Schengen : amending article 40 (1) and (7)of the convention. Initiative Belgium, Spain and France

2001/0828(CNS) - 19/03/2002

The committee adopted the report by Christian von BÖTTICHER (EPP-ED, D) amending the proposal under the consultation procedure. It wanted to add acts of terrorism, as defined in the Council framework decision on combating terrorism, to the list of offences in respect of which cross-border surveillance will be allowed. The committee also stipulated that, should a Schengen country be unable to take over the surveillance properly due to a lack of technical, human or financial resources, then the officers of the country originally conducting the surveillance should be entitled to continue doing so. MEPs further amended the proposal so as to provide for the possibility of officers carrying out the surveillance to challenge or provisionally arrest the person under surveillance in another country if that person commits, or is about to commit, an extraditable criminal act and where officers of the country concerned are unable to make the challenge or arrest themselves.