

Schengen Agreement

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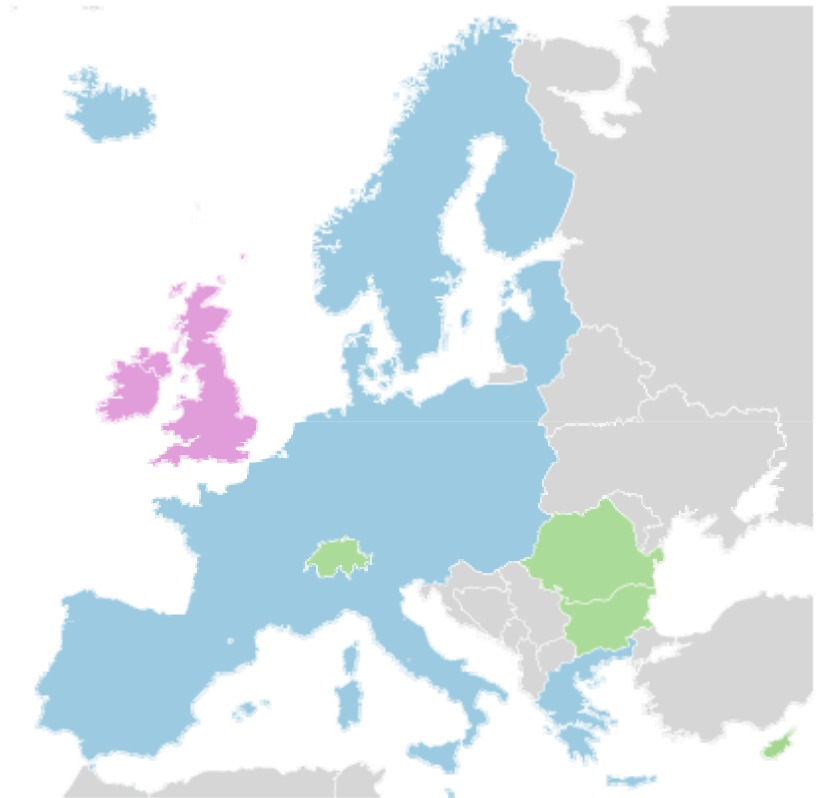
For other uses, see [Schengen](#).



A monument to the Agreement in [Schengen, Luxembourg](#)



A typical Schengen border crossing has no border control post and only a common EU-state sign welcoming the visitor, as here between [Germany](#) and [Austria](#). The sign announces entry to the *Federal Republic of Germany* in [German](#).)



- Schengen zone**
- Set to implement later
- Police and judicial cooperation only
- Expressed interest

The term **Schengen Agreement** is used for two agreements concluded between [European](#) states in 1985 and 1990 which deal with the abolition of systematic [border controls](#) between the participating countries. By the [Treaty of Amsterdam](#), the two agreements themselves and all decisions that have been enacted on their basis have been incorporated into the [law of the European Union](#). This body of legal provisions is referred to as the *Schengen Acquis*.^[1] Subsequent amendments to that acquis, including the Schengen Agreements themselves, have been made in the form of [European Union regulations](#). The main purpose of the establishment of the Schengen rules is the abolition of physical borders among European countries.^[2]

The Schengen rules apply among most [European](#) countries, covering a population over 400 million and a total area of 4,268,633 [km²](#) (1,648,128 [sq mi](#)). They include provisions on common [policy on the temporary entry of persons](#) (including the Schengen Visa), the harmonisation of external [border controls](#), and cross-border police and judicial co-operation.

A total of 28 states, including 25 [European Union](#) states and three non-EU members ([Iceland](#), [Norway](#), and [Switzerland](#)), are subject to the Schengen rules, and 24 have implemented them so far. The [Republic of Ireland](#) and the [United Kingdom](#) did not sign up to the original Schengen Convention of 1990 and have thus not ended border controls with other EU Member States. (They do, however, take part in certain measures relating to police and judicial co-operation). Border posts and checks have been removed between the states which form the Schengen area.^[3] A common Schengen visa allows tourists or other visitors access to the area. Holders of residence permits to a Schengen state enjoy the freedom of travel to other Schengen states for a period of up to three months.

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Legal basis of the Schengen rules

Provisions in the treaties of the European Union

The legal basis for Schengen in the [treaties of the European Union](#) has been inserted in the [Treaty establishing the European Community](#) through Article 2, point 15 of the [Treaty of Amsterdam](#). This inserted a new title named "Visas, asylum, immigration and other policies related to free movement of persons" into the treaty, currently numbered as Title IV, and comprising articles 61 to 69.^{[4][5]} The [Treaty of Lisbon](#) substantially amends the provisions of the articles in the title, renames the title to "Area of freedom, security and justice" and divides it into five chapters, called "General provisions", "Policies on border checks, asylum and immigration", "Judicial cooperation in civil matters", "Judicial cooperation in criminal matters", and "Police cooperation".^[6]

Two Schengen agreements

The two agreements which are commonly referred to as *Schengen Agreement* are:

- The 1985 *Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders*,^[7] also known as *Schengen I*, which provided for *simple visual surveillance of private vehicles crossing the common border at reduced speed, without requiring such vehicles to stop*. Persons who did not have to meet specific requirements at internal borders, as, for example, visa requirements, could use this fast lane procedure by affixing *to the windscreen a green disc measuring at least eight centimetres in diameter*.
- The 1990 *Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders*,^[8] also known as *Schengen II* or *CIS*.

These two agreements have been republished in the [Official Journal of the European Communities](#) through the *Council decision concerning the definition of the Schengen acquis*^[1] and form the most important part of the [secondary legislation](#) regarding Schengen of the EU.

European Union Regulations

Other relevant legal texts which form part of the Schengen laws include:

- The *Schengen Borders Code*,^[9] repealing the parts of the Convention Implementing the Schengen Agreement, dealing in detail with border controls and the prerequisites for entry by third-country nationals;
- The *Council Regulation (EC) No 539/2001*,^[10] dealing with the visa requirement for short stays in the Schengen area according to nationality;
- The *Council Regulation (EC) No 693/2003*,^[11] which deals with the transit from the main part of Russia to the Kaliningrad area;
- The *Common Consular Instructions on Visas for the Diplomatic Missions and Consular Posts*,^[12] which contains rules of procedure for the issuance of visa;
- The *Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas*,^[13]
- The *Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II)*, governing the introduction of the second generation of the Schengen Information System.^[14]
- The *Council Regulation (EC) No 343/2003*, dealing with the question which member state is responsible to handle an asylum request lodged by a third-country national,^[15] also referred to as *Dublin II*;
- The *Commission Regulation (EC) No 1560/2003*,^[16] setting out detailed procedures for the application of the *Dublin II* regulation.

