

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 400 final

Brussels, 2 July 1982

## DRAFT COUNCIL RESOLUTION

### ON THE EASING OF THE FORMALITIES RELATING TO CHECKS ON CITIZENS OF MEMBER STATES AT THE COMMUNITY'S INTERNAL FRONTIERS

(Communication from the Commission to the Council)

COM(82) 400 final

SUMMARY

For the purposes of the Passport Union, the subject of a Commission report sent to the Council on 3 July 1975,<sup>1</sup> now that the uniform passport has been adopted by means of the Resolution of the representatives of the Governments of the Member States of the European Communities meeting within the Council on 23 June 1981,<sup>2</sup> the aim of abolishing checks on persons at the Community's internal frontiers must be pursued, since the passport is the essential prerequisite and the basis for a Passport Union. Even though this aim cannot be achieved immediately owing to political difficulties, steps should none the less be taken now to bring about a steady improvement in the matter of checks on persons.

Parliament attaches great importance to this question, as it most recently emphasized in its Resolution of 15 October 1981.<sup>3</sup> For this reason it is requested that the draft Council Resolution be transmitted to Parliament for an opinion.

With the aim of reducing checks on citizens of the Member States at the Community's internal frontiers, it is proposed that the Commission send to the Council the attached draft Resolution, the main points of which are as follows:

- (a) 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) there should be special channels at ports and airports for citizens of Member States.

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<sup>1</sup> Published in Supplement 7/75 to the Bulletin of the EC, entitled "Towards European Citizenship".

<sup>2</sup> OJ C 241, 19.9.1981, pp. 1-7.

<sup>3</sup> OJ C 287, 9.11.1981, pp. 93 and 94.

Draft COUNCIL RESOLUTION of

on the relaxation of formalities relating to checks on citizens of  
Member States at the Community's internal frontiers

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the draft Resolution submitted by the Commission,

Having regard to the Opinion of the European Parliament dated .....,

RECALLING:

- that the Heads of State and of Government, meeting in Paris on 9 and 10 December 1974, requested that the possibility of establishing a Passport Union be examined;

- that the Commission transmitted to the Council on 3 July 1975 a report on the means of attaining that objective in which a Passport Union is defined and the measures proposed include "the abolition of passport control within the Community";<sup>1</sup>

- that the report transmitted by Mr TINDEMANS on 29 December 1975 to the European Council argued for "the gradual disappearance of frontier controls on persons moving between member countries, as a corollary of a Passport Union";<sup>2</sup>

- that the European Council, meeting in Maastricht on 23 and 24 March 1981, expressed satisfaction at the considerable progress which had been achieved on the introduction of a European passport;

- that the representatives of the Governments of the Member States of the European Communities, meeting within the Council, resolved, in a Resolution of 23 June 1981,<sup>3</sup> that the Member States would endeavour to issue by 1 January 1985 at the latest a passport of uniform design, conceived as a first step towards a Passport Union;

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<sup>1</sup> Towards European Citizenship, Supplement 7/75 to the Bulletin of the EC, point 2.3, pp. 10 and 11.

<sup>2</sup> European Union, Supplement 1/76 to the Bulletin of the EC, point II:B.1., pp. 28-30.

<sup>3</sup> OJ C 241, 19.9.1981, pp. 1 to 7.

- that the European Parliament has repeatedly called for checks on private individuals at the Community's internal frontiers to be reduced, most recently in a Resolution of 15 October 1981<sup>1</sup> in which it "Calls on the Council and Commission to ensure the free movement of citizens without hindrance by abolishing police controls at frontiers";

ANXIOUS to make steady progress towards a Passport Union based on the uniform passport which would give all citizens of the Member States a sense of belonging to one and the same Community;

CONVINCED that the Community must be of greater concern to citizens in their day-to-day life in such a way that they have tangible experience of its positive effects;

CONSIDERING that freedom of movement within the Community must become easier if the internal market is to become fully operative, and that in this context checks on private individuals at the Community's internal frontiers should be reduced to the barest minimum;

AWARE that the abolition of all checks at internal frontiers, which is the aim of the Passport Union, would mean that certain problems inherent in the creation of such a Union must be resolved at the same time;

CONVINCED that gradual but decisive measures to reduce checks on citizens of Member States must nevertheless be introduced forthwith at the Community's internal frontiers in order to facilitate the eventual abolition of all checks on private individuals within the Community;

HAS RESOLVED that the Member States, independently of their obligations under the Treaty establishing the European Economic Community and under the provisions adopted to implement it, will undertake by 31 December 1984 at the latest:

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<sup>1</sup> OJ C 287, 9.11.1981, pp. 93 and 94.

1. To reduce the checks on citizens of Member States at the Community's internal frontiers by relaxing the formalities and speeding up procedures, while maintaining the present arrangements at the Community's external frontiers;
2. (a) to instruct the frontier police to discontinue the practice of carrying out systematic checks, irrespective of the mode of transport used (road, rail, sea, inland waterway or air), as soon as citizenship of a Member State has been established and to make spot checks only, while maintaining the possibility of carrying out the customary checks where they are justified for security reasons;

(b) to consider that, in principle, proof of citizenship of a Member State may be supplied either by presenting a uniform passport, given that its standard external format will immediately identify the holder as a citizen of a Member State, or by presenting an identity card;
3. To ease the formalities in this way at small frontier posts and in respect of the local movement of persons resident in frontier zones;
4. To establish, at frontier posts in airports and ports, general channels for citizens of Member States, in sufficient number to ensure that no more time is required to pass through them than through other check-points;
5. To request the Commission to investigate other practical possibilities for further reducing the checks on citizens of the Member States at the Community's internal frontiers;
6. To report to the Commission at the beginning of 1985, and every two years thereafter, on the manner in which the checks have in fact been reduced, so that a study can be made of ways of entirely abolishing all checks on persons at the Community's internal frontiers, this being the object of the Passport Union.

Done at Brussels,

By the Council.