

AMENDMENT FORM

Suggestion for amendment of Article : 10

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Karel De Gucht, Mr Peeter Kreitzberg, Mr Agirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; **and Alternate Members:** Ms Lone Dybkjaer, Mr Willem van Eekelen, Lord Robert MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Mrs Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.

Status : Members and alternate members.

Article 10: [Checks on persons at borders]

1. The Union shall *have* a policy with a view to:
 - ensuring the absence of any controls on persons, whatever their nationality, when crossing internal borders;
 - carrying out checks on persons and efficient monitoring of the crossing of external borders;
 - the gradual introduction of a common integrated management system for external borders.
 2. For this purpose *the Union* shall adopt laws or framework laws concerning:
 - conditions of entry for a short stay for *third country nationals*, including the visa requirement and exemption from this requirement, the rules, procedures and conditions of issue of permits for crossing external borders, and the uniform format for such permits;
 - the controls to which persons crossing external borders may be subject;
 - the conditions under which *third country nationals* shall have the freedom to travel within the Union for a short period;
 - any measure necessary for the gradual establishment of a common integrated management system for external borders;
 - the absence of any controls on persons, whatever their nationality, when crossing internal borders.
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Explanation:

The formulation that the Union 'shall develop' a policy is weak. Indubitably it will have to have one.

As Article 25 of Part One provides, the norm is that the Union passes laws according to the legislative procedure involving the Parliament and the Council. It is not necessary to spell this out every time. The repetition is irritating and lengthy.

The formulation 'third country nationals' is the correct terminology.