



Parlamentul României Senat

Bucharest, 10 May 2022

Courtesy translation

OPINION of the SENATE of ROMANIA

on the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders COM (2021) 891 final

The Romanian Senate examined the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders – COM (2021) 891 final – according to the provisions of the Treaty of Lisbon Protocol (no. 2).

Taking into account the report of Committee for European Affairs, **the Plenary of the Senate**, during its session of April 26, 2022,

- (1) notes that the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 on a Union Code on the rules governing the movement of persons across borders – COM (2021) 891 final – respects the principles of subsidiarity and proportionality;
- (2) supports
 - a. and welcomes the proposals for strengthening the purpose of border surveillance, including from the perspective of applying provisions on the use of technical means, as a confirmation of the role of these instruments, but also of the possibility of developing border surveillance, taking into account the Frontex Regulation;
 - b. that there is a need for enhanced external border management and the establishment of the best course of action so that the EU as a whole, EU Member States and Schengen Associated States have a coordinated response to common threats, including agreed rules to promote alternative measures effective at internal border checks to restore the normal functioning of the free movement area;
 - c. and recalls that ensuring European security is an objective to which Romania is a constant contributor;
- (3) draws attention
 - a. that it is very important to thoroughly define instruments in order to avoid any arbitrarily politically justified interpretation or application on a case-by-case basis, as this will be a factor for Member States to take steps to intensify border surveillance to properly address this type of threat;
 - b. that the reintroduction of internal border controls must be linked to the application of alternative measures to compensate for the absence of border controls, meaning that the exceptional and temporary nature of measures to reintroduce internal border controls must be maintained, the absence of which being in fact the essence of Schengen.