

資料 13 - 1 シェンゲン協定 (抄)

“ EU域内の協定加盟国国境でのパスポート審査の廃止、国境管理の協力、共通ビザの発行等によりEU域内の人の移動が自由化されてきている ” ことについて、記載のある部分を抜粋した。

CONVENTION

from 19 June 1990

APPLYING THE SCHENGEN AGREEMENT OF 14 JUNE 1985

BETWEEN THE GOVERNMENTS OF THE STATES OF THE BENELUX ECONOMIC UNION,

THE FEDERAL REPUBLIC OF GERMANY AND THE FRENCH REPUBLIC,

ON THE GRADUAL ABOLITION OF CHECKS AT THEIR COMMON BORDERS

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TITLE II

Abolition of checks at internal borders and movement of persons

CHAPTER 1

Crossing internal frontiers

Article 2

Internal borders may be crossed at any point without any checks on persons being carried out.

Where public policy or national security so require, however, a Contracting Party may, after consulting the other Contracting Parties, decide that for a limited period national border checks appropriate to the situation will be carried out at internal borders. If public policy or national security require immediate action, the Contracting Party concerned shall take the necessary measures and shall inform the other Contracting Parties thereof at the earliest opportunity.

The abolition of checks on persons at internal borders shall not affect either Article 22 below or the exercise of police powers by the competent authorities under each Contracting Party's legislation throughout its territory, or the obligations to hold, carry and produce permits and documents provided for in its legislation.

Checks on goods shall be carried out in accordance with the relevant provisions of this Convention.

CHAPTER 2

Crossing external borders

Article 7

The Contracting Parties shall assist each other and shall maintain constant, close co-operation with a view to the effective exercise of checks and surveillance. They shall in particular exchange all relevant, important information, with the exception of data relating to named individuals, unless otherwise provided in this Convention, shall as far as possible harmonize the instructions given to the authorities responsible for checks and shall promote the uniform training and retraining of officers manning checkpoints. Such co-operation may take the form of the exchange of liaison officers.

CHAPTER 4

Conditions governing the movements of aliens

Article 19

1. Aliens holding a uniform visa who have legally entered the territory of a Contracting Party may move freely within the territories of all the Contracting Parties throughout the period of validity of their visas, provided they fulfil the conditions of entry referred to in Article 5(1) (a), (c), (d) and (e).

2. Pending the introduction of a uniform visa, aliens holding a visa issued by one of the Contracting Parties who have legally entered the territory of one Contracting Party may move freely within the territories of all the Contracting Parties during the period of validity of their visa up to a maximum of three months from the date of first entry, provided they fulfil the conditions of entry referred to in Article 5(1)(a), (c), (d) and (e).

3. Paragraphs 1 and 2 shall not apply to visas of which the validity is subject to territorial limitation in accordance with Chapter 3 of this Title.

4. This Article shall apply without prejudice to Article 22.