



HELLENIC PARLIAMENT

JOINT MEETING

- **SPECIAL STANDING COMMITTEE FOR EUROPEAN AFFAIRS**
- **STANDING COMMITTEE FOR PUBLIC ADMINISTRATION, PUBLIC ORDER AND JUSTICE**

The aforementioned Hellenic Parliament Committees came to a joint meeting on November 30, 2017 in order to adopt an

OPINION

**On the proposal for a regulation of the European parliament and of the Council amending Regulation (EU) 2016/399 as regards the rules applicable to the temporary reintroduction of border control at internal borders
COM(2017) 571 final**

The Committee members, taking into consideration

- The proposal for a Regulation text
- The information note by the Hellenic Police Border Protection division
- The information note by the Hellenic Police State Security division
- The oral briefing by the Alternate Minister for the protection of the Citizen mr. Nikolaos Toskas
- The reports by MPs – Rapporteurs

Adopted by majority¹ the following opinion:

Subsidiarity Principle

The proposal for a Regulation 571/2017 amends Regulation 2016/399 (Schengen Borders Code), the objective of which is establishing a European area of free

¹ Members of the Golden Dawn Party and the Greek Communist Party have voted against.

movement of persons and goods. The proposed amendment– as mentioned in the Explanatory memorandum- has the objective of ensuring sufficient measure –taking on the part of m-s to respond to serious threats against internal security or public order, as well as to introduce better procedural safeguards to enable proper risk assessment. It is clear that the aforementioned objectives cannot be met by m-s alone, thus they are correctly regulated at a union level; therefore issue of infringement of the principle of subsidiarity does not arise.

Proportionality Principle

The proposed revision of Regulation 399/2016 amends rules applied for the temporary reintroduction of border control at internal borders, which must be a last-resort measure and be subject to strict terms concerning extent and duration of each individual case.

The competent Hellenic Parliament Committees deem that the proposed prolongation of the maximum deadline for temporary reintroduction of border control at internal borders from six months to one year , moreover with the possibility of extension to a maximum period of two years where the serious threat to internal security or public order persists, exceeds the minimum necessary measure for meeting its goal. More specifically it is deemed that proposed changes concerning time periods and deadlines challenge the temporary and exceptional nature of border control measures' reintroduction. They also tend towards the *de facto* establishment of a standard regime which is contrary to the objective of the free movement of persons and goods within EU borders, also undermining the Schengen area, together with affecting EU economy in a protracted crisis period and having political impact on the course towards European Integration, as they jeopardize one of EU's major achievements.

The Hellenic Parliament Committees take into account the fact that recent terrorist attacks in European territory have altered the security environment for the worse, increasing threat to internal security and public order of Schengen area m-s. They also share the view that European citizens' demand for security is a top priority and a

matter of urgency. However, it should not be overlooked that many of the “foreign terrorist fighters” are European citizens residing in countries attacked- which means these are attacks taking place without crossing state borders; second, the key to combating terrorism is strengthening cross-border police cooperation and common external border control. In this light and to this end, several important initiatives have been undertaken by the European Commission, yet there is ample room for stepping up cooperation.

In conclusion, the Hellenic Parliament deems the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 as regards the rules applicable to the temporary reintroduction of border control at internal borders (COM(2017) 571 final) in accordance with the principle of subsidiarity, but contravenes proportionality principle as exceeding the minimum necessary measure for achieving its objective.