Full application of the provisions of the Schengen acquis in Bulgaria and Romania

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The committee discussed the state of play in the process of accession of Bulgaria and Romania to the Schengen area. After the mixed committee, the Council took note of presidency conclusions which can be summarised as follows:

According to the 2005 Act of Accession, the verification through evaluation procedures that the necessary conditions for the application of all parts of the Schengen acquis have been met by Bulgaria and Romania is a precondition for the Council, after consultation of the European Parliament, to take a Decision on its full application and the **resulting abolition of checks at internal borders with and between those Member States**.

Romania and Bulgaria programmed their preparations in concertation with the successive EU presidencies, with the aim of achieving full Schengen membership by the end of March 2011.

With regard to the results of the Schengen evaluation of Romania and Bulgaria and taking into account their Common Declaration, according to which the two countries join the Schengen area together and at the same time, it is appropriate to take stock of the situation and the results achieved to date, given the extensive work carried out both by Romania and Bulgaria and by Member States' experts during the evaluation process, and the importance of preserving the momentum.

On the road towards Schengen accession, evaluation missions were organized between 2009 and 2010 in the field of data protection, police cooperation, visa issuance, air-, land- and sea-borders, and SIS /SIRENE.

Upon conclusion of the last missions, which took place in December 2010, the evaluation process of Romania was concluded in January 2011 by the Working Party for Schengen Matters (Schengen Evaluation) with the adoption of all relevant reports and on the basis of their Common Declaration that Romania would join Schengen together with Bulgaria. On this basis, **Romania** has finalised the technical preparations required for all evaluated areas of the Schengen acquis. Romania will ensure the implementation of the recommendations listed in the evaluation reports and regularly informs the Council on the follow-up to these recommendations.

Bulgaria has to date closed all but one of the evaluated areas of the Schengen acquis, with a re-evaluation of the external land borders scheduled for the fourth week of March 2011. There is a strong commitment on the side of Bulgaria to complete the necessary preparations in order to fulfil all the requirements of the Schengen acquis as soon as possible. Bulgaria will make the necessary efforts to ensure the implementation of the recommendations listed in the evaluation reports and regularly informs the Council on the follow-up to these recommendations.

The accession of Romania and Bulgaria, once all requirements have been fulfilled, remains a priority of the Hungarian Presidency. In light of the positions outlined by some Member States in the Working Party for Schengen Matters (Schengen Evaluation) and in Coreper on 9 and 17 February, the Presidency will continue to work, in close cooperation with all Member States, towards a solution acceptable to all parties concerned taking also into account the concerns voiced.