Third-country nationals exempt from visa: period of free travelling within the Member states. Initiative Portugal

2000/0806(CNS) - 27/02/2001

The committee adopted the report by Pernille FRAHM (EUL/NGL, D) rejecting the Portuguese initiative under the consultation procedure. The committee was concerned that the adoption of the initiative could create a lack of coherence in the rules enabling third-country nationals to travel within the Schengen Member States. As it applied only to third country nationals who were exempt from a visa requirement, it covered only one of the three categories covered by Schengen. The committee was also concerned that the initiative could introduce a substantial derogation from the relevant Treaty provision, Article 62(3), in that it would permit an extension of the three-month period. Article 62(3) did not provide for the possibility of such a derogation, and the committee felt that this part of the initiative should have a different legal base. It concluded, however, that the initiative did not provide any added value and that it was not worth trying to correct all the problems raised by it. As the Commission intended to propose measures in April 2001 on the freedom to travel within the territory of the Member States, the committee proposed to reject the Portuguese initiative and wait for the Commission to present its proposal.