Rules concerning border controls

Travel without internal border controls

Before the implementation of the *Schengen II* Agreement, citizens of western Europe could travel to neighbouring countries by showing their national ID card or passport at the border. Nationals of some countries were required to have separate visas for every country in Europe; thus, vast network of border posts existed around the continent which disrupted traffic and trade—causing delays and costs to both businesses and visitors.

Since the implementation of the Schengen rules, border posts have been closed (and often demolished) between participating countries. The *Schengen Borders Code* requires participating states to remove all obstacles to free traffic flow at internal borders.^[17] Thus, road traffic is no longer delayed; road, rail and air passengers no longer have their identity checked by border guards when crossing borders (however, security controls by carriers are still permissible).^[18] Citizens of non-EU, non-EEA countries who wish to visit Europe, and who require a visa to enter the Schengen area, receive a common **Schengen Visa** from the Embassy or Consulate of the Schengen country of their main destination, or, if such main destination cannot be identified, the state they intend to visit first; they may then visit any of the Schengen countries without hindrance. However, in some exceptional cases, visas can be restricted to just certain member states.



A typical Schengen internal border (here near [Kufstein](#) between [Germany](#) and [Austria](#)): the traffic island marks the spot where a control post once stood; it was removed in 2000.



Some Schengen internal borders can be found within closely built-up areas (here near [Aachen](#) between [Germany](#) and the [Netherlands](#)): Take the left lane in the Netherlands to actually turn left in Germany.



The internal Schengen border between the [Netherlands](#) and [Belgium](#) is clearly marked between [Baarle-Nassau](#) and [Baarle-Hertog](#).



The border between the [Netherlands](#) and [Germany](#) is crossing through this building of the *Eurode Business Centre* in [Kerkrade](#) and [Herzogenrath](#). The facility also contains a jointly operated Dutch-German police station.

Regulation of external border controls



[Ceuta border fence](#) between [Spain](#) and [Morocco](#)

Not only does the Schengen Agreement remove border checks between participating countries, but participating nations co-ordinate external controls. The details of border controls, surveillance, and the conditions under which permission to enter into the Schengen area may be granted are exhaustively detailed in a [European Union regulation](#) called **Schengen Borders Code**.^[19] In particular, Article 7 of the Schengen Borders Code provides that all persons crossing external borders — inbound or outbound — have to be subject to a minimum check, this including the establishment of identities on the basis of the production or presentation of their travel documents, while third-country nationals must be subjected to thorough checks, which also concern all entry requirements (documentation, visa, employment status, means of subsistence, absence of security concerns). The exit controls allow, inter alia, to determine if a person leaving the area is in possession of a document valid for crossing the border, whether that person had extended his or her stay beyond the permitted period, and to check against alerts on persons and objects included in the Schengen Information System and reports in national data files, e. g. if an arrest warrant had been issued by a Schengen State.^[20]



Passport control at an external Schengen border in [Finland](#)

The borders against non-Schengen countries are to be carefully controlled, and every person crossing those external borders must carry an accepted means of identification, such as a [passport](#), other travel document, or – in case of EU and Swiss citizens – national identity card.^[21] All persons who are third-country nationals have to be checked against the [Schengen Information System](#), a database containing information about undesired or wanted people, stolen passports, and other items of interest to border officials;^[22] while checks on EU citizens and other persons enjoying the right of free movement in the EU may only be conducted on a "non-systematic" basis.^[23]

The border controls are located at roads crossing a border, at airports, at seaports, and onboard trains.^[24] Usually there is no fence along borders in the terrain, but there are exceptions like the [Ceuta border fence](#). Fence is partially located at the border between Slovakia and Ukraine.^[clarify] Along the southern coast of the Schengen countries, coast guards are making a substantial effort to prevent private boats from entering without permission.

The Schengen law stipulates that all transporters of passengers across the Schengen external border must check, before boarding, if the passenger has the travel document and visa required for entry.^[25] This is to prevent persons from applying for [asylum](#) at the passport control, after already having landed within the Schengen area. Since all asylum applications filed on EU territory must be investigated, and since it often proves to be difficult to [deport](#) persons who already have landed, the Schengen states want to prevent third-country nationals who do not have the papers required for entry into the area from even reaching a passport control point on their territory. Because this system proves to be effective, unsafe boats, containers, or other unconventional and life-endangering means of transport are used for [people smuggling](#).

Entry conditions for third-country nationals

The Schengen rules include uniform rules as to the type of [visas](#) which may be issued for a short-term stay, not exceeding 90 days, on the territory of one, several or all of those States. The rules also include common requirements for entry into the Schengen area, and common procedures for refusal of entry.

According to the Schengen Borders Code, the conditions applying to third-country nationals for entry are as follows:^[26]

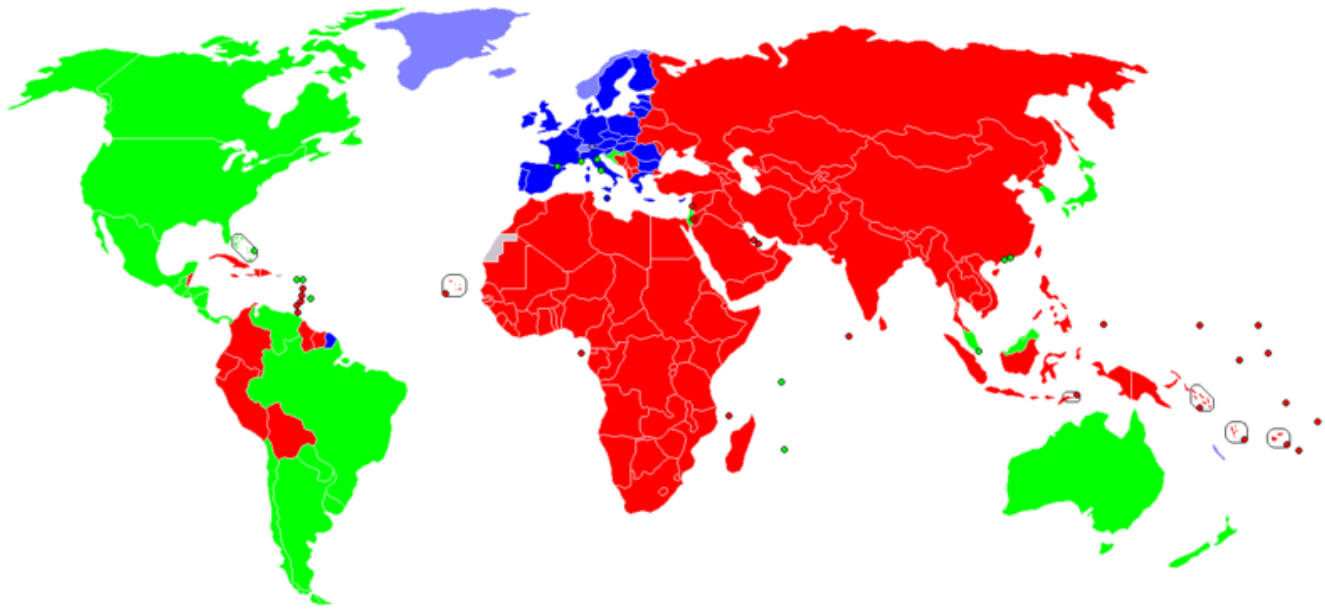
- The third-country national is in possession of a valid travel document or documents authorising them to cross the border; the acceptance of travel documents for this purpose remains within the domain of the member states,^[27]
- He or she either possesses a valid visa (if required) or a valid residence permit;
- He or she can justify the purpose and conditions of the intended stay, and they have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully;
- There has not been issued an alert in the [Schengen Information System](#) for refusal of entry, and
- he or she is not considered to be a threat to public policy, internal security, public health or the international relations of any of the Schengen states.

