Basic information

2000/0803(CNS) CNS - Consultation procedure Decision	Procedure completed
Schengen: procedure for amending Articles 40, 41 and 65. Initiative Luxembourg **Subject** 7.10.02 Schengen area, Schengen acquis	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Justice and Home Affairs (JHA)	2288	2000-09-28

Key events

Date	Event	Reference	Summary
03/04/2000	Legislative proposal published	07217/2000	Summary
15/05/2000	Committee referral announced in Parliament		
23/05/2000	Vote in committee		
14/06/2000	Decision by Parliament	T5-0259/2000	Summary
28/09/2000	Act adopted by Council after consultation of Parliament		
28/09/2000	End of procedure in Parliament		
03/10/2000	Final act published in Official Journal		

Technical information

Procedure reference	2000/0803(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	Treaty on European Union (after Amsterdam) M 032 Treaty on European Union (after Amsterdam) M 034 Treaty on European Union (after Amsterdam) M 031-

	Rules of Procedure EP 52-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/12737

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Text adopted by Parliament, 1st reading/single reading		T5-0259/2000 OJ C 067 01.03.2001, p. 0062-0149	14/06/2000	Summary
Council of the EU				
Document type		**Reference**	**Date**	**Summary**
Legislative proposal		07217/2000 OJ C 131 12.05.2000, p. 0007	03/04/2000	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2000/0586 OJ L 248 03.10.2000, p. 0001	Summary

Schengen: procedure for amending Articles 40, 41 and 65. Initiative Luxembourg

2000/0803(CNS) - 14/06/2000 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution without a report approving an intitiative by Luxembourg for adopting a Council decision on a procedure for amending certain articles of the Schengen Convention on the gradual abolition of checks at common borders.

Schengen: procedure for amending Articles 40, 41 and 65. Initiative Luxembourg

2000/0803(CNS) - 03/04/2000 - Legislative proposal

PURPOSE: to establish a simplified procedure to amend certain Articles of the Schengen Convention. CONTENT: on 01/05/1999, the date of entry into force of the Amsterdam Treaty, which provided, inter alia, for the integration of the Schengen acquis into the framework of the European Union, the protocol had not entered into force. Since the integration of the Schengen acquis into the framework of the EU relating to the gradual abolition of border controls, the Member States can no longer modify the Convention signed in Schengen. However, a protocol was approved between parties in 1990 which provided for a simplified procedure to amend references in those articles to "officers", "authorities" and "competent Ministries" (Articles 40, 41,

and 65). The initiative of Luxembourg outlines the same objectives as the Protocol but through community procedure. This procedure shall allow Member States to modify the reference of its "officers", "authorities" and "competent Ministries", if international changes and reorganisations were to make the existing reference no longer accurate, without requiring the amendments of the references to be formally adopted by the Council. Any modification of the aforementioned provisions that do not result merely from internal changes or reorganisations but purport to extend the powers under the provisions of Articles 40 and 41 of the Convention should be adopted in accordance with the relevant provisions of the Treaty.

Schengen: procedure for amending Articles 40, 41 and 65. Initiative Luxembourg

2000/0803(CNS) - 28/09/2000 - Final act

PURPOSE : to establish a simplified procedure to amend certain Articles of the Schengen Convention. COMMUNITY MEASURE : Council Decision 2000/586/JHA establishing a simplified procedure to amend certain Articles of the Schengen Convention. CONTENT : on 01.05.1999, the date of the entry into force of the Amsterdam Treaty, which provided, inter alia, for the integration of the Schengen acquis into the framework of the European Union, the Protocol had not entered into force. Since the integration of the Schengen acquis into the framework of the EU relating to the gradual abolition of border controls, the Member States can no longer modify the Convention signed in Schengen. However, the Council has adopted - on the initiative of the Grand Duchy of Luxembourg - this Decision establishing a procedure for amending Articles 40(4) and (5) and 65(2) of the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders. This Decision will enable each Member State to amend certain administrative descriptions featuring in the abovementioned articles ("officers", "authorities" and "competent Ministries"), whenever, as a result of internal changes or reorganisations, the existing references are no longer accurate. Any modification to the aforementioned provisions that do not result merely from internal changes or reorganisations but purport to extend the powers under provisions of Articles 40 and 41 of the Convention should be adopted in accordance with the relevant provisions of the Treaty. Lastly, it should be noted that the United Kingdom shall participate in this Decision, in accordance with Decision 2000/365/EC aiming to authorise this country to participate in certain provisions of the Schengen acquis. ENTRY INTO FORCE : 04.10.2000.