

**Question for written answer E-007082/2017  
to the Commission**

Rule 130

**Richard Sulík (ECR)**

Subject: Draft amendment to the Schengen Borders Code - impact on the functioning of the Schengen area

The draft amendment to the Schengen Borders Code COM(2017)0571, which proposes amending certain provisions on the introduction of temporary internal border controls, includes elements which serve primarily as a guarantee against the arbitrary introduction of internal border controls. However, the introduction of the proposed amendment to the Code will not guarantee the proper functioning of the Schengen area without internal border controls. On the contrary, it will facilitate their implementation and the prolongation of their duration.

For example, it allows Member States to introduce controls at internal borders if they submit their own 'risk assessment'. The conditions for the introduction of internal border controls are, however, defined in so vague a manner that, in practice, it is not necessary for them to be fully met. Rather, they must only be met in a formal sense.

1. If the risk assessments are drawn up by the Member States requesting the introduction of controls, how is the Commission able to vouch for the objectivity of that assessment?
2. How has the Commission taken account of the serious risks to the functionality of this mechanism, such as the possibility that controls will be introduced under various pretexts or for other unrelated reasons?
3. If internal border controls are proposed by a state in order to preserve internal security, and that same state is also responsible for administering the Union's external border, how will the way the state protects the external border at the same time be taken into account?