In other words, mere possession of a Schengen visa does not confer automatic right of entry. It will only be granted if the other transit or entry conditions laid down by EU legislation have been met, notably the means of [subsistence](#) that aliens must have at their disposal, as well as the purpose and the conditions of the stay.

There is an exception to these rules in the case of citizens of [Croatia](#). Based on the Pre-Schengen bilateral agreements between [Croatia](#) and its neighboring EU countries ([Italy](#), [Hungary](#) and [Slovenia](#)), Croatian citizens are allowed to cross the border with ID card only (passport not obligatory). There were many disputes about whether Croatian citizens would lose this right on 21 December 2007 when Schengen control was established on the Croatian land borders with Hungary and Slovenia, as well as on the Croatian sea border with Italy. Many people living near the border cross it several times a day (some work across the border, or have land on the other side of the border), especially on the border with Slovenia, which was unmarked for more than 40 years when Croatia and Slovenia were both part of [Yugoslavia](#). As Croatia is about to join EU in a matter of years, an interim solution, which got the green light from the [European Commission](#), was found: every Croatian citizen is allowed to cross the Schengen border into Hungary, Italy or Slovenia with an ID card and an evidention card that is issued by Croatian police at border exit control. Police authorities of Hungary, Italy or Slovenia will then stamp the evidention card both on entry and on exit. Croatian citizens, however, are not allowed to enter any other Schengen agreement countries without a valid passport and entry stamp, though they are allowed to travel between Hungary, Italy and Slovenia. This practice will be abandoned once Croatia becomes an EU member state, which will allow its citizens to enter any member country with an ID card only.

A third-country national who has been granted entry may stay in the Schengen area and travel between Schengen states as long as the conditions for entry are still fulfilled.^[28] For stays which exceed three months, so-called national visa (category D) are issued by the relevant Schengen state where the third-country national intends to reside. Any third-country national who is a holder of a residence permit of a Schengen state, which is granted for a stay which exceeds three months, is allowed to travel to any other member state for a period of up to three months.^[29]

Schengen visa



[EU \(Schengen\) visa lists](#) ■ [EU member states](#) ■ Special visa-free provisions (Schengen Agreement, [OCT](#) or other) ■ Visa-free access to the Schengen states for 90 days ■ Visa required to enter the Schengen states ■ Visa-status unknown

The requirement of a visa for short-term stays in the Schengen area which do not involve employment or any self-employed activity are set out in an EU regulation.^[30] The list of the nationals which require a visa for a short-term stay (so-called *Annex I list*) and the visa-free nationals (so-called *Annex II list*) refers to the nationality of the third-country national and not to the passport or travel document he or she is holding (with an exception to holders of [Hong Kong SAR](#) and [Macau SAR](#) passport holders, and another exception vis a vis holders of [refugee](#) travel documents, where the country which issued the travel document is relevant). Third-country nationals who intend to take up employment or self-employed activity may be required by member states to obtain a visa even if they are listed on the Schengen visa-free list; usual business trips are normally not considered employment in this sense.^[31]



Common Schengen Visa, new type (allowing photograph of bearer to be inserted)

The uniform visa is granted in the form of a sticker affixed by a Member State onto a [passport](#), travel document or another valid document which entitles the holder to cross the border, provided that the [entry conditions](#) are met at the time of entry.

It is granted in four categories:^[32]

- **Category A** refers to an airport transit visa. It is required for some few nationals for passing through the international transit area of airports during a stop-over or transfer between two sections of an international flight. The requirement to have this visa is an exception to the general right to transit without a visa through an international transit area of an airport.
- **Category B** refers to a transit visa. It is required by nationals who are not visa-free for travelling from one non-Schengen state to another non-Schengen state, in order to pass through the Schengen area. Each transit may not exceed five days.
- **Category C** refers to a short-term stay visa. They are issued for reasons other than to immigrate. They entitle holders to carry out a continuous visit or several visits whose duration does not exceed three months in any half-year from the date of first entry.
- **Category D** refers to national visa. They are issued by a Schengen state in accordance with its national legislation as with respect to the conditions (however, a uniform sticker is used). The national visa allows the holder to transit from a non-Schengen country *to* the Schengen state which issued the national visa within five days. Only after the holder has obtained a residence title after arrival in the destination country (or a different visa), he may again travel to other Schengen countries.
- **Category D+C** visa combine the functions of the visa of both categories: They are intended to allow the holder to enter the issuing Schengen state for long-term stay in that state, but also to travel in the Schengen area like a holder of a Category C visa.
- **FTD** and **FRTD** are special visa issued for road (FTD) or rail (FRTD) transit only between mainland [Russian Federation](#) and its western exclave of [Kaliningrad Oblast](#).

