

# Updated Rules Reinforcing Governance of Schengen Area



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**News**

On 14 December 2021, the Commission [proposed updated rules](#) to reinforce the governance of the Schengen area. The Commission stressed that the Schengen area is one of the biggest achievements of European integration. It has been repeatedly put to the test in recent years by a series of crises and challenges (e.g. the refugee crisis and the COVID-19 pandemic). While the already existing framework provides tools to tackle such challenges, there is room for improvement of certain aspects (e.g. dealing with major public health threats and the instrumentalisation of migrants). Therefore, the Commission sees the need to stock up the range of tools available to ensure the proper functioning of the Schengen area in order to restore and reinforce mutual trust between Member States. The main aims of the proposal are:

- Uniform application of measures at the external borders in case of a threat to public health: in such cases, the Council should be allowed to quickly adopt binding rules on temporary travel restrictions.
- Response to instrumentalisation of migrants at external borders to address the situation where a third-country actor uses human beings to destabilise the Union or its Member States: The proposal suggests provisions that will allow Member States to take the measures needed to manage the arrival of persons being instrumentalised by a third country. The measures will respond to the situation in a humane, orderly, and dignified manner that is fully respectful of fundamental rights and humanitarian principles.
- Contingency planning for Schengen in a threat situation affecting a majority of Member States at the same time: The proposal clarified and expanded the list of elements that must be assessed by a Member State when reintroducing temporary border controls. The Member State must review the appropriateness of the measure and its likely impact on the movement of persons within the Schengen area (without internal border control) and on the cross-border regions. The possibility to extend border controls up to a total maximum period of two years if certain threats persist for a considerable amount of time has also been added.
- Increased use of alternative measures to address the identified threats instead of internal border controls.

The Commission's proposal to revise the Schengen Borders Code is part of other measures that aim to improve Schengen's overall functioning and governance under the new Schengen Strategy "Towards a stronger and more resilient Schengen area" (→ [euclid 2/2021, 76](#)).

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