

European Communities

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EUROPEAN PARLIAMENT

351.756  
445.22  
443.11

# Working Documents

1982-1983

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4 October 1982

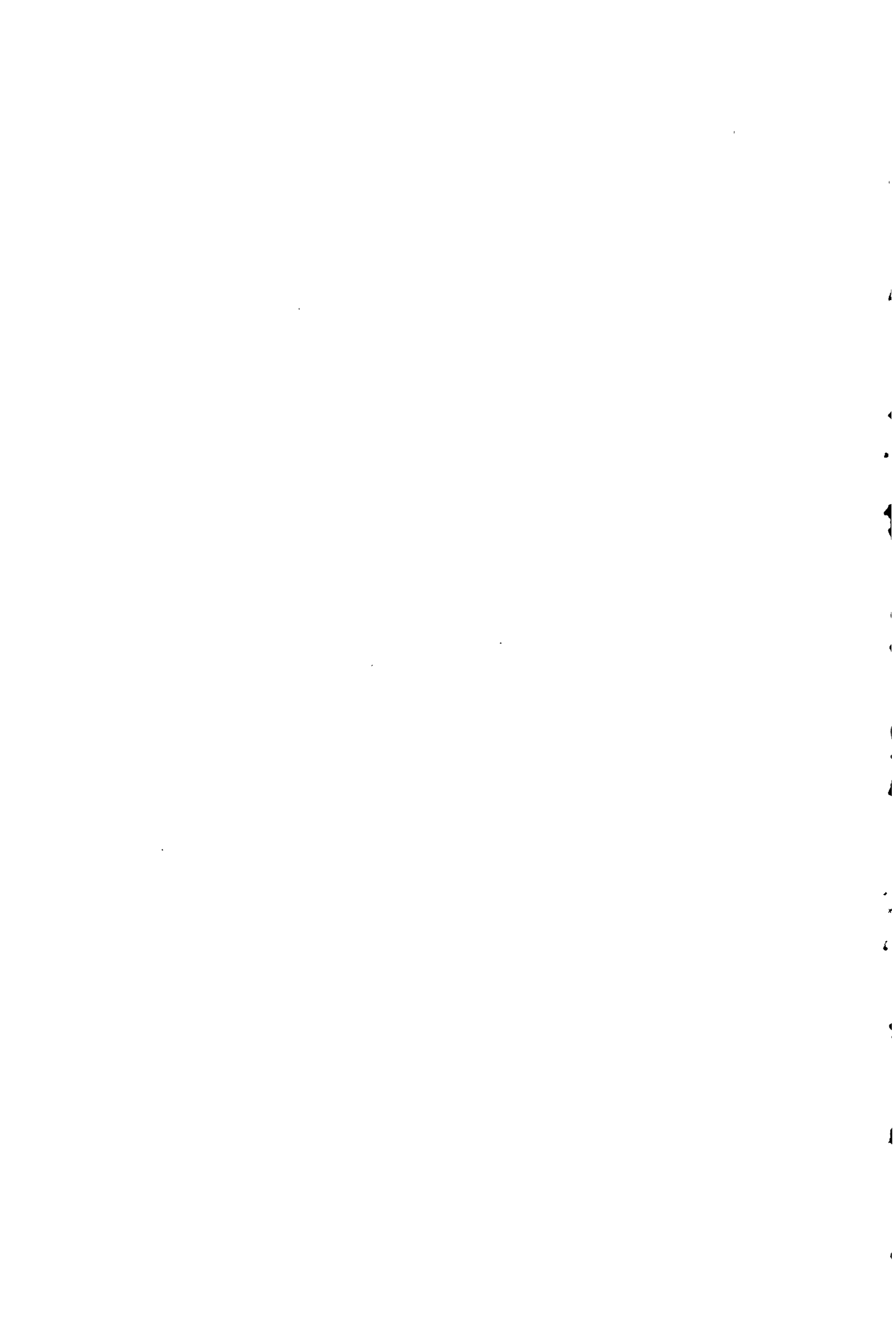
DOCUMENT 1-641/82

## Report

drawn up on behalf of the Committee on Economic  
and Monetary Affairs

on ~~local~~ transfrontier traffic

Rapporteur: Mrs M.-J. DESOUCHES



On 16 December 1981 the motion for a resolution (Doc. 1-871/81) by Mr von Wogau and others on local transfrontier traffic was referred to the Committee on Economic and Monetary Affairs.

On 24 February 1982 the committee appointed Mrs Desouches rapporteur.

At its meeting of 21 September 1982 the committee considered the motion and adopted it unanimously.

