

EP Wants Temporary Border Controls Kept to a Minimum

Thomas Wahl

News

On 29 November 2018, the European Parliament (EP) [adopted its negotiating position on the revision of the Schengen Borders Code](#). MEPs backed amendments as proposed by rapporteur *Tanja Fajon* (S&D, Slovenia) by 319 to 241 votes (with 78 abstentions).

The reform was initiated by the Commission in September 2017 (see [eucri](#)m 3/2017, pp. 98-99) and aims at adapting rules on the temporary reintroduction of internal border controls in a targeted manner.

MEPs stressed that the revision must ensure the Schengen achievements and put an end to current misuse or misinterpretation when upholding internal border controls.

In particular, the EP advocated reducing the time periods by means of which internal borders controls can be upheld as follows:

- The initial period for border checks should be limited to two months;
- Border checks should not be extended beyond one year.

Furthermore, the EP's amendments to the proposal highlighted the following:

- Temporary border checks should only be used in exceptional circumstances and as a measure of last resort;
- Schengen countries should provide a detailed risk assessment if temporary border checks are extended beyond the initial two months;
- Subsequent extensions of border checks beyond six months require the Commission to state whether or not the prolongation follows the legal requirements and should be authorised by the EU Council of Ministers.
- The EP must be more informed and involved in the process.

Representatives of the EP will now enter into negotiations with the Council, which adopted its [approach to the Schengen Borders Code reform in June 2018](#).

Currently, five Schengen countries (Austria, Germany, Denmark, Sweden, and Norway) have internal border checks in place due to exceptional circumstances resulting from the migratory crisis that started in 2015. France carries out internal border checks due to a persistent terrorist threat.

The EP previously voiced criticism over the prolongation of internal border controls, which is not in line with the existing rules, unnecessary, and disproportional.

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