



Council of the
European Union

Brussels, 24 April 2020
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7481/20

LIMITE

PE-QE 60

REPLY TO PARLIAMENTARY QUESTION

From:	General Secretariat of the Council
To:	Permanent Representations of the Member States
Subject:	PRELIMINARY DRAFT REPLY TO QUESTION FOR WRITTEN ANSWER E-000715/2020 - Ondřej Kovařík, Ondřej Knotek 'State of play of accession of Romania and Bulgaria to the Schengen Area'

1. Delegations will find attached:
 - the text of the above question for written answer;
 - a preliminary draft reply prepared by the General Secretariat.
2. If no comments have been received from delegations by 13 May 2020 (17.00), this preliminary draft reply will be submitted to the Permanent Representatives Committee (Part 1) and to the Council for approval.

Any comments received will be examined by the Working Party on General Affairs.

**Question for written answer E-000715/2020
to the Council**

Rule 138

Ondřej Kovařík, Ondřej Knotek

Subject: State of play of accession of Romania and Bulgaria to the Schengen Area

In its conclusions of 9 June 2011 on the completion of the process of evaluation of the state of preparedness of Bulgaria and Romania to implement all provisions of the Schengen acquis, the Council confirmed that Romania and Bulgaria had fulfilled the necessary conditions.

In its reports of 22 October 2019 on progress under the Cooperation and Verification Mechanism (COM(2019)0498 and COM(2019)0499), the Commission outlined some of the main remaining obstacles to granting Romania and Bulgaria full Schengen membership. These included concerns regarding the rule of law in Romania and organised crime in Bulgaria.

Could the Council inform us of the latest situation as regards the full membership of Romania and Bulgaria of the Schengen area?

Since 2011 a number of compromise proposals for a decision on the full application of the Schengen acquis to Bulgaria and Romania have been drafted. To date, none of these texts have received the required unanimous support.

In October 2017, a Council Decision¹ was taken on the putting into effect of certain provisions of the Schengen acquis relating to the Visa Information System in the Republic of Bulgaria and Romania. Moreover, in June 2018, a Council Decision² was taken on the putting into effect of the remaining provisions of the Schengen acquis relating to the Schengen Information System in the Republic of Bulgaria and Romania. Further to these decisions, Romania and Bulgaria can apply the entry/exit system.

These decisions are without prejudice to the lifting of checks at the internal borders of the Member States concerned, which should be subject to a separate decision by the Council to be adopted by unanimity in accordance with Article 4(2) of the 2005 Act of Accession of the Republic of Bulgaria and Romania to the EU.

¹ Decision (EU) 2017/1908 of 12 October 2017, OJ L 269, 19.10.2017, p. 39

² Decision (EU) 2018/934 OJ L 165, 2.07.2018, p. 37