The following took part in the vote: Mr Moreau, chairman; Mrs Desouches, rapporteur, Mr Albers (deputizing for Mr Walter), Mr Beumer (deputizing for Mr Vergeer), Mr von Bismarck, Mr Leonardi, Mr Mihr, Mr Nordmann, Mr Rogalla (deputizing for Mr Schinzel), Mr Welsh and Mr von Wogau.

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The Committee on Economic and Monetary Affairs hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

on local transfrontier traffic

The European Parliament,

- A whereas the problem of transfrontier traffic is part of the wider problem of the strengthening of the internal market;
- B whereas the European citizen who crosses the Community's internal frontiers is still faced today with a considerable number of obstacles;
- C recalling its resolutions of 15 October 1981<sup>1</sup> and 26 March 1982<sup>2</sup>;
- D having regard to the motion for a resolution by Mr von WOGAU and others (Doc. 1-871/81);
- E having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 1-641/82);

1. Points out that the abolition of all checks on the citizens of the Member States at the Community's internal frontiers constitutes the objective of the Passport Union, the creation of which was discussed at the meeting of Heads of State and Government in Paris in 1974;

2. Is convinced that progressive but decisive measures are needed to reduce checks on citizens of the Member States at intra-Community frontiers;

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<sup>1</sup> OJ C 287/81

<sup>2</sup> OJ C 104/82

3. Welcomes the Commission's initiative<sup>1</sup> in favour of reducing checks on European citizens, including the inhabitants of frontier areas, at intra-Community frontiers;

4. Stresses, nevertheless, that the reduction of checks within the EEC on Member States' citizens living in areas close to frontiers also implies the need to solve certain specific problems;

5. Draws attention to the existence within the Community of numerous frontier posts which are open only at certain times, thereby compelling the inhabitants of frontier areas, especially workers on shift work, to make long detours;

6. Notes that these detours are costly, discriminatory against workers and a source of waste and thus conflict with the aims of the policy pursued by the Community in respect of energy saving;

7. Whilst waiting for the complete opening up of the Community's internal borders, calls upon the Commission to undertake a study on the problems of a technical, financial and security nature which would be raised by the formulation of Community rules enabling the inhabitants of these areas close to frontiers to cross them at any time of the day or night, and on the means and measures to be adopted with a view to overcoming these problems;

8. Points out that the inhabitants of the internal frontier areas of the EEC would find it hard to understand why the conditions for the crossing of the Community's internal frontiers are in certain cases stricter than those governing crossings between a Member State and a third country;

9. Considers that the Commission might establish together with the Member States, and in the light of its reply to a written question on this subject<sup>2</sup>, either the possibility for the appropriate authorities of granting the inhabitants of the EEC's internal frontier areas cards for the electronic opening of barriers or the possibility for the appropriate authorities of keeping frontier posts open permanently with the exception of random checks;

10. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission and the national parliaments.

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<sup>1</sup> COM(82) 400 final

<sup>2</sup> Written Question No. 2256/80 of 6 March 1981 - OJ C 153, 22 June 1981

EXPLANATORY STATEMENT

1. The problem of frontier traffic, as raised by the motion for a resolution under consideration, is part of the wider problem of the strengthening of the internal market.

The European citizen who wishes to cross the Community's internal frontiers is still faced today with a considerable number of obstacles: passport checks, difficulties concerning taxation for transfrontier workers, and customs formalities for the utilization of professional equipment across national frontiers.

Furthermore, it is becoming more and more difficult to explain to citizens and European economic operators that the practical realization of the free movement of persons and goods, one of the essential principles of the Community, is not yet possible.

2. Following among other things the action taken by the European Parliament, which has on numerous occasions drawn the attention of the competent authorities to the problem of the opening of the Community's internal frontiers<sup>1</sup>, the Commission has recently proposed, in a general communication of a political nature<sup>2</sup>, action based on practical proposals concerning:

- the reduction of checks on persons<sup>3</sup>;
- simplification of formalities and inspections in respect of the carriage of goods between Member States<sup>4</sup>;
- simplification of customs formalities in trade within the Community<sup>5</sup>;
- deferred payment of the turnover tax payable on importation by taxable persons<sup>6</sup>.

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<sup>1</sup> See the most recent resolution of 26 March 1982

<sup>2</sup> COM(82) 399

<sup>3</sup> COM(82) 400 fin

<sup>4</sup> COM(82) 189 fin

<sup>5</sup> COM(82) 401

<sup>6</sup> COM(82) 402

3. The abolition of all checks at internal frontiers is an objective of the Passport Union, the creation of which was advocated at the meeting of Heads of State and Government in Paris in 1974. Given that this objective<sup>1</sup> might not be attained immediately owing to political difficulties, gradual but decisive measures should be taken to reduce the checks on Member States' citizens at Community frontiers. To achieve this aim, which the European Parliament has requested on several occasions and most recently in its resolution of 15 October 1981<sup>2</sup> - the Commission proposes, in the draft Council resolution in question<sup>3</sup>, that the Member States should no longer carry out systematic checks on travellers who present either a European passport<sup>4</sup> or a European identity card.

