Basic information

1995/0201(CNS) CNS - Consultation procedure Directive	Procedure lapsed or withdrawn
Freedom of movement: elimination of controls on persons crossing internal frontiers **Subject** 2.20.01 Freedom of movement, right of residence, identity checks	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	FORD Glyn (PSE)	06/09/1995

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs, Citizens' Rights	MOSIEK-URBAHN Marlies (PPE)	18/10/1995

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	1933	1996-06-04
Competitiveness (Internal Market, Industry, Research and Space)	1929	1996-05-28
Competitiveness (Internal Market, Industry, Research and Space)	1886	1995-11-23
Competitiveness (Internal Market, Industry, Research and Space)	1970	1996-11-26

Key events

Date	Event	Reference	Summary
12/07/1995	Decision by Parliament	COM(1995)0347	Summary
12/07/1995	Legislative proposal published	COM(1995)0347	Summary
27/10/1995	Committee referral announced in Parliament		
23/11/1995	Debate in Council		
28/05/1996	Debate in Council		Summary
04/06/1996	Debate in Council		Summary
26/06/1996	Vote in committee		Summary

26/06/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0219/1996	
16/07/1996	Debate in Parliament		Summary
26/11/1996	Debate in Council		Summary
20/03/1997	Modified legislative proposal published	COM(1997)0106	Summary
11/12/2001	End of procedure in Parliament		
11/12/2001	Additional information		Summary

Technical information

Procedure reference	1995/0201(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (before Amsterdam) E 100
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/4/07212

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0219/1996 OJ C 211 22.07.1996, p. 0003	26/06/1996	
Text adopted by Parliament, 1st reading/single reading		T4-0517/1996 OJ C 347 18.11.1996, p. 0050-0060	23/10/1996	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1995)0347 OJ C 289 31.10.1995, p. 0016	12/07/1995	Summary
Modified legislative proposal	COM(1997)0106	20/03/1997	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0023/1996 OJ C 129 02.05.1996, p. 0046	17/01/1996	Summary
	Economic and Social Committee:	CES0417/1996		

EESC	opinion, report	OJ C 174 17.06.1996, p. 0036	27/03/1996	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 17/01/1996 - Committee of the Regions: opinion

The CoR welcomed the Commission's proposal for a directive relating to the right of third-country nationals to travel in the Community and to the abolition of controls at internal borders, measures that would make a major contribution to the free movement of persons as guaranteed by the single market. This freedom of movement, which allowed third-country nationals to make visits of short duration to all EU Member States, was intended to promote travel and tourism within the Community. As regards the provision of services by European undertakings employing third-country nationals who were required to travel to the territory of another Member State in order to perform the services there, the CoR, while respecting the conditions imposed by the Member State concerned, declared that it supported the idea of a special entry permit being issued to the employees (third-country nationals) of the said undertakings. In addition, the CoR drew attention to the fact that the regions of the European Union were trying to help third-country nationals escape their isolation by introducing an improved integration policy. This integration could also be encouraged by way of actions in the field of cultural and education policy. The CoR expressed the hope that at the Intergovernmental Conference of 1996 the key areas of justice and home affairs would no longer be entrusted to intergovernmental cooperation but would instead be incorporated into the EC Treaty.

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 26/11/1996

The Council took note of the announcement by Mr MONTI that following the opinions given by Parliament the Commission proposed to make certain amendments to its proposals for a directive concerning the abolition of checks at internal borders and the right of third-country nationals to travel within the Community. On the other hand, the Commission did not intend to amend its proposal on the abolition of restrictions to the right of travel and residence within the Community of workers and their families, and on the abolition of restrictions to the right of travel and residence

within the Community of nationals of Member States as far as the establishment and provision of services was concerned.

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 28/05/1996

The aim of the current proposal was to give concrete expression to the objective of Article 7a of the EC Treaty, namely to create an area without internal borders in which the free movement of goods, services, capital and persons was guaranteed, by creating such an area in the domain of the free movement of persons, which was the only domain in which the objective had still to be fully realised. Parliament had yet to deliver an opinion on the matter. Having concluded its debate, the Council asked the Permanent Representatives Committee to continue its examination of the proposal.