Under certain conditions, seamen are issued visa at the border in order to board a ship or travel home from a ship in a Schengen harbor. Furthermore, visa may also be issued at the border in exceptional cases, e.g. emergencies.^[33]

To obtain a Schengen visa, a traveller must take the following steps:

- He or she must first identify which Schengen country is the main destination. This determines the State responsible for deciding on the Schengen visa application and therefore the [embassy](#) or the [consulate](#) where the traveller will have to lodge the application.^[34] If the main destination cannot be determined, the traveller should file the visa application at the embassy or consulate of the Schengen country of first entry.^{[35][36]} If the Schengen State of the main destination or first entry does not have a [diplomatic mission](#) or consular post in his country, the traveller must contact the embassy or the consulate of another Schengen country, normally located in the traveller's country, which represents, for the purpose of issuing Schengen visas, the country of the principal destination or first entry.
- The traveller must then present the Schengen visa application to the responsible embassy or consulate. A harmonised form is to be submitted, together with a valid passport and, if necessary, the documents supporting the purpose and conditions of the stay in the Schengen area (aim of the visit, duration of the stay, lodging). The traveller will also have to prove his or her means of subsistence, i.e., the funds available to cover, on the one hand, the expenses of the stay, taking into account its duration and the the destination, and, on the other hand, the cost of the return to the home country. Certain embassies or consulates sometimes call the applicant to appear in person in order to explain verbally the reasons for the visa application.
- Finally, the traveller must have travel insurance that covers, for a minimum of €30,000, any expenses incurred as a result of emergency medical treatment or [repatriation](#) for health reasons. The proof of the travel insurance must in principle be provided at the end of the procedure, i.e. when the decision to grant the Schengen visa has already been made.

Requirements for family members of an EU citizen differ from those indicated above. In general for family members of an EU citizen, there is no requirement to provide information about one's employment, or to prove one's means of subsistence. In addition, no fee is required for the visa to be issued.

Internal movement of holders of a residence title



Common Model of a Schengen Residence Permit, here: Form for a German long-term residence permit

Third-country nationals who are holders of a residence title of a Schengen state may freely enter into and stay in any other Schengen state for a period of up to three months.^[37] For a longer stay, they require a residence title of the target member state. Third-country long-term residents of a member state enjoy, under certain circumstances, the right to settle in other member states.^[38]

Temporary reintroduction of internal border controls

A Schengen state is permitted by articles 23-31 of the Schengen Borders Code to reinstate border controls for a short period if deemed in the interest of national security, but has to follow a consultation procedure before such action. This occurred in Portugal during the [2004 European Football Championship](#) and in France for the ceremonies marking the 60th anniversary of [D-Day](#). It was used again by France shortly after the [London bombings](#) in July of 2005. Finland briefly reinstated border controls during the [2005 World Championships in Athletics](#) in August 2005. Germany used it for the [2006 FIFA World Cup](#) and again in 2007 for the [33rd G8 summit](#) in [Heiligendamm](#).

Internal controls still permissible

Air security

When travelling by air between Schengen countries, identification (usually [passport](#) or [national ID card](#)) is regularly requested. Whilst this is not a Schengen rule, it is an air security requirement even when flying domestically.

ID checks at hotels and other places

According to the Schengen rules, hotels and other types of accommodation must register the name, citizenship and ID number of all foreign citizens.^[39] For this reason, a passport or a national ID card has to be produced to the hotel manager or staff. However, the rule is not always enforced.^[citation needed]

Customs control

While border controls serve the purpose of checking whether a person meets the entry and exit requirements, a customs border control relates to the goods that are transported across a border. Article 120 of the *Schengen II* Convention, which was originally drafted as an international treaty outside the scope of the EU competencies, provides that the contracting parties had to ensure that controls of goods "do not unjustifiably impede the movement of goods at internal borders". The parties had to facilitate the movement of goods across internal borders by providing for clearance of goods when goods were cleared through customs for home use. Although the clearance could, according to the Convention, be conducted either within the country or at the internal borders, the Schengen states had to encourage customs clearance within their respective territories. As far as such simplifications could not be achieved, the Schengen states bound themselves to agree on an alteration of existing rules either amongst themselves or within the framework of the European Community.^[40]

Nowadays, most states of the Schengen area are also members of the [European Union](#), among which customs controls and other procedures for the administrative processing of goods at internal borders have been abolished, leaving no checks at the borders.

The states which are currently part of the Schengen area, but which are not EU states, are [Norway](#) and [Iceland](#), which belong to the [European Economic Area](#) (EEA). With relation to goods brought from the EU to non-EU EEA states, some administrative handling of goods at the border may still be required.

The original provisions of the *Schengen II* Convention which regulate controls of goods were not set into force in relation to Norway and Iceland.^[41] However, the Schengen Borders Code, which became law after the association of Norway and Iceland, provides that any police measures at the border may not "have an effect equivalent to border checks". Checks are, inter alia, permitted when they do not have border control as an objective, are based on general police information and experience regarding possible threats, are devised and executed in a manner clearly distinct from systematic checks on persons at the external borders, or if they are carried out on the basis of spot-checks.^[42] Since a border check is defined as any check carried out at border crossing point, to ensure that persons, including their means of transport and the objects in their possession, may be authorised to enter or leave the territory,^[43] routine custom controls are not permissible at internal Schengen borders. The Schengen Borders Code does not provide for any exemption of its scope of application in relation to [Norway](#) and [Iceland](#), and is expressly applicable to those two countries. Notwithstanding this, the authorities of [Iceland](#) are of the opinion, that they may enforce the same level of customs procedures towards all travellers entering an leaving the country, as the country is not a part of the EU [customs union](#).^[44]

[Switzerland](#), which belongs neither to the European Union, nor to the European Economic Area, has been associated to the Schengen area and is set to implement the Schengen rules by November 2008.^[45]

Similarly to the arrangements made between the EU, Norway, and Iceland, the accession agreement concluded between the EU and Switzerland provides for an exemption of the application of the rules concerning controls of goods at borders.^[46] However, the much stricter provisions in the Schengen Borders Code providing for the abolition of internal border checks do not contain any exemption with respect to Switzerland. The Swiss authorities are of the opinion that they will not be entitled to perform systematic customs or other checks on persons for the mere reason that they cross the border, once the Schengen rules will have been implemented in Switzerland; they are planning to continue to perform spot-checks, which are based on risk analysis of the authorities.^[47]

At borders between the [European Union Value Added Tax Area](#) and those zones of the EU that lie outside it, the presence of customs authorities is permitted. Customs are also present in connection with travel within one single member state, if a part of that state is located outside the EU common customs area; this e.g. between [Heligoland](#) and mainland Germany. However, the presence of customs authorities at such borders would not mean that persons and goods passing the borders may be checked beyond the scope of spot checks, or on the basis of available intelligence, and such checks have to be non-systematic in order to comply with the Schengen Borders Code.