Special channels are also proposed for the citizens of Member States at ports and airports.

Residents of frontier areas should also benefit from this reduction of control.

4. The problem of local transfrontier traffic, as was illustrated at the hearing of 12 July 1982<sup>5</sup>, has recently become more acute owing to the fact that modern means of transport make it possible to cross frontiers more easily and because there is greater economic interpenetration within the Community.

The reduction of checks at internal EEC frontiers of the citizens of Member States inhabiting areas close to those frontiers also implies the need to solve certain specific problems.

The existence in the Community of numerous frontier posts which are open only at certain times very frequently compels the inhabitants of frontier areas, in particular workers on shift work, to make long detours in order to cross the frontier at posts which are open both day and night.

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<sup>1</sup> This objective was considered in the Commission reports submitted to the Council on 3 July 1975. See 'Towards European citizenship', supplement 7/75 to the Bulletin of the European Communities.

<sup>2</sup> OJ C 287, 9.11.1981

<sup>3</sup> COM(82) 400 final

<sup>4</sup> See Council resolution of 23 June 1981 (OJ C 241, 19.9.1981) which provides for a passport of standard format, the first step towards a passport union, by no later than 1 January 1985.

<sup>5</sup> See minutes PE



Although it is clear that checks on persons still fall within the competence of the Member States, joint action at Community level enabling those living close to frontiers to cross frontiers at any time of the night or day if they have nothing to declare, should nevertheless fit quite naturally into the programme recently outlined by the Commission<sup>1</sup>.

5. In this context, it would be interesting to know what action the Commission can contemplate in this field.

The Commission should undertake a study on the technical, financial and security problems which would be posed by the formulation of Community rules enabling the inhabitants of areas close to frontiers to cross them at any time of the day or night, and on the means and methods to be adopted to overcome these problems.

In particular, the Commission should look closely, with the Member States and in the light of its reply to Written Question 2256/80 of 6 March 1981<sup>2</sup>, at the possibility for the appropriate authorities of granting cards to the inhabitants of frontier areas for the electronic opening of barriers. This would remove the need to employ additional customs personnel.

Community action in this field is necessary for economic and psychological reasons. The detours which inhabitants of frontier areas, and in particular workers on shift work, are at present compelled to make, are costly, discriminate against workers and are a source of waste, thereby conflicting with the Community's policy in respect of energy-saving.

In addition, the inhabitants of the EEC's internal frontier areas find it hard to understand why conditions for crossing the Community's internal frontiers are sometimes stricter than those governing crossings between a Member State and a third country, in particular between the Federal Republic of Germany and Switzerland following the agreement of 21 May 1970<sup>3</sup>.

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<sup>1</sup> COM(82) 400

<sup>2</sup> OJ C 153, 22.6.1981

<sup>3</sup> See BGBl (Federal German Law Gazette) 1970, II, p. 746

MOTION FOR A RESOLUTION (DOCUMENT 1-871/81)

tabled by Mr VON WOGAU, Mr PÖTTERING, Mr VERGEER,  
Mrs CASSANMAGNAGO CERRETTI, Mr PFLIMLIN, Mr COSTANZO,  
Mr Konrad SCHÖN, Mr CLINTON, Mr GIUMMARRA, Mr WAWRZIK,  
Mr HABSBURG and Mr NOTENBOOM

on behalf of the Group of the European People's  
Party (Christian-Democratic Group)

pursuant to Rule 47 of the Rules of Procedure

on local transfrontier traffic

The European Parliament,

- seeking to ease formalities at internal frontiers as a step towards creating a Common Market,
  - seeking to strengthen and intensify personal links between the people living near national frontiers in the Community,
1. Is convinced that a Community arrangement is required which would allow people living near frontiers to use minor crossing points even outside official hours if they are not in possession of goods on which duty is payable.
  2. Calls on the Commission to submit a proposal to this effect to the Council as soon as possible.

JUSTIFICATION

There are a large number of small customs posts in the Community which are only open at certain times. This means that people living near the borders, especially shift workers, often have to make large detours to cross at custom points which are permanently manned. This does not promote a feeling among the population of living in a Community.

An arrangement of this kind already exists between the Government of the Federal Republic of Germany and the Federal Council of Switzerland under their Agreement of 21.5.1970. It would be difficult to explain to the people living near the borders why greater restrictions are placed on crossing borders within the Community than on crossing the border to a third country.