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 12/07/1995 - Legislative proposal

1) OBJECTIVE To abolish all customs controls and formalities for persons crossing internal frontiers of the European Union. 2) SUBSTANCE 1. This proposal abolishes all customs controls and formalities for persons crossing internal frontiers of the European Union. 2. "Internal frontiers" are deemed to be a Member State's frontier within the Community, in other words: * the Member States' common land frontiers, including the rail or road terminals for links by bridge or tunnel between Member States; * their airports for intra-Community flights; * their seaports for intra-Community sea crossings. 3.

"Frontier control or formality" means: * any control applied, in connection with or on the occasion of the crossing of an internal frontier, by the public authorities of a Member State or by other persons, under the national legislation of a Member State (such as the controls carried out by carriers); * any formality imposed on a person in connection with the crossing of an internal frontier and to be fulfilled on the occasion of such crossing. 4. In the event of a serious threat to public policy or public security, a safeguard clause enables any Member State to maintain the controls at its frontiers within the Community temporarily. Source: European Commission - Info92 - 10/95

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 20/03/1997 - Modified legislative proposal

In its amended proposal, the Commission incorporates two types of amendments adopted by Parliament: - one amendment seeking to supplement the arrangements laid down in the proposal: . to improve the definitions of 'intra-Community flight' and 'intra-Community sea-crossing' in order to align them on those laid down within the framework of the draft Convention on the crossing of the external frontiers of the Member States and the Schengen Convention; - two amendments that seek to confirm the Community basis for the proposal: . by inserting a reference to Article 3(d) of the EEC Treaty, thus more closely integrating the proposal in to the framework of the internal market, . by inserting the date of 31 December 1992 alongside the reference to Article 7A of the EC Treaty in the first recital of the proposal.

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 27/03/1996 - Economic and Social Committee: opinion, report

The Committee points out that the reference to "persons" marks a significant development. The earliest provisions on this matter related to the free movement of persons playing an economic role, and were clearly directed at employees and people providing services; the term "persons" was originally used only in an economic sense, but has gradually taken on a much wider meaning that ties in with the concept of citizenship. The concept has been extended as a result of intense regulatory and case-law activity. The Commission itself has stated that the term "free movement of persons" refers to all persons, whether or not they are economically active and irrespective of nationality. Lastly, the Committee stresses the fundamental importance of the accompanying measures, and views these as vital for the implementation of the Directive. It therefore recommends that the Directive enter into force three months after the Council has verified that the prerequisites for its satisfactory implementation are in place.

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 04/06/1996

Following the discussion held by the Internal Market Council on 28 May, and in response to a request made at that time by the French delegation in particular, the Council examined a number of issues that had been raised by the proposal for a directive put forward by the Commission on 24 August 1995. In this connection, the Council noted the statements made by several delegations, which indicated among other things that as well as pursuing the objective of providing freedom of movement for persons within the Community the proposals concerned important issues such as immigration and homeland security. It had been recognised that these aspects, along with accompanying measures designed to achieve the effective abolition of internal border checks, came under the provisions of the third pillar. One of the delegations repeated that it was opposed in principle to the approach being adopted by the Commission, though this did not rule out some element of cooperation in this area between the Member States within the framework of the third pillar. The Commission for its part indicated that it would keep its proposals as they were until Parliament had given its opinion, which was expected in July. In conclusion, the President asked the Permanent Representatives Committee to continue with its work of examining the proposals concerned with a view to the discussions being resumed within the Council (Internal Market/Justice and Home Affairs).

Freedom of movement: elimination of controls on persons crossing internal frontiers

1995/0201(CNS) - 23/10/1996 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Glyn FORD (PSE, UK), Parliament approved with amendments the proposal for a Council Directive on the elimination of controls on persons crossing internal frontiers. Parliament noted that the free movement of persons is laid down by the Treaty and hence cannot be made dependent on accompanying measures. Moreover, persons who are entitled to freedom of movement should not suffer discriminatory treatment depending on whether they are Union citizens or are lawfully resident. Parliament proposed that a Member State should be able, in the event of a 'genuine threat' to public policy or public security (and not a 'serious threat' as the Commission proposed) to reinstate controls for a period of thirty days and asked to be informed thereof immediately on the same basis as the Commission and the other Member States. Finally, the EP reiterated the date of 31 December 1996 as the final date for implementation of the Directive and called on the Commission, not later than one year after implementation of the Directive, and every two years thereafter, to report on its application.