

Procedure file

Basic information	
INI - Own-initiative procedure	2018/2092(INI)
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 Romania Bulgaria	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 STANISHEV Sergei	24/05/2018
		Shadow rapporteur	
		 COELHO Carlos	
		 MACOVEI Monica	
		 HYUSMENOVA Filiz	
		 VALERO Bodil	
		 VILIMSKY Harald	
European Commission	Commission DG Migration and Home Affairs	Commissioner AVRAMOPOULOS Dimitris	

Key events			
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	Results of vote in Parliament		

11/12/2018	Decision by Parliament	T8-0497/2018	Summary
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 54
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/13344

Documentation gateway

Committee draft report		PE623.658	25/06/2018	EP	
Amendments tabled in committee		PE625.580	23/07/2018	EP	
Committee report tabled for plenary, single reading		A8-0365/2018	09/11/2018	EP	Summary
Text adopted by Parliament, single reading		T8-0497/2018	11/12/2018	EP	Summary
Commission response to text adopted in plenary		SP(2019)355	12/06/2019	EC	

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

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

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](#).