



EUROPEAN COMMISSION

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*Mr Liviu DRAGNEA
President of the Camera Deputaților
Palace of the Parliament
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Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion on the Communication on maintaining and strengthening the Schengen area {COM(2017) 570 final}.

This Communication takes stock of a series of ambitious measures designed to preserve the Schengen area and strengthen the European Union external borders, in particular: the new European Border and Coast Guard Regulation¹, the proposal to establish an Entry/Exit System², the new systematic checks against relevant databases on all persons crossing the external borders³ and the proposal to revise the rules on the temporary reintroduction of internal border control in the Schengen Borders Code {COM(2017) 571 final}.

The Commission shares the Camera Deputaților's views regarding the accession of Romania and Bulgaria into the Schengen area, as stated in the Communication and expressed by President Juncker in his State of the Union speech in September 2017⁴. Indeed, the Commission has been advocating for the full accession of Romania and

¹ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC.

² Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011.

³ Regulation (EU) 2017/458 of the European Parliament and of the Council of 15 March 2017 amending Regulation (EU) 2016/399 as regards the reinforcement of checks against relevant databases at external borders.

⁴ http://europa.eu/rapid/press-release_SPEECH-17-3165_en.htm

Bulgaria to the Schengen area, following the positive Schengen evaluations carried out in 2009 and 2010.

The Commission notes the Camera Deputaţilor's views on the risk that some Member States may abuse the measure of temporary reintroduction of internal border control without prioritising alternative measures recommended by the Commission and the Council. The Commission has been and continues closely monitoring the internal border controls reintroduced temporarily, and further prolonged, by Austria, Denmark, Germany, Norway, Sweden and France since 2015. The Commission is in close contact with all concerned Member States. The Commission's objective is to preserve and strengthen the Schengen area.

In view of this objective, in September 2017 the Commission also proposed to update the rules of the Schengen Borders Code governing the temporary reintroduction of internal border controls {COM(2017) 571 final}. The proposed amendments intend to strike a balance between the legitimate expectations of the Member States related to internal security and the rights of citizens of the European Union and those of the neighbouring Member States potentially affected by such reintroduction or prolongation of controls at internal borders. The proposal contains a number of procedural safeguards to ensure that border controls are reintroduced only as a measure of last resort, following a proper analysis of alternative measures, and that the voices of other Member States are heard in the process.

Discussions between the Commission and the co-legislators concerning the proposals are now underway and the Commission remains hopeful that agreements will be reached in the near future.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Camera Deputaţilor and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Dimitris Avramopoulos
Member of the Commission*