

Schengen

Travel without having to queue for passport controls at borders – that is the idea behind Schengen. At the same time, however, the new mobility should not be at the expense of security. Consequently, controls at the external borders have been intensified, and cooperation between police and justice improved. In addition, only one single visa is required for entry into the Schengen area, a fact which has a positive effect on Swiss tourism.

Within the Schengen area, controls on individuals crossing internal borders have been removed, making it easier for people to travel to other Schengen states. Traffic congestion as a result of passport controls is a thing of the past. Nevertheless, the Swiss border remains a special case. As Switzerland does not belong to the EU customs union, goods still have to be customs cleared. Within the context of customs clearance on goods, or in the event of an initial suspicion of a criminal offence, persons can still be subjected to passport/identity controls. Consequently, Swiss border guards remain at the border. In addition, the border guards still carry out random checks in border regions or in the interior of the country.

Furthermore, each country has the option to reintroduce systematic personal controls at borders for limited periods if required by the security situation. Possible examples are during international soccer championships with an expected influx of hooligans or if major political events such as the G8 Summit require special measures.

Increased security thanks to SIS

Internal security should be guaranteed even without personal controls at internal borders. For this reason the police authorities in the Schengen states have strengthened their cross-

border cooperation. A central aspect of this is the Schengen Information System (SIS). If a person is checked during a police control, his name can be entered in the SIS. If the person is already noted in the system, details of name and physical characteristics appear, together with the reason for the search and the measures to be taken. The SIS contains a register of wanted or missing persons as well as persons who have been barred from entry. Nevertheless, the bulk of the data (over 95%) concerns matters such as cars or passports which have been registered with the authorities as stolen.

The Swiss investigation system RIPOL is linked to the SIS in such a way that both databases can be checked with one single inquiry. At the push of a button, policemen have access to Europe-wide searches for persons. As a result, criminals can no longer simply escape from the police or judicial authorities by crossing an international border.

Intensive use has been made of the SIS in Switzerland since its introduction, and experience to date is very satisfactory: every day, an average of around 20 hits are registered in the SIS in Switzerland. And in the other Schengen states approximately 7 hits are registered each day as a result of Swiss data.

Controls at external borders

Parallel to the removal of border controls inside the area, the external Schengen borders are subject to increased surveillance in accordance with international standards. Examples of external borders are the Italian and Spanish coast or the eastern borders of Poland and Slovakia. External border controls are also carried out at international airports. The documents of incoming travelers are checked and, in the case of persons from non-EU/EFTA countries, checks are made with the Schengen Information System (SIS).

AGREEMENTS

Key data

Date of signing: 26 October 2004 (in the framework of Bilaterals II)

Approval by the electorate: 5 June 2005

Became operational: 12 December 2008 (airports 29 March 2009)

Common visa policy

Schengen also harmonises visa policy. A Schengen visa, normally valid for the entire Schengen area, permits a maximum stay of three months. It is issued by the Schengen states in accordance with uniform criteria and is also valid for Switzerland. This creates advantages for Swiss tourism because, for example, visitors from India or groups from China can also come to Switzerland during a tour of Europe without additional costs and an additional visa.

SIS and data protection

There are clear regulations concerning which data can be entered in the SIS and who can consult it in Switzerland. Processing of the data is monitored by independent data protection authorities. All persons have the right to inquire whether data on them is recorded in the SIS. If this is the case, they are entitled, in certain circumstances, to view the data and to have false information corrected or deleted. Persons are only sought for arrest for criminal offences carrying a punishment of at least one year in prison, such as serious theft, drug trafficking or murder.

Schengen is being further developed

Schengen is constantly being further developed, for example, to meet new security requirements. Switzerland is involved in the preparation of new Schengen law. If new legal instruments are introduced, Switzerland must decide whether it wishes to adopt them. If it rejects them and is unable to agree on a solution with the EU, the Agreement ceases to apply.

“When we check a suspicious person, we can enter his or her name in the SIS immediately and learn very quickly whether it is on a list of wanted people. The Swiss investigation systems and those of the EU countries are combined in one joint system. In the first three months following the introduction of the SIS, the Bern Cantonal Police stopped a total of 66 persons from the EU on the basis of a hit in the investigation system. These included 27 persons who were either being sought by the authorities to ascertain their residence or for extradition purposes. These persons were handed over to the responsible bodies.”

Alexandra Stettler, Policewoman

