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<Commission>{PETI}Committee on Petitions</Commission>

<Date>{26/05/2020}26.5.2020</Date>

<TitreType>NOTICE TO MEMBERS</TitreType>

Subject: <TITRE>Petition No 0856/2019 by K. K. (German) on problems with travelling through Member States and entering Turkey</TITRE>

1. Summary of petition

The petitioner describes the problems he and other EU citizens face as former Turkish guest workers when travelling through the Member States of Hungary, Croatia, Bulgaria, Greece and non-EU Member States such as Serbia and North Macedonia to Turkey and on departure therefrom. Despite the fact that many of his fellow citizens have the nationality of an EU Member State, they are often detained at the border for up to 12 hours, particularly in Bulgaria and Hungary, and are subject to frequent police checks. They are able to speed up the procedure only by means of bribery. Police controls are carried out arbitrarily on journeys through Bulgaria, Serbia and Hungary in particular. The diesel is doctored and service areas are not safe. He also complains about having to pay a fee of EUR 3 levied by Turkey on leaving that country.

2. Admissibility

Declared admissible on 15 January 2020. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 26 May 2020

The Commission’s observations

The petition refers to problems encountered by the petitioner when travelling through Hungary, Croatia, Bulgaria, Greece and non-EU Member States such as Serbia and North Macedonia to Turkey and on departure therefrom.

The organisation of border crossing points is the responsibility of each Member State and Schengen Associated State, who are obliged to deploy appropriate staff and resources in sufficient numbers to carry out border controls at the external borders in such a way as to ensure an efficient, high and uniform level of control. It should be noted that Bulgaria and Croatia have not yet joined the Schengen area and that controls are carried out at the external Schengen area borders.

As to police checks, they can be carried out anywhere on the territory of the Member States and Schengen Associated States, including border areas, as long as they do not amount to border checks in disguise. In practice, such checks are carried out based on the risk assessment specific for each region. The Schengen evaluation of Hungary[[1]](#footnote-1) carried out by the Commission, experts from eight Member States and an observer from Frontex[[2]](#footnote-2) has not revealed any of the deficiencies related to police checks as indicated by the petitioner.

The Commission does not have views on the situation in third countries such as Serbia and North Macedonia, the quality of diesel along the way or departure tax in Turkey.

Conclusion

The Commission does not have the power and does not consider it necessary to follow up on the reported issues.

1. Based on the Schengen Evaluation Mechanism as set out in Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, OJ L 295, 6.11.2013, p. 27–37. [↑](#footnote-ref-1)
2. A team of Member States and Commission experts carried out an evaluation of Hungary’s application of management of the external borders between 15 and 21 September 2019. [↑](#footnote-ref-2)