Full application of the provisions of the Schengen acquis in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

2007/0810(CNS) - 11/07/2007 - Legislative proposal

PURPOSE: the full application of Schengen provision in: the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.

LEGISLATIVE ACT: Council Decision.

BACKGROUND: Article 3 (2) of the Act of Accession provides that the full body of law relating to Schengen (other than those mentioned in Annex I of the Act of Accession) will apply in the new Member States once it has been verified that they have fulfilled all the conditions needed to apply Schengen provisions. The Council has authorised that as from 1 September 2007 the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland Slovenia and the Slovak Republic may apply all provisions relating to the Schengen Information System (SIS). (See CNS/2007/0806).

In accordance with evaluation procedures, the Council has now verified that these same countries have met the necessary conditions to apply the remaining Schengen acquis – i.e. Air Borders, Land Borders, Police Co-operation, SIS, Sea Borders and visas. It has, therefore, become possible to set the date by which these new Member States can apply the Schengen body of law in full and dates from which checks on persons at the internal borders with those Member States should be lifted.

CONTENT: based on the above this proposal states:

1. that as from 31 December 2007 all provisions listed in Annex I to this proposal will apply to: the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic in their relations with: Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, Iceland and Norway. To the extent that these provision regulate the abolition of checks on persons at internal borders, they will apply as from 29 March 2008 to air borders; and
2. that as from 31 December 2007, all provisions listed in Annex 2 to this proposal will apply to the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic in their relations with the UK and Northern Ireland.