we need is transparency and accountability: The Commission and parliament should be involved in the evaluation of the concepts of 'public order' inside the Schengen area to prevent unilateral decisions of re-introducing border controls."

External borders

Both France and the European Union say that they do not intend to put these measures into action, but that they are regarded as a "deterrent weapon to force states to respect their obligations".

But this is no easy matter for those who have large maritime frontiers. Greece, for example, has a problem controlling its long sea border with Turkey. The Commission says it should be given more help, in particular by increasing the funding for Frontex, the EU agency for external border security.

At the moment Frontex has an annual budget of €90 million (SFr 115 million); it needs another €20 million.

Another possibility is to set up a system of European border guards.

"The aim is not to have an ad hoc arrangement where you might have three Swiss and ten Poles who don't speak each other's language, but to mould a common culture," say Commission officials.

This does not go down well in many capitals, especially those in northern Europe, but the Commission is adamant that it will not budge on internal borders if it doesn't receive more funds to control the external ones.

Malmström is clear that there should be no going back on Schengen.

"The free movement of people across European borders is a major achievement which must not be reversed, but rather strengthened," says a press release from the European Commission.

The proposals will now be discussed by the Schengen interior ministers. A decision will be taken by EU leaders at the end of June.

Alain Franco in Brussels, swissinfo.ch
(Adapted from French by Julia Slater)

GALLERIES



Lampedusa, island of hope

Thousands of would-be migrants to Europe brave the Mediterranean every year.

PRESSURE ON SCHENGEN

The uprising in Tunisia which overthrew the regime of Zine el-Abidine Ben Ali in January was followed by an exodus of refugees who arrived by boat in the Italian island of Lampedusa.

Italy gave six-month permits to more than 20,000 Tunisians, most of whom then made for France, where many had relatives.

This sparked a row between France and Italy.

The two countries called for "modifications" of the Schengen agreement at a summit in Rome on April 26

Tunisia itself is facing an influx of refugees : the office of the United Nations High Commissioner for Refugees (UNHCR) says more than 80,000 Libyans fled to southern Tunisia in the first week end of May alone.

The UNHCR says since March 26 8,100 refugees from Libya have arrived in Italy, and 1,132 have landed in Malta since mid-April.

SWITZERLAND AND SCHENGEN

Switzerland has been a full member of the Schengen area since March 2009.

It is one of three non-EU members; the other two are Norway and Iceland.

As such, it does not have a vote over the new proposals, although it will take part in discussions.

It will decide for itself whether to apply any new rules.

When the EU adopts new legislation, Switzerland has two years to apply it.

If it rejects it, talks are held for find a compromise.

In the case of Schengen, if Switzerland does not agree, it could be expelled from the Schengen area.

However, any change to the rules have to be approved by all the EU members and the European parliament.

The process could take several years.

LINKS

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