Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Misuse of the Schengen system by Council of Europe member States as a politically-motivated sanction

Motion for a resolution
tabled by Mr Frank SCHWABE and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

In Recommendation 1648 (2004) on the "Consequences of European Union enlargement for freedom of movement between Council of Europe member States", the Parliamentary Assembly reconfirmed that the Schengen system is intended to establish free movement of persons within a multinational territory (the Schengen area) without internal borders.

In Resolution 1894 (2012) on "The inadmissibility of restrictions on freedom of movement as punishment for political positions", the Assembly stressed that freedom of movement should not be restricted as a sanction for the expression of peacefully held political opinions and that entries into the Schengen Information System must not be misused in order to deny persons, who are not nationals of a European Union member State, access to the Schengen area as a punishment for expressing such views.

Meanwhile, new cases of allegedly politically-motivated misuse of the Schengen system have occurred in several member States, which made use of their legal right to control access to their respective territories in order to deny entry to certain persons. This would have had the result of unjustifiably denying those persons access to the entire Schengen territory.

The Assembly cannot accept that there are still cases of misuse of the Schengen System. It therefore resolves to re-examine this issue in the form of a new report.

Signed (see overleaf)

Signed[1]*:*

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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left