[Sweden](#) and [Finland](#) maintain some customs checks in order to control the smuggling of [drugs](#) and [alcohol](#). In accordance with the Schengen Borders Code, this is permissible, as long as cars are only stopped when a suspicion of smuggling has been established.^[48]

With respect to travel between EU members where one is non-Schengen, there are identity (passport) checks, but no customs checks; this applies between Ireland, the U.K. and the European Continent. Since the customs forces form the *financial police* of a state, some countries allow their customs authorities to conduct routine inland checks on persons, vehicles, and goods, e. g. to detect untaxed goods, illegal workers, or persons abusing social benefits.

Rules concerning police co-operation

The Schengen rules also include provisions for sharing intelligence, such as information about people, lost and stolen documents, vehicles, via the [Schengen Information System](#). This means that potentially problematic persons cannot 'disappear' simply by moving from one Schengen country to another.

Administrative Assistance

According to Article 39 of the *Schengen II* Convention, police administrations of the Schengen States are required to grant each other administrative assistance in the course of the prevention and detection of criminal offences according to the relevant national laws and within the scope of their relevant powers. They may cooperate through central bodies or, in case of urgency, also directly with each other. The Schengen provisions entitle the competent ministries of the Schengen States to agree on other forms of cooperation in border regions. With respect to actions which imply constraint or the presence of police officers of a Schengen State in another Schengen State, specific rules apply.

Cross-border observation

Under Article 40 of the *Schengen II* Convention, police observation may be continued across a border if the person observed is presumed to have participated in an extraditable criminal offence. Prior authorization of the second state is required, except if the offence is a felony as defined in Article 40 (7) of the *Schengen II* Convention, and if urgency requires the continuation of the observation without prior consent of the second state. In the latter case, the authorities of the second state must be informed before the end of the observation in its territory, the request for consent has to be handed over as soon as possible, and the observation has to be terminated on request of the second state, or if consent has not been granted after five hours. The police officers of the first state are bound to the police laws of the second state, must carry identification which shows that they are police officers, and are entitled to carry their service weapons. They may not stop or arrest the observed persons, and must report to the second state after the operation has been finished. On the other hand, the second state is obliged to assist the enquiry subsequent to the operation, including judicial proceedings.

Hot pursuit

Under Article 41 of the *Schengen II* Convention, police from one Schengen state may cross national borders to chase their target, if it is not possible to notify the police of the second state prior to entry into that territory, or if the authorities of the second state are unable to reach the scene in time to take over the pursuit. The Schengen States may declare if they restrict the right to hot pursuit into their territory in time or in distance, and if they allow the neighboring states to arrest persons on their territory. However, the second state is obliged to challenge the pursued person in order to establish the person's identity or to make an arrest if so requested by the pursuing state. The right to hot pursuit is limited to land borders. The pursuing officers either have to be in uniform, or their vehicles have to be marked. They are permitted to carry service weapons, which may be used only in self-defence. After the operation, the first state has to report to the second state about its outcome.

Responsibility and rights

Under Article 42 of the *Schengen II* Convention, police officers of a state which became victims of a criminal offence in another Schengen state while on duty there, enjoy the same right of compensation as an officer of the second state. According to Article 43 of the *Schengen II* Convention, the state which employs a police officer is liable towards that state for damages for illegal actions performed in another state by such police officer.

Liaison officers

Article 47 of the *Schengen II* agreement provides for the permanent deployment of liaison officers to other Schengen states.

Further bilateral measures

Many neighboring Schengen states have introduced further bilateral measures for police cooperation in border regions, which are expressly permitted under Article 39 subsection 5 of the Schengen Agreement. Such cooperation may include joint police radio frequencies, police control centres, and tracing units in border regions.^[49] Furthermore, police laws of some Schengen States allow for the *ad hoc* conferment of police powers to police officers of other EU states.^[50]

Prüm Convention and Schengen III Regulation

An agreement was signed on [27 May 2005](#) by [Germany](#), [Spain](#), [France](#), [Luxembourg](#), [Netherlands](#), [Austria](#), and [Belgium](#) at [Prüm, Germany](#). This agreement, based on the principle of availability which began to be discussed after the [Madrid bomb attack](#) on [11 March 2004](#), could enable them to exchange all data regarding [DNA](#) and [fingerprint](#) data of concerned persons and to cooperate against [terrorism](#). Furthermore, it contains provisions for the deployment of armed [sky marshals](#) on intra-Schengen flights, joint police patrols, entry of (armed) police forces into the territory of another state for the prevention of immediate danger, cooperation in case of mass events or disasters. Furthermore, the police officer responsible for an operation in a state may, in principle, decide in how far the police forces of the other states which take part in the operation may use their weapons or exercise other police powers. Sometimes known as the **Prüm Convention**, this treaty is becoming known as the **Schengen III Agreement**. It was adopted into [EU regulation](#) for Schengen states in June 2007, as far as its provisions fall under the [third pillar](#) of the EU.^[51] With respect to subject matters which are to be regulated within the [first pillar](#) of the EU, the implementation would require an initiative from the [European Commission](#), which enjoys the monopoly on [legislative initiative](#) in that pillar. The Commission has not made use of its right to initiative with regard to such content of the Prüm Convention.

Judicial cooperation

Direct Legal Assistance

The Schengen states are obliged to grant each other legal assistance in criminal justice with respect to all types of offences and misdemeanors (Article 49 of the *Schengen II* Convention), this including tax and other fiscal offences (Article 50 of the *Schengen II* Convention), except for certain small crimes, as defined in Article 50 of the *Schengen II* Convention. All Schengen states may serve court documents by mail to another Schengen State, but must attach a translation, if there is reason to believe that the addressee would not understand the original language of the document served (Article 52 of the *Schengen II* Convention). Requests for legal assistance may be exchanged directly between the judicial authorities of the Schengen states, without having to use diplomatic channels (Article 53 of the *Schengen II* Convention).

In Articles 54 to 58 of the *Schengen II* Convention, detailed rules concerning the application of the principle that no person may be sentenced twice for the same criminal offence in the Schengen States are laid down. Articles 59 to 69 of the *Schengen II* Convention contain rules concerning extradition between Schengen States and the enforcement of prison sentences which were handed down in one state in a different state.

Controlled substances

In Articles 67 to 76 of the *Schengen II* Convention, rules are laid down with respect to the traffic of controlled substances. The Schengen states are obliged to prosecute illegal trade in narcotics. They have to provide for the forfeiture of profits which derive from illegal trade of controlled substances. The control of cross-border legal trade in such substances has to be exercised in the territory, not at the borders. Persons are permitted to transport controlled substances into the territory of other Schengen states if they carry proper official documentation of an according authorization from a Schengen state, e.g. a medical prescription for narcotics.

