



EUROPEAN COMMISSION

*Brussels, 26.9.2016  
C(2016) 5780 final*

*Dear President,*

*The Commission would like to thank the Romanian Camera Deputaților for its Opinion on the Communication from the Commission to the European Parliament, the European Council and the Council on 'Back to Schengen – A Roadmap' {COM(2016) 120 final}.*

*The Commission welcomes the fact that the Camera Deputaților acknowledges the need to preserve the area of free movement of persons and supports the various actions proposed in the Communication in order to bring the Schengen system of border management back to normality.*

*Concerning the steps taken to remedy the serious deficiencies identified in the management of external borders by Greece, the Commission would like to stress that it is continuously monitoring the way in which Greece is complying with its Action Plan following the Schengen Evaluation Report of Greece's external borders in November 2015, adopted on 2 February 2016 {COM(2016) 220 final}.*

*Furthermore, substantial financial support has been granted to Greece in order to help it manage the unprecedented influx of irregular migrants at its external borders. Greece has received EUR 70 million in pre-financing from its 2014-2020 allocation under the Asylum, Migration and Integration Fund and the Internal Security Fund amounting to EUR 509 million. In addition, under emergency assistance of these funds, since 2014 a total of some EUR 353 million have been awarded for actions in Greece, of which a pre-financing of EUR 171 million have already been paid out. Moreover, under the recently created Emergency Response Instrument, the Commission has also signed contracts for an initial amount of EUR 83 million directly with partner humanitarian organisations to provide a targeted response to the refugee crisis in Greece.*

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*Regarding the end of the wave-through approach and resumption and compliance with the Dublin rules, the Commission would like to draw the attention to the corner stones of its recently proposed reform of the Common European Asylum System. These include the proposal to replace the Asylum Procedure Directive with a Regulation {COM(2016) 467 final}, thereby harmonising different procedures in Member States and establishing a genuine common asylum procedure across the Union; the proposal to replace the Qualification Directive with a Regulation {COM(2016) 466 final} setting out uniform standards for the recognition of persons in need of protection and their rights; the introduction of a recast Reception Conditions Directive {COM(2016) 465 final}, further harmonising reception conditions, increasing self-sufficiency and integration of asylum-seekers and providing tools to Member States to reduce secondary movements; the introduction of a Union resettlement framework {COM(2016) 468 final}, framing the Union policy on resettlement and providing a collective and harmonised approach.*

*As to the temporary reintroduction of internal border controls by certain Member States, the Commission welcomes the Camera Deputaţilor's position that such internal border controls should remain temporary and proportionate to the threat addressed. In this respect, the Commission would like to refer to the Council Implementing Decision setting out a recommendation for temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk, adopted by the Council on 12 May 2016 {2016/0140 (NLE)}. This Decision replaced the individual decisions by Member States on reintroduction of temporary internal border control by a coordinated approach at EU level. The Commission will monitor the application of the Council Decision and, where necessary and proportionate, propose adaptations to reflect any changing circumstances.*

*The Commission is doing its utmost to reinforce controls at the EU external border and return to a normally functioning Schengen system by the end of 2016, as foreseen in its Communication. In this respect, the Commission refers to its proposal for a Regulation on a European Coast and Border Guard {COM(2016) 671 final} where political agreement has already been reached<sup>1</sup>. A proposal for introduction of systematic checks on all persons crossing the external border<sup>2</sup> is currently under discussion. It is expected that these tools together with the continuous implementation of measures such as the EU-Turkey statement will further help diminishing the number of migrants stranded in Greece and eliminate secondary movements, thus putting an end to the grounds for the current internal border controls.*

*The Commission shares the Camera Deputaţilor's opinion that the EU acquis must be fully implemented by all Member States in the Schengen area, at both the external and internal borders. It is committed to continuously monitor Member States' compliance with the Schengen standards in order for the EU to be able to face the current migration crisis and contain the terrorist threats in the Schengen area.*

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<sup>1</sup> Formal adoption and implementation are foreseen for the autumn.

<sup>2</sup> Proposal for a Regulation of the European Parliament and of the Council amending Regulation No 562/2006 (EC) as regards the reinforcement of checks against relevant databases at external borders {COM(2015) 670 final}.

*The Commission maintains its full support to the accession of Romania to the Schengen area as explained in the 7<sup>th</sup> biannual report on the functioning of the Schengen area {COM(2015) 236 final} and confirmed in the 8<sup>th</sup> biannual report on the functioning of the Schengen area {COM(2015) 675 final}.*

*The Commission looks forward to continuing the political dialogue with the Camera Deputaților in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Dimitris Avramopoulos  
Member of the Commission*