# Border checks: implementation, provisions and procedures. Initiative Portugal

2001/0802(CNS) - 01/02/2001 - Legislative proposal

PURPOSE: to reserve to the Council implementing powers with regard to certain detailed provisions and practical procedures for carrying out border checks and surveillance. CONTENT: On the initiative of the Portuguese Republic, it is proposed to adopt certain detailed provisions and practical procedures for carrying out border checks and surveillance. The objective is to reserve to the Council implementing powers, given the sensitivity of this area in the Member States, in particular involving political relations with third countries. Therefore, it is proposed that the Council reserves the right, during the transitional period of five years referred to in Article 67(1) of the Treaty establishing the European Community, to adopt, amend and update the detailed provisions and practical procedures referred to above by unanimity, pending a review by the Council of the conditions under which such implementing powers would be conferred on the Commission after the end of this transitional period. It is important to realise that some of those provisions and procedures require condfidential treatment in order to prevent risk of abuse. Furthermore, it is also necessary to provide for a procedure whereby the members of the Council and the Commission are informed without delay of all the amendments to those Annexes of the Common Manual which consist, in whole or in part, of lists of factual information which must be provided by each Member State in accordance with the rules which it currently applies, and which therefore do not fall to be adopted, amended or updated by an act of the Council.