Weapons and ammunition











In Articles 77 to 91 of the *Schengen II* Convention, the control of weapons and ammunition are set out in detail. Regulations which weapons may only be possessed with a valid licence, and which weapons are free, are either contained in the convention itself or may be subject to further legislation on EU (Schengen) level. Accordingly, the Schengen rules also harmonize the prerequisites for granting permits to produce, purchase, and trade in weapons and ammunition. The according Schengen rules are supplemented by the *Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons*,^[52] which introduced a *European Firearms Pass* which entitles the holder to carry a firearm into the territory of other Member States.

Status of membership and implementation

As of [21 December](#) 2007, 24 states and [Monaco](#) (treated as part of France) had abolished border controls on persons among themselves, an increase from 15 on [20 December](#) 2007. The nine new countries which entered the Schengen travel area in 2007 were: the [Czech Republic](#), [Estonia](#), [Hungary](#), [Latvia](#), [Lithuania](#), [Malta](#), [Poland](#), [Slovakia](#) and [Slovenia](#).^[53] Any non-Schengen traveller having a valid Schengen visa has been allowed to travel throughout these 25 countries from their accession. These states all entered the EU three years previously,, they had to upgrade their border checks with non-Schengen states before border controls would be dropped with them. Cyprus, which entered the EU along side these other states, did not meet the criteria and thus has requested a delay for a year, while Romania and Bulgaria, who only joined the EU in 2007, are still bringing their border controls up to the required standard.

Prior to the 2007 expansion, the existing fifteen Schengen states were [Austria](#), [Belgium](#), [Denmark](#), [Finland](#), [France](#), [Germany](#), [Iceland](#), [Italy](#), [Greece](#), [Luxembourg](#), [Netherlands](#), [Norway](#), [Portugal](#), [Spain](#) and [Sweden](#). All but Iceland and Norway are EU members while the [United Kingdom](#) and [Ireland](#) have opted out from the core Schengen provisions, preferring to keep control over cross-border flows as a matter of national responsibility.




Flag	State 	Area (km ²) 	Signed or opted in 	Implemented 	Except
	Austria	83,871	1995-04-28	1997-12-01	
	Belgium	30,528	1985-06-14	1995-03-26	
	Bulgaria	110,912	2007-01-01	<i>not implemented</i>	<i>yet</i>
	Cyprus	9,251	2004-05-01	<i>not implemented</i>	<i>yet</i>  Turkish Republic of Northern Cyprus
	Czech Republic	78,866	2004-05-01	2007-12-21 ^a	
	Denmark	43,094	1996-12-19	2001-03-25	 Greenland ^[54]  Faroe Islands ^[54]
	Estonia	45,226	2004-05-01	2007-12-21 ^a	
	Finland	338,145	1996-12-19	2001-03-25	
	France	674,843	1985-06-14	1995-03-26	 French Guiana  French Polynesia  Martinique  Guadeloupe  Mayotte  Réunion  French Southern and Antarctic Lands  Saint Pierre and Miquelon  Wallis and Futuna
	Germany	357,050	1985-06-14	1995-03-26 ^b	 Büdingen
	Greece	131,990	1992-11-06	2000-03-26	 Mount Athos ^[55]
	Hungary	93,030	2004-05-01	2007-12-21 ^a	
	Iceland ^c	130,000	1996-12-19	2001-03-25	
	Republic of Ireland	70,273	2000-06-16	2002-04-01	Implementing police and judicial cooperation rules only
	Italy	301,318	1990-11-27	1997-10-26	 Livigno ^[56]
	Latvia	64,589	2004-05-01	2007-12-21 ^a	
	Lithuania	65,303	2004-05-01	2007-12-21 ^a	
	Luxembourg	2,586	1985-06-14	1995-03-26	
	⁺ Malta	316	2004-05-01	2007-12-21 ^a	
	Netherlands	41,526	1985-06-14	1995-03-26	 Aruba  Netherlands Antilles
	Norway ^c	385,155	1996-12-19	2001-03-25	 Svalbard and Jan Mayen  Bouvet Island, Queen Maud Land
	Poland	312,683	2004-05-01	2007-12-21 ^a	
	Portugal	92,391	1992-06-25	1995-03-26	
	Romania	238,391	2007-01-01	<i>not</i>	<i>yet</i>

				<i>implemented</i>	
	Slovakia	49,037	2004-05-01	2007-12-21 ^a	
	Slovenia	20,273	2004-05-01	2007-12-21 ^a	
	Spain	506,030	1992-06-25	1995-03-26	
	Sweden	449,964	1996-12-19	2001-03-25	
	Switzerland ^c	41,285	2004-10-16	<i>not implemented yet</i>	
	United Kingdom	244,820	1999-05-20	2000-06-02	Implementing police and judicial cooperation rules only  Guernsey  Isle of Man  Jersey  Akrotiri and Dhekelia - & all territories outside of Europe






^aOnly for overland borders and [seaports](#), and on [29 March 2008](#) for [airports](#).^[57]

^bEast Germany became part of West Germany, joining Schengen, on 3 October 1990. Prior to this it remained outside the agreement.

°State outside the [European Union](#) which is associated with the Schengen activities of the EU,^[58] and where the Schengen rules apply.

Defacto members (open border)			
Flag	State	Since	Notes
	Monaco	1995-03-26	Schengen laws are administered as if Monaco were a part of France, with French authorities carrying out checks at Monaco's sea port.
	San Marino	1997-10-26	Although not formally part of the Schengen area, has an open border with Italy (although some random checks are made by Carabinieri, Polizia di San Marino and Guardia di Finanza).
	Vatican City	1997-10-26	Has an open border with Italy and has shown an interest in joining the agreement formally for closer cooperation in information sharing and similar activities covered by the Schengen Information System . ^[59]

Enlargement

Prospective date	State
November 2008 ^[45]	 Switzerland and  Liechtenstein
2009 (estimated) ^[60]	 Cyprus
March 2011 (estimated) ^[61]	 Bulgaria ^[62] and  Romania ^[63]

The *Schengen I* agreement was originally signed on [14 June 1985](#), by five [European Community](#) states: [France](#), [West Germany](#) and the [Benelux](#) countries of [Belgium](#), [Luxembourg](#) and the [Netherlands](#).^[64] The *Convention Implementing the Schengen Agreement*, signed on 19 June 1990, put the agreement into practice. The signing of each of those agreements took place near the small town of [Schengen](#) in Luxembourg, where the borders of Luxembourg, France, and Germany meet. The second agreement had been signed aboard the ship *Princesse Marie-Astrid* on the [Moselle River](#), near Schengen. The place of signing gave the treaties their names.^[65] However, it took until [26 March 1995](#) for the agreement to be implemented, by then [Portugal](#) and [Spain](#) had also signed. Italy and Greece had signed but they did not implement until 1997 and 2000 respectively.

