Basic information

2003/0194(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure lapsed or withdrawn
Movement of persons: local border traffic, free movement at the temporary external land borders between Member States **Subject** 7.10 Free movement and integration of third-country nationals 7.10.02 Schengen area, Schengen acquis 7.10.04 External borders crossing and controls, visas	

Key players

Council of the European Union		
European Commission	**Commission DG**	**Commissioner**
	Justice and Consumers	

Key events

Date	Event	Reference	Summary
14/08/2003	Legislative proposal published	COM(2003)0502	Summary
22/09/2003	Committee referral announced in Parliament, 1st reading		
09/03/2004	Vote in committee, 1st reading		
09/03/2004	Committee report tabled for plenary, 1st reading	A5-0141/2004	
20/04/2004	Decision by Parliament, 1st reading	T5-0284/2004	Summary

Technical information

Procedure reference	2003/0194(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 062
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	LIBE/5/20079

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0141/2004	09/03/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0284/2004 OJ C 104 30.04.2004, p. 0031-0140 E	20/04/2004	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2003)0502	14/08/2003	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0101/2004 OJ C 108 30.04.2004, p. 0065-0062	28/01/2004	
CofR	Committee of the Regions: opinion	CDR0277/2003 OJ C 109 30.04.2004, p. 0001-0006	11/02/2004	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Movement of persons: local border traffic, free movement at the temporary external land borders between Member States

2003/0194(COD) - 20/04/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by the Earl of STOCKTON (EPP-ED, UK), and deleted the provision whereby border residents may be authorized to cross their border at places other than authorised border crossing points and outside the fixed hours.

Movement of persons: local border traffic, free movement at the temporary external land borders between Member States

2003/0194(COD) - 14/08/2003 - Legislative proposal

PURPOSE : to establish a local border traffic regime at the temporary external land borders of the Member States. CONTENT : The development of the acquis on local border traffic and the need to set common minimum rules has been identified as one of the issues that need to be addressed in order to complete and clarify the Community legal framework on external borders. This issue assumes a particular importance in the perspective of the forthcoming enlargement, since cross-border movements between the future Member States, as well as between the future Member States, on the one side, and their neighbours, on the other side, are very important in number. Efficient rules for local border traffic will promote the development of border regions and facilitate the crossing of the border by border residents, while at the same time taking into account the need to prevent illegal immigration, as well as potential threats to security posed by criminal activities. The Commission has put forward two proposals laying down rules on criteria and conditions for establishing a regime of local border traffic (see CNS030193), and introducing a specific visa for that purpose. The reasons for two

proposals are as follows: -unlike the present situation, most of the third countries neighbouring the new EU Member States are countries whose nationals must be in possession of a visa when entering the EU. This is obviously an element that has to be taken into account when envisaging a local border traffic regime at such borders and covering this category of persons. -as a consequence of the two-step implementation procedure of the Schengen acquis, the new Member States will have to apply the full Schengen external border controls regime at all their borders upon accession. This implies that border controls will also remain in place, for some time after accession, between the new Member States and current Schengen States, as well as between the new Member States themselves (so-called "temporary external borders"). This is the reason why the Commission considers it appropriate - until the full implementation of the Schengen acquis by the new Member States, when internal border controls will actually be lifted - to apply the facilitated border crossing regime envisaged for border residents also to such "temporary external borders". Consequently, two instruments are proposed: -a Regulation laying down general rules on the criteria and conditions applicable for establishing a regime of local border traffic at the external land borders of the Member States, and introducing a specific visa for that purpose (see CNS030193); -a second Regulation applying the rules laid down in the above instrument to the "temporary external land borders" between Member States. The two-step Schengen implementation procedure implies that "temporary external borders" will remain in place after accession between the new Member States and current Schengen States, as well as between the new Member States themselves. At such borders, the full Schengen external borders regime will have to apply. For this reason, it seemed appropriate to present a Regulation which extends the applicability of the envisaged rules on criteria and conditions for establishing a local border traffic regime to the "temporary external land borders". The application of such rules has been extended, as a matter of principle, only to third country nationals (both those who require a visa and those who do not) lawfully resident in the border area of a Member State. This is because citizens of the EU already enjoy, under Community law, specific rights related to free movement which, generally speaking, go beyond what is foreseen in the present proposals.