

"An area without frontiers": a lure' from Europe (12 July 1988)

Caption: On 12 July 1988, two years before the signing of the Schengen Agreement, Emanuele Gazzo, Chief Editor of Agence Europe, criticises the increasingly slow pace at which the Twelve are progressing towards a Europe without frontiers.

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"An area without frontiers": A lure

Our grandchildren will continue to cry and to suffer for as long as their parents have to cross the internal borders of the Community (see Dieter Rogalle in EUROPE of 9/7, p. 14), since this divisional situation could last.

The first of the proposals which the European Commission made, on 17 September 1985, during the inter-Governmental Conference in Luxembourg, which was to end with the adoption of the Single Act, defined the Internal Market as follows: "The Community's Internal Market...includes an area without frontiers in which people, goods and services and capital circulate under the same conditions as in a Member state." In the Single Act, this became art. 13 which, in its second paragraph reads: "The internal market includes an area without internal frontiers in which the free circulation of goods, people, services and capital is ensured under the terms of the present treaty."

At the time, we stressed that, with the first version perfectly translating the content and the spirit of the White Paper (Editorial of 25/9/1975), the second emptied the formula of any signification. The fact is that governments were afraid: the lifting of frontiers was something inconceivable for them. With a majestral amount of hypocrisy, they accepted that there be talk of an area "without frontiers" (wisely adding "internal") but on the one hand they put goods first, and people second, and on the other, they added a reminder about the EEC Treaty. This Treaty, they said, concerns the economic Community, and the "people" as referred to are not all citizens but - under the conditions dictated by the Treaties - workers, retired people (in some cases) and those who call for the "freedom of establishment" or for that of the "provision of services."

Finally, Mr. Delors accepted, but in his press conference of 27 November 1985 said: "The area without frontiers, as well have proposed it...there remains little of it." How right he was.

Regarding the citizens, the Member states remembered them in a declaration in annex to the Single Act, where it is stated: "With a view to encourage the free circulation of people, the Member states cooperate, without prejudice regarding the competences of the Community, in particular concerning the entry, circulation and residence of those from third countries. They also cooperate regarding the fight against terrorism, crime, drugs and the trafficking of art works and antiques." In other words: the movement of European citizens as such, in this so-called area without frontiers, remains within the competence - or rather dependent on the good-will of the Member states. Logically, it is obvious that these latter continue and will continue to want to control this movement, through border controls, be they internal or external. And not only this. If a citizen from a Member state wanted to reside in another Member state of the Community, without belonging to the categories as laid down by the EEC Treaty, he could not do this unless subject to the laws on foreigners (which vary from one Community country to another). There are two reasons for this. The first is that the lifting of controls (and therefore passports) from within the Community can only be done if at the same time the "external control" is undertaken in an adequate and uniform manner: a question of organisation and coordination. The second concerns the need to protect against drugs and terrorism: once again, the real unification of the Community area and an appropriate organisation of the services responsible would bring far more concrete results than the surveillance of internal borders, which are laughed at daily by terrorists and drug-traffickers: for them, Europe is really "without frontiers."

A common immigration policy and a unification of national legislations on foreigners would allow for the effective disappearance of internal controls. These are vital and urgent. These are political decisions which cannot be left to the "experts." With the approach of the 1992 deadline, we could find ourselves in an absurd situation, since it will have been based on a total illusion, that of an area without frontiers.

Emanuele Gazzo