Like these states, all others had delays in their implementation. Austria signed in 1995 and implemented two years later and the Nordic states signed in 1996 and implemented in 2001 (The Nordic countries had a previous passport free zone separate from the Community, which is why non-EU members Norway and Iceland are party to Schengen - as well as the undesirable cost of heavy policing on the long Swedish-Norwegian border.). Before fully implementing the Schengen laws, each new state will need to have its preparedness assessed in four areas: [air borders](#), [visas](#), [police cooperation](#), and [personal data protection](#). This evaluation process involves a questionnaire and visits of EU experts to selected institutions and workplaces of the country under assessment. The [Council of the European Union](#) has reviewed the results between April and September of 2007.^[66]

Notable exceptions

Liechtenstein

[Liechtenstein](#), which has not yet entered into a Schengen-related association with the European Union, has an open border with Switzerland (which has not yet implemented the agreement), but still conducts border checks on its border with [Austria](#), an EU member. As part of the [European Economic Area](#) (EEA), Liechtenstein applies the Traditional Free Movement of Persons acquis of the European Community. Liechtenstein intends to adhere to the Schengen area and it applied to join in the autumn of 2005 and the EU [Council of Ministers](#) gave assent to the start of the negotiations in late February 2006. Liechtenstein is expected to implement the Schengen laws in 2008.^[67] For Switzerland, expecting to implement the Schengen laws on [1 November 2008](#), the issue of its open border with Liechtenstein remains. If it is not possible for Liechtenstein to implement the Schengen rules at the same time as Switzerland (as some EU states states want to use the Schengen enlargement to pressure Liechtenstein over fraud issues), an interim solution will have to be found, in order to avoid Switzerland introducing border checks with Liechtenstein, even for a short time.^[68]

Andorra

[Andorra](#) is not integrated into the Schengen area, and border controls remain between it and both France and Spain. Citizens of EU countries require their national identity card to enter Andorra, while anyone else requires a passport or equivalent.^[69] Those travellers who need a visa to enter the Schengen area need a multiple-entry visa to visit Andorra, because entering Andorra means leaving the Schengen area.^[70]

Status of the United Kingdom and the Republic of Ireland

The [United Kingdom](#) and the [Republic of Ireland](#) are the only two EU members prior to the 2004 enlargement that did not sign up the 1990 Schengen Convention (*Schengen II*) and which reserved themselves an [opt-out](#) in the [Treaty of Amsterdam](#): Although that treaty transferred the existing Schengen rules into the law of the European Union, which is also applicable in the United Kingdom and in the Republic of Ireland, all provisions which were made under the Schengen treaties did not become applicable in the UK and Ireland. Furthermore, the new EU competence to pass new laws in the areas which were governed by the Schengen rules did not automatically extend to the UK and Ireland. However, the United Kingdom and Ireland may apply for an *opt-in* to partial or complete application of the Schengen laws.

The UK and the Republic of Ireland maintain a [Common Travel Area](#) with no border controls; thus the Republic of Ireland is unable to join Schengen without dissolving this agreement with the UK, and incurring controls at its border with [Northern Ireland](#). The UK remains reluctant to surrender its own border control system. In 1999, the UK made use of the possibility to *opt in*, and asked to participate in a number of provisions of the Schengen acquis, and this was granted by the EU Council on [29 May 2000](#), having effect on [2 June 2000](#), also in [Gibraltar](#).^[71] Following that, the Republic of Ireland made a similar request, which was granted by the EU Council on [28 February 2002](#), effective [1 April 2002](#).^[72] Therefore, the part of the Schengen rules which cover police and judicial co-operation do apply in the [British Isles](#), but not the regulations covering visas and border controls.

The reluctance of the UK government to join the agreement has been criticised by the House of Lords, which accused the government of hampering the fight against cross-border crime due to the inability of the UK to access the [Schengen Information System](#), which contains data on potentially problematic persons, for immigration control purposes.^[73]

In October 2007, the UK Government announced plans to introduce an electronic border control system by 2009 and this led to speculation that the Common Travel Area would end.^[74] However, in response to a question on the issue, the Irish [Taoiseach](#) stated "On the question of whether this is the end of the common travel area and should we join Schengen, the answer is 'No'."^[75]

Mutuality of visa requirements

It is a political goal of the European Union to achieve freedom from visa requirements for [citizens of the European Union](#) at least in such countries the citizens of which may enter the Schengen area without visa. To this end, the [European Commission](#) negotiates with third-countries, the citizens of which do not require visas to enter the Schengen area for short-term stays, about the abolishment of visa requirements which exist for at least some EU member states. The European Commission involves the members state concerned into the negotiations, and has to frequently report on the mutuality situation to the [European Parliament](#) and the [Council](#).^[76] The Commission may recommend the temporary restoration of the visa requirement for nationals of the third country in question.

The European Commission has dealt with the question of mutuality of the abolishment of visa requirements towards third countries on the highest political level. With regard to [Mexico](#) and [New Zealand](#), it already has achieved complete mutuality. With respect to [Canada](#), the Commission considers to recommend “appropriate steps”; with respect to the [U.S.](#) it suggests to examine the effects of new legislation enacted there, but reserves itself “the right to propose retaliatory measures”.^[77]

History

Pre-Schengen free-travel zones in Europe

Before [World War I](#), one could travel from [Paris](#) to [Saint Petersburg](#) without a passport.^[78] This freedom of movement ended with the war, but several local free-travel zones were later established.

Following [Irish independence](#) from the [United Kingdom](#) in 1922, no laws were passed requiring a passport for travelling across the newly created international border, in keeping with the European norm of a few years earlier.^[citation needed] The free-travel zone comprising the two countries (the [Common Travel Area](#) or CTA) was not codified, or indeed given an official name, until 1997, and then only at the [EU](#) level to distinguish it from the Schengen Treaty.

In 1944, the governments-in-exile of the Netherlands, Belgium and Luxembourg ([Benelux](#)) signed an agreement to eliminate border controls between themselves; this agreement was put into force in 1948. Similarly, the [Nordic Passport Union](#) was created in 1952 to permit free travel amongst the [Nordic countries](#) of Denmark, Finland, Iceland, Norway and Sweden and some of their associated territories.

