

Motion

Don't Touch My Schengen: standing up for free movement in the EU 40 years after the Schengen Agreement

signed by: Young European Federalists (JEF Europe)

co-signed by: Cyprus Youth Council (CYC), Erasmus
Student Network (ESN)

Introduction

The past decade and its crises have tested the limits of the European Union and, in this regard, Schengen has suffered some of the harshest blows. Forty years after its inception, the Schengen system is under massive pressure - and with it the rights EU citizens have come to take for granted. "Temporary" border checks, systematic questioning by political forces aiming at exacting electoral benefits out of anti-immigration sentiments, vetoes to its enlargement, or the shutdown of borders during the COVID-19 crisis, serve as a reminder of the fragility of the Schengen system and the need to stand up for it and for what it represents.

The main threat to the continued existence of the Schengen Area has been, for the past decade, the growing use and abuse of the formula of "temporary" border controls. These have been implemented by Member States such as Hungary, Austria, Denmark, France, or Germany, who made use of dubious claims to justify them. These policies, born out of a securitarian approach to migration, aimed at criminalising and othering certain groups of people, attack the very foundations of the Schengen Agreement. Intra-Schengen checks have a strong human and financial impact¹ on cross-border communities, in particular cross-border workers, as well as on travellers and the transport of goods and the provision of services. They make the crossing of borders a hassle, undermining the Single Market and European unity itself.

While the governments of some of the aforementioned Member States are self-declared defenders of the European project, their policies pay homage to those proposed by the worst enemies of European integration. These attempts to provide national solutions to European topics only lead to failure and gambles with the essence of the European Union in a vain effort to harvest a fistful of votes.

To this day, the lack of a true social union and the slow deployment of necessary cross-border transport infrastructure keep the Schengen Area from guaranteeing everyone's freedom to move through the European Union. National frameworks

on unemployment status and benefits create a whole segment of the population that are essentially stuck in their own Member State and keep them from travelling within the Union, which limits freedom of movement to a purely economic right, rather than opening it up as a social right for every EU citizen. Given the particularly high level of unemployment among young people in Europe, this results in them becoming one of the most affected groups under this kind of approach.

Similarly, cross-border transport infrastructure efforts, while ambitious and far-reaching, as expressed by the development of the Trans-European Transport Network (TEN-T), are focused on the connectivity across borders of large urban areas. This conception is leaving behind the connectivity needs of cross-border (and often rural) areas which are in need of a close-proximity commuter transport instead of longer-distance, high-speed connections, which forces young people to move away from their local communities and contributes to rural depopulation.

The accession of new EU Member States to Schengen has been, for the last decade, another front in the political gambling that EU Member States have engaged in and that has been enabled by some of the still-existing instances of unanimous decision-making in the Council. The long and painful process that Romania and Bulgaria have had to endure before their accession to the Schengen Area² this year has contributed to the erosion in pro-European sentiment in those countries. Besides the absurdity of requiring unanimous consent of the Council to allow Member States to join an element of the EU framework that they are obliged to join, this also touches upon the broader issue pertaining to unanimity requirements in ordinary decision-making on domestic EU policies.

In spite of the challenges, not all is lost. In 2022, the Court of Justice of the EU ruled against the abuse of the temporary border-checks mechanism by Member States, ensuring that the rule of law prevails and that our rights as citizens of the EU are respected in spite of the undermining by nation-states. As a central part of the European Union's

1 [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/578974/IPOL_STU\(2016\)578974_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/578974/IPOL_STU(2016)578974_EN.pdf)

2 <https://www.euronews.com/my-europe/2024/11/22/austria-lifts-long-held-veto-on-the-schengen-accession-of-romania-and-bulgaria>

identity, free movement is promoted by the European Commission amongst the youth via the successful DiscoverEU programme, which allows for thousands of 18- year-old EU residents to discover Europe by rail every year. Additionally, the full accessions of Bulgaria, Croatia and Romania into Schengen in recent years, and the recent announcement of the Cypriot government's intent to join Schengen by 2026³, symbolise the hopes for a bright future for the Schengen Agreement.

These symbolic points are important, but they can't, in themselves guarantee that Schengen will be there for us for another 40 years. It is essential that a mobilised civil society keeps pushing, **not only to preserve what we already have, but to bring it further**. Freedom of movement has proven, through the last four decades, to be itself a symbol of the essence of the Europe without borders brought about by the European Union. If we are to ensure that the essence of the European project is people-centred, Schengen must prevail.

Calls to action

Therefore, the European Youth Forum:

1. Supports JEF Europe's "Don't Touch My Schengen" campaign;
2. Deplores the political gambling that kept Romania and Bulgaria outside of the Schengen Area for well over a decade;
3. Supports the upcoming enlargement of the Schengen Area with the foreseeable integration of Cyprus in 2026, as announced by its government;
4. Demands that EU member states who have imposed intra-Schengen border controls to immediately suspend them, to abide by the Schengen border code, and to remove physical barriers installed at those internal borders;
5. Instructs the European Commission to be given more appropriate tools for stricter control over the suspensions of the Schengen Agreement made by Member States and Schengen countries;
6. Emphasises the crucial necessity for democratic accountability in border control and Frontex operations, which must be rooted in fundamental EU values, because protecting the Schengen Area must never serve as a pretext for policies or practices that do not uphold human rights;
7. Calls for EU Member States to streamline their efforts in creating more efficient transnational rail connections by committing to creating more commuter railway lines that bind together rural cross-border communities;
8. Further demands that Member States respect the social rights of all citizens who have the right to freely move within the area of free movement of people and thus help to concretely implement and guarantee the European Pillar of Social Rights;
9. Advocates for a Treaty Change to abolish Council unanimity in the admission of new EU Member States to the Schengen Area and replace it with a Qualified Majority Voting.

³ <https://etias.com/articles/cyprus-committed-to-schengen-entry-by-2026>



Co-funded by the
Erasmus+ Programme
of the European Union



The European Youth Forum is funded by the European Union and the Council of Europe. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union, the Council of Europe or the European Youth Foundation. Neither the European Union nor any other granting authority can be held responsible for them.

