Basic information

2018/2092(INI) INI - Own-initiative procedure	Procedure completed
Full application of the provisions of the Schengen acquis in Bulgaria and Romania: abolition of checks at internal land, sea and air borders **Subject** 7.10.02 Schengen area, Schengen acquis **Geographical area** Bulgaria Romania	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	STANISHEV Sergei (S&D)	24/05/2018
	Shadow rapporteur COELHO Carlos (PPE) MACOVEI Monica (ECR) HYUSMENOVA Filiz (ALDE) VERGIAT Marie-Christine (GUE/NGL) VALERO Bodil (Verts/ALE) VILIMSKY Harald (ENF)	

European Commission

Commission DG	Commissioner
Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
14/06/2018	Committee referral announced in Parliament		
05/11/2018	Vote in committee		
09/11/2018	Committee report tabled for plenary	A8-0365/2018	Summary
10/12/2018	Debate in Parliament		
11/12/2018	Decision by Parliament	T8-0497/2018	Summary

11/12/2018	Results of vote in Parliament		
11/12/2018	End of procedure in Parliament		

Technical information	
Procedure reference	2018/2092(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/13344

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE623.658	25/06/2018	
Amendments tabled in committee		PE625.580	23/07/2018	
Committee report tabled for plenary, single reading		A8-0365/2018	09/11/2018	Summary
Text adopted by Parliament, single reading		T8-0497/2018	11/12/2018	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2019)355	12/06/2019	

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) - 09/11/2018 - Committee report tabled for plenary, single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Sergei STANISHEV (S&D, BG) 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 recall that all the conditions necessary for the full application of the Schengen acquis were met by Bulgaria and Romania in 2011. They therefore consider 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 fear 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 report underlines 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.

Members urge 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 invite the Council to apply the same approach to Croatia.

Lastly, Members point 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 reiterate 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

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.