

AMENDMENT FORM

Suggestion for amendment of Article 10 and 10bis (Title Area of freedom, security and justice, Part II of the Treaty)

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Article 10: [~~Checks on persons at borders~~Border management]

1. The Union shall develop a policy with a view to:
 - ensuring the absence of any controls on persons, whatever their nationality, when crossing internal borders;
 - carrying out checks on persons and efficient monitoring of the crossing of external borders;
 - **guaranteeing an effective management of the external borders, including** the ~~gradual introduction~~ **further development** of a common integrated management system for external borders.

2. For this purpose, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws or framework laws concerning:
 - ~~— conditions of entry for a short stay for nationals of third States, including the visa requirement and exemption from this requirement, the rules, procedures and conditions~~
 - ~~— of issue of permits for crossing external borders, and the uniform format for such permits;~~
 - **crossing of internal borders, in particular on absence of any controls on persons, whatever their nationality;**
 - the controls to which persons crossing external borders ~~may~~ **shall** be subject;
 - ~~the conditions under which nationals of third countries shall have the freedom to travel within the Union for a short period;~~
 - **measures aiming at strengthening the management of the external borders, including** any measure necessary for the ~~gradual establishment~~ **further development** of a common integrated management system for external borders;
 - ~~— the absence of any controls on persons, whatever their nationality, when crossing internal borders.~~

Explanation:

An efficient management of the external borders should be mentioned among the key policy areas in Article 10 as border management helps, among others, bring greater control of migration flows (see Seville conclusions). As the common integrated management system for external borders already exists (the implementation of the Plan for the management of the external borders), the term “introduction” should be replaced by “development”. Article 10 should deal with border management issues only. Therefore the issues related to entry and short stay of third country nationals are removed to a separate Article 10bis.

New Article 10bis: Entry and short stay of third country nationals

- 1. The Union shall develop a policy with a view to ensuring uniform conditions governing entry to and short stay of nationals of third countries in the Member States.**
 - 2. For this purpose, the European Parliament and the Council, in accordance with the legislative procedure, shall adopt laws or framework laws concerning:**
 - conditions of entry for a short stay for nationals of third countries, including the visa requirement and exemption from this requirement, the rules, procedures and conditions of issue of visas, permits and travel documents for crossing external borders, and the uniform format and security features for such documents;**
 - the conditions under which nationals of third countries shall have the freedom to travel within the Union for a short period.**
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Explanation:

Article 10 should deal with border management issues only. Therefore the issues related to entry and short stay of third country nationals are removed to a separate Article 10bis. Paragraph 2 should deal with “visas, permits and travel documents”, not “permits” only for crossing external borders. The uniform format of such documents should be expressly included in the text.