Full application of the provisions of the Schengen acquis in Bulgaria and Romania: abolition of checks at internal land, sea and air borders

2018/2092(INI) - 11/12/2018 - Text adopted by Parliament, single reading

The European Parliament adopted by 514 votes to 107, with 38 abstentions, a resolution on the application of all provisions of the Schengen acquis in Bulgaria and Romania: abolition of checks at internal land, sea and air borders.

Members recalled that all the conditions necessary for the full application of the Schengen acquis were met by Bulgaria and Romania in 2011. With the Council decision of 12 October 2017, Bulgaria and Romania were granted passive access to the Visa Information System. In its draft decision of 18 April 2018 the Council proposed the full application of the remaining provisions of the Schengen acquis relating to the Schengen Information System in both Member States.

Parliament considered that the proposal to split the abolition of internal border controls into two legal acts in order to set different deadlines for the abolition of land, sea and air border controls constitutes a significant departure from the text of the draft Council decision of 29 September 2010 approved by Parliament.

Members feared that the introduction of a two-step approach could have a negative impact on the future enlargement of the Schengen area. Indeed, the **division of the Council decision into two legal acts** (one for the abolition of controls at air and sea borders and the other for land borders) would legally codify the current double standards in the Schengen area, where Bulgaria and Romania have all the obligations and responsibilities of fully-fledged Schengen members, but do not enjoy the benefit of free movement.

The resolution underlined that the maintenance of controls at the internal borders of Bulgaria and Romania has a **negative impact on exports and imports** to and from both Member States and on transport operations to and from some of the largest freight and passenger ports in southern Europe, resulting in financial losses and increased expenditure.

It is estimated that the reintroduction of border controls could cost the European Union between EUR 50 million and EUR 20 billion in one-off costs and EUR 2 billion in annual operating costs.

In general, Member States are called on to take a decision on the enlargement of the Schengen area solely on the basis of fulfilment of the relevant conditions for applying the Schengen acquis following the completion of the Schengen evaluation process.

Parliament urged the Council to present as soon as possible **a new draft decision** on the application of all the provisions of the Schengen *acquis* in Bulgaria and Romania on the basis of its draft decision of 29 September 2010 and, by means of a **single legal act**, to take an immediate decision for the abolition of checks at internal land, sea and air borders. They invited the Council to apply the same approach to Croatia.

Lastly, Members pointed out that the Council can only take a decision on the application of the provisions of the Schengen *acquis* in Bulgaria and Romania after consulting Parliament. They reiterated their call to the Council to notify Parliament if it intends to depart from the text approved by Parliament in its legislative resolution of 8 June 2011.