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) - 08/11/2007

The Council concluded that the necessary conditions for the application of the Schengen acquis have been met in all areas (air, land and sea borders, police cooperation, the Schengen information system, data protection and visa issuance) in nine Member States: Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia, Slovakia and the Czech Republic. Therefore, and pending the opinion of the European Parliament, the EU is expected to abolish checks at internal land and sea borders (and air borders by March 2008) on 21 December 2007. People will be able to move freely, without checks, within an area expanded to 3.6 million km2, the "Schengen area".

The Council adopted the following conclusions which reinforce this decision:

The readiness of the new Member States to correctly apply the Schengen acquis in full was evaluated on the basis of numerous texts. The process of evaluation before the lifting of controls at internal borders has been accomplished.

The Member States concerned have on the whole shown that they are sufficiently prepared to apply both the non-SIS-related provisions of the Schengen acquis as well as its SIS related

provisions in a satisfactory manner. **On this basis, the preconditions have been fulfilled for taking the Decision referred to in Article 3(2) of the 2003 Act of Accession in December 2007 allowing the lifting of internal border controls at the land and sea borders as of 21 December 2007 and at air borders as of 30 March 2008**.

In addition, the Council draws attention to the Border Management Strategy as defined by the JHA-Council in December 2006. Any fundamental reorganisation of the functions of Integrated Border Management in any Member State should be reported to the Council via the Schengen Evaluation Working Party for an appropriate follow-up.

Assessment of the Schengen evaluation of new Member States: the following is an excerpt from the findings of the Schengen Evaluation revisits carried out in eight new Member States in the course of 2007. The revisits were carried out on the basis of the conclusions adopted by the JHA Council on 4/5 December 2006 where it was decided that revisits were necessary to the Czech Republic (air borders, July), Estonia (data protection, March / land borders, May / air borders, September), Latvia (air borders, September), Lithuania (land borders, May / air borders, September), Malta (police cooperation, May / visa, August / air and sea borders September 2007), Poland (land borders, May / air borders, September), Slovakia (data protection, March / land borders, June / air borders, September) and Slovenia (air borders, July).

As far as Hungary is concerned, no revisits were required and the follow-up to the recommendations outlined in the conclusions adopted by the JHA Council on 4/5 December 2006 provided by Hungary to the Schengen Evaluation Working Party, was considered satisfactory.

The latest evaluation visits, which took place over the past six months, demonstrated that the nine Member States concerned are sufficiently prepared to apply the Schengen acquis in a satisfactory manner.