Inclusion of the Schengen Laws into the European Union

All states which belong to the Schengen area are [European Union](#) members, except [Norway](#), [Iceland](#), [Liechtenstein](#) and [Switzerland](#), which are members of the [European Free Trade Association](#) (EFTA). Two EU members (the [United Kingdom](#) and the [Republic of Ireland](#)) have opted not to fully participate in the Schengen system (their reasons are outlined [above](#)). The main reason that the non-[EU](#) states of [Iceland](#) and [Norway](#) joined was to preserve the [Nordic Passport Union](#) (see section [Pre-Schengen free-travel zones in Europe](#)).

The Schengen Agreement was originally created independently of the European Union, in part due to the lack of consensus amongst EU members, and in part because those ready to implement the idea did not wish to wait for others to be ready to join. However, the [Treaty of Amsterdam](#) incorporated the legal framework brought about meanwhile, the so-called Schengen-Acquis,^[79] by the agreement into the European Union framework, effectively making the agreement part of the [EU](#) and its modes of legislature. Amongst other things, at first the [Council of the European Union](#), later the [European Parliament](#) and the [Council of the European Union](#) in the [codecision procedure](#), took the place of the Executive Committee which had been created under the agreement,^[80] leading to the result that legal acts setting out the conditions for entry into the Schengen Area can now be enacted by majority vote in the legislative bodies of the [European Union](#). This also concerns the original Schengen Agreement itself, which may be altered or repealed by means of European Union legislation, without such amendments having to be ratified by the signatory states.^[81] Thus, the Schengen States which are not EU members have few options to participate in shaping the evolution of the Schengen rules; their options are effectively reduced to agreeing with whatever is presented before them, or withdrawing from the agreement. Future applicants to the European Union must fulfil the agreement criteria regarding their external border policies in order to be accepted into the [EU](#).

See also

- [European Commission](#)
- [Maastricht Treaty](#)
- [Kaliningrad Oblast](#) an exclave of [Russia](#) surrounded by [Lithuania](#) and [Poland](#)

References and notes

1. ^{a b} The Schengen Acquis had been legally defined by the [Council Decision of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis \(1999/435/EC\)](#).
2. [^] At the *Schengen I* signing ceremony, the "Belgian secretary of state for European affairs said that the agreement's ultimate goal was "to abolish completely the physical borders between our countries," while Luxembourg's minister of foreign affairs called it "a major step forward on the road toward European unity," directly benefiting signatory state citizens and "moving them a step closer to what is sometimes referred to as 'European citizenship'." cited on p.48 of Willem Maas, *Creating European Citizens*, Rowman & Littlefield 2007 ISBN 978-0-7425-5486-3.
3. [^] "Schengen area" is the common name for states that have implemented the agreement.
4. [^] [The Treaty of Amsterdam](#)
5. [^] [Consolidated versions of the TEU and the TEC](#)
6. [^] [Treaty of Lisbon](#), article 2, points 63-68
7. [^] [Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders](#).
8. [^] [Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders](#).
9. [^] [Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders \(Schengen Borders Code\)](#).
10. [^] [Council Regulation \(EC\) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement](#), original text; this regulation had been amended several times; thus, the lists mentioned in the document linked to is not current.
11. [^] [Council Regulation \(EC\) No 693/2003 of 14 April 2003 establishing a specific Facilitated Transit Document \(FTD\), a Facilitated Rail Transit Document \(FRTD\) and amending the Common Consular Instructions and the Common Manual](#).
12. [^] [Common Consular Instructions on Visas for the Diplomatic Missions and Consular Posts](#)
13. [^] [Council Regulation \(EC\) No 1683/95 of 29 May 1995 laying down a uniform format for visas](#).
14. [^] [Regulation \(EC\) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System \(SIS II\)](#).
15. [^] [Council Regulation \(EC\) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national](#)
16. [^] [Commission Regulation \(EC\) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation \(EC\) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national](#).
17. [^] Article 22 of the [Schengen Borders Code](#).
18. [^] Article 21 (b) of the [Schengen Borders Code](#).
19. [^] [Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders \(Schengen Borders Code\) \(English\) \(2006-04-13\)](#). Retrieved on [2008-01-15](#)..
20. [^] Article 7 (b) and (c) of [Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders \(Schengen Borders Code\) \(English\) \(2006-04-13\)](#). Retrieved on [2008-01-15](#)..
21. [^] Article 7 subsec. 2 of the [Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons](#)

- [across borders \(Schengen Borders Code\) \(English\) \(2006-04-13\)](#). Retrieved on [2007-11-25](#).; with respect to identification by identity cards cf. Article 5 subsec. 1 of the [Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States \(English\) \(2004-04-40\)](#). Retrieved on [2007-11-25](#)..
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 23. [Article 7 subsection 2 subparagraph 3 of the Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders \(Schengen Borders Code\) \(English\) \(2006-04-13\)](#). Retrieved on [2007-11-25](#)..
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 25. [Article 26 sec. 1 lit. b of the Schengen II Agreement](#).
 26. [Article 5 of the Schengen Borders Code - Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders \(Schengen Borders Code\) \(English\) \(2006-04-13\)](#). Retrieved on [2007-11-25](#)..
 27. [Cf. Article 6 of Consolidated verion of the Council Regulation \(EC\) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement \(English\) \(2007-01-19\)](#). Retrieved on [2007-11-25](#)..
 28. [Article 19 of the Schengen II Agreement for third-country nationals requiring a visa; Article 20 of the Schengen II Agreement for third-country nationals who do not require such visa](#).
 29. [Article 21 of the Schengen II Agreement](#).
 30. [Consolidated verion of the Council Regulation \(EC\) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement \(English\) \(2007-01-19\)](#). Retrieved on [2007-11-25](#)..
 31. [Cf. 17.html Section 17 of the German Aufenthaltsverordnung \(German\) \(2004-11-25\)](#). Retrieved on [2007-11-28](#). in conjunction with [16.html Section 16 of the German Beschäftigungsverordnung \(German\) \(2004-11-22\)](#). Retrieved on [2007-11-28](#)..
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 36. [Ministry of Foreign Affairs of Denmark, Embassy of Denmark, New Delhi. Visa requirements for Indians travelling to Denmark](#).
 37. [Article 21 of the Schengen Agreement](#).
 38. [Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents \(English\) \(2004-01-23\)](#). Retrieved on [2007-11-25](#).
 39. [Article 45 of the Schengen II Convention](#).
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 41. [Cf. the exemption of the application of Articles 2 \(4\) and 120 to 125 according to Annex A of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latters' association with the implementation, application and development of the Schengen acquis - Final Act](#).

42. [Article 21 of the Regulation \(EC\) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders \(Schengen Borders Code\) \(English\) \(2006-04-13\)](#). Retrieved on [2008-01-24](#)..
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54. ^{a b} Indirectly included, see *Current inclusions* section.
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