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ANNEX

to the report drawn up by Mr R. SCHIELER
on behalf of the Political Affairs Committee

Opinion of the Committee on Transport

OPINION OF THE COMMITTEE ON TRANSPORT

Draftsman: Mrs M.-C. SCAMARONI

On 10 January 1983 the Committee on Transport was asked for an opinion on a draft resolution on the easing of the formalities relating to checks on citizens of Member States at the Community's internal frontiers, as contained in the communication from the Commission to the Council on strengthening the internal market (Doc. 1-550/82(a)).

On 26 January 1983 the Committee on Transport appointed Mr R. GAUTHIER draftsman of an opinion.

On 11 April 1983 Mr GAUTHIER was replaced as a member of the committee by Mrs SCAMARONI.

At its meeting of 25/26 April 1983 the committee considered the draft opinion and adopted it unanimously.

The following took part in the vote:

Mr Seefeld, chairman; Mr Kaloyannis, vice-chairman; Mrs Scamaroni, draftsman, Mr Albers, Mr Buttafuoco, Mr Cardia, Mr Key, Mr Klinkenborg, Mr Loo (deputizing for Mr Gabert), Mr Martin, Mr Moorhouse, Mr Vandewiele and Mr Ziagas (deputizing for Mr Lagakos).

I BACKGROUND TO THE DRAFT COUNCIL RESOLUTION

1. Under the terms of Article 2 of the Treaty of Rome, the Community has as its task the promotion of closer relations between the States belonging to it, in particular through the elimination of obstacles to freedom of movement for persons, services and capital.
2. The draft Council resolution now submitted by the Commission is one of five proposals contained in a Commission communication concerning the strengthening of the internal market. Whereas the other proposals contained in this communication concern customs and trade formalities, the resolution relates exclusively to formalities governing checks on citizens.
3. The principal aim of the resolution is to reduce without delay checks on citizens of the Member States at the Community's internal frontiers, in preparation for the introduction of the uniform passport on 1 January 1985, pursuant to the decision taken by the representatives of the Governments of the Member States on 23 June 1981.
4. The text submitted by the Commission contains two specific proposals:
 - (a) that systematic checks should no longer be made of the traveller who produces either a European passport or an identity card as proof that he belongs to the European Community;
 - (b) that there should be special channels at ports and airports for citizens of the Member States.
5. The Commission's initiative follows numerous questions tabled by members of the European Parliament on this subject, together with various resolutions adopted by Parliament in plenary session. The subject is also dealt with in the more recent resolutions tabled by Mr BANGEMANN and MR BERKHOUWER (Doc. 1-620/82) on easing frontier checks and by Mr GLINNE and Mr ROGALLA (Doc. 1-623/82) on the passport union and the abolition of personal checks at the Community's internal frontiers.

II GENERAL CONSIDERATIONS

6. The resolution reflects the objective contained in the Commission report to the Council of 3 July 1975 calling for "the abolition of passport control within the Community"¹. It also broadly meets the objective laid down in the Tindemans report of 29 December 1975 which argued for "the gradual disappearance of frontier controls on persons moving between Member countries, as a corollary of a passport union"², except for reasons of order and security such as the combating of terrorism, traffic of drugs, etc..
7. The European Parliament, for its part, in its resolution of 15 October 1981 called for "the free movement of citizens without hindrance by abolishing police controls at frontiers and to submit to Parliament without delay a list of measures and a timetable for the coordinated abolition of such controls within twelve months"³.
8. In practice, certain measures have already been introduced in some Member States with a view to easing formalities. For example, in recent months special channels for Community citizens have been operated at Strasbourg and Basle-Mulhouse airports by the French authorities. This system is also employed at airports and ports in the United Kingdom.
9. As regards rail and road frontier posts random, rather than systematic checks are now being made on a more generalized basis, and a more flexible approach applied to EEC citizens. Despite all too frequent traffic-jams at crossing-points coinciding with peak travel periods such as school and summer holidays, the competent authorities of the Member States concerned do what they can in most cases to minimize obstacles to the movement of persons during these periods.
10. Such problems as do arise may be due as much to the attitude of certain travellers who become understandably angry or frustrated at these long waiting periods (and occasionally go so far as to resist controls) as to the formalities carried out by the customs and frontier police authorities.

Furthermore, your rapporteur would point out that, in the case of France, body-checks and checks on vehicles are no longer within the competence of the frontier police authorities.

¹ EC Bulletin, supplement 7/75, pp. 10-11

² EC Bulletin, supplement 1/76, pp. 28-30

³ OJ C 287, 9.11.81, pp. 93-94

11. Your rapporteur would also submit that the total abolition of customs and police controls would not be wholly desirable until such time as the Community succeeds in harmonizing the provisions governing excise duties and prohibitions and restrictions on the transfrontier carriage of goods. Harmonization is also needed of visa policies, given in particular that in the current situation nationals of certain third countries are required to obtain a visa before entering some Member States, whereas in others a passport or national identity card will suffice. To be realistic, therefore, the function of customs and frontier police authorities must continue to be respected until harmonization is successfully achieved in these areas.

It is nonetheless important that the progressive easing of formalities, with a view to the introduction of a uniform passport, should be undertaken in a uniform manner by the competent authorities of the Member States.

III SPECIFIC RECOMMENDATIONS

12. In the light of the above considerations, and previous work undertaken by the Committee on Transport in this field¹, the committee proposes that Parliament should include the following points in its resolution relating to the Commission proposal for a draft Council resolution:
- (i) the Commission is asked to define more closely, in annex to the draft Council resolution, the possible "security reasons" which might justify the maintenance of customs checks;
 - (ii) the Commission is further requested to indicate in more specific terms the means by which formalities could be eased at small frontier posts and in respect of the local movement of persons resident in frontier zones;

¹ In particular, the report by Mr SCHYNS on the difficulties encountered at the Community's internal frontiers - the transport of passengers and goods by road (Doc. 678/78), and the report by Mr JUNOT on the simplification of formalities at Community airports (Doc. 1-550/82)

- (iii) whereas the Committee on Transport fully supports the application of random checks rather than systematic controls at the Community's internal frontiers, it feels that consideration should also be given to the possible strengthening where necessary of controls at the Community's external frontiers;
- (iv) special lanes for Community citizens should be installed at ports and airports as suggested by the Commission and, where feasible, at all major road checkpoints;
- (v) adequate parking facilities should be provided at all major road checkpoints, in order to prevent commercial vehicles from slowing down crossings;
- (vi) random controls of heavy goods vehicles should no longer be carried out at major crossing points during holiday periods, but at specially installed checkpoints at a reasonable distance from the frontiers (e.g. 1 km);
- (vii) statistical and market surveys, opinion polls and collections for charity should be forbidden at frontier posts, and should instead be permitted at tourist information offices or carparks adjoining main roads;
- (viii) the Member States are asked to report to the Commission by 1 January 1985 on the application of the resolution and the extent to which checks have in fact been reduced;

13. Subject to the recommendations formulated above, the Committee on Transport approves the draft Council resolution submitted by the Commission.