

'Free movement across borders given the go-ahead' from the Luxemburger Wort (20 June 1990)


Caption: On 20 June 1990, the daily newspaper Luxemburger Wort outlines the provisions of the Additional Protocol to the Agreement of 14 June 1985 which was signed on 19 June, in Schengen, by the representatives of Belgium, France, the Federal Republic of Germany (FRG), Luxembourg and the Netherlands.

Source: Luxemburger Wort. Für Wahrheit und Recht. 20.06.1990, n° 141; 143e année. Luxembourg: Imprimerie Saint-Paul. "Freie Fahrt an den Grenzen", auteur:Werle, Gerd , p. 3.

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Free movement across borders given the go-ahead

Gerd Werle

After being postponed for half a year, the Schengen II Agreement was finally signed yesterday, on the River Moselle not far from the now renowned wine-growing village in Luxembourg. Oddly enough, the process of German unification had delayed the go-ahead for free movement between the Schengen signatory states. However, as reunification speeded ahead, the last remaining doubts of the five signatory states, Belgium, the Federal Republic of Germany, France, Luxembourg and the Netherlands, were also resolved. We may now assume that the Schengen Five will give each other the green light on 1 January 1992, a whole year earlier than the Twelve.

To compensate for the removal of border controls, the parties to the agreement have arranged for closer cooperation between their security services. In particular, there will be stricter controls at the common external borders, including airports and sea ports.

Databases of police authorities will also be supplemented with an integrated information system, located in Strasbourg, on wanted criminals or witnesses. As is to be expected, this is causing doubts about a possible violation of data privacy, especially since not all of the Five have formally introduced data protection legislation.

One rule that is nothing short of revolutionary is that, in future, police authorities will also be given the right of hot pursuit with regard to criminals fleeing across national boundaries. In the Federal Republic of Germany and the Benelux countries, the rule applies up to 10 kilometres on the other side of the border, in France throughout the country.

Asylum-seekers will no longer have to put up with being shunted back and forth between the signatory states. The ruling in the country where they first apply for asylum will be decisive. In this respect, Schengen functions as a model for the corresponding EU Directive that has now been adopted by 11 countries (Denmark still has reservations).

The new rule can only benefit a 'People's Europe'. The removal of border controls will contribute to a new spirit of togetherness and give rise to a new feeling of solidarity. Exaggerated fears of a Terrorists' and Criminals' Europe may have slowed the Schengen process down, but they could not put a stop to it. Statistics show around 15 000 arrests per year at the external EU borders in Germany, out of 1 000 million people crossing the border. In many cases, a large number of these suspects could also have been arrested in the hinterland. And has a terrorist ever been caught at a border? No, there is no reason to wish to return to the way things were before Schengen.