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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION setting the date for the lifting of checks on persons at internal land borders with and between the Republic of Bulgaria and Romania

COUNCIL DECISION (EU) 2024/...

of ...

**setting the date for the lifting of checks on persons at internal land borders
with and between the Republic of Bulgaria and Romania**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the 2005 Act of Accession, and in particular Article 4(2) thereof,

Having regard to the opinion of the European Parliament¹,

¹ OJ C 380E, 11.12.2012, p. 160.

Whereas:

- (1) Article 4(2) of the 2005 Act of Accession of the Republic of Bulgaria and Romania provides that the provisions of the Schengen *acquis* not referred to in Article 4(1) of that Act are to only apply in each of those Member States pursuant to a Council decision to that effect after verification in accordance with the applicable Schengen evaluation procedures that the necessary conditions for the application of all parts of the *acquis* concerned have been met in those Member States.
- (2) By way of Decision (EU) 2024/210², the Council, after verification that the necessary conditions had been met, rendered the provisions of the Schengen *acquis* not referred to in Article 4(1) of the 2005 Act of Accession, as listed in the Annex to that Decision, applicable to Bulgaria and Romania from 31 March 2024, and, for technical and operational reasons, lifted as a first step checks on persons at internal air and sea borders with and between Bulgaria and Romania from that date.
- (3) A further decision should be taken by the Council acting in accordance with Article 4(2) of the 2005 Act of Accession, setting a date for the lifting of checks on persons at internal land borders with and between Bulgaria and Romania.

² Council Decision (EU) 2024/210 of 30 December 2023 on the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania (OJ L, 2024/210, 4.1.2024, ELI: <http://data.europa.eu/eli/dec/2024/210/oj>).

- (4) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*³ which fall within the area referred to in Article 1, points B, C, D and F, of Council Decision 1999/437/EC⁴.
- (5) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁵ which fall within the area referred to in Article 1, points B, C, D and F, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC⁶.

³ OJ L 176, 10.7.1999, p. 36.

⁴ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁵ OJ L 53, 27.2.2008, p. 52.

⁶ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

- (6) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁷ which fall within the area referred to in Article 1, points B, C, D and F, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU⁸,

HAS ADOPTED THIS DECISION:

⁷ OJ L 160, 18.6.2011, p. 21.

⁸ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

Article 1

From 1 January 2025, checks on persons at internal land borders with and between Bulgaria and Romania shall be lifted.

Article 2

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at ..., ...

For the Council

The President
