

**Priority question for written answer P-003953/2022
to the Council**

Rule 138

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Subject: The accession of Bulgaria and Romania to the Schengen area

Bulgaria and Romania are legally obliged to implement the Schengen acquis, except for those provisions related to the lifting of internal borders. The two Member States cannot exercise opt-in or opt-out clauses and bear all responsibilities for the Schengen external borders without enjoying the benefits of the Schengen area.

Bulgaria and Romania successfully completed the Schengen evaluation process in 2011, which was duly recognised by the Council¹. However, no political decision has been taken on the lifting of internal border controls for more than 11 years.

Against this background:

1. In previous Schengen enlargements, have Members of the Council requested additional evaluations before voting on the Council Decision?
2. Is there a legal basis for linking the lifting of the internal borders with the level of performance in other policy areas?
3. Is it a breach of the principle of sincere cooperation to require a Member State to bear full responsibility for the common policy in a certain field, while depriving the Member State of the respective benefits for an indefinite period?

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¹ Council conclusions on Romania (Council Document 9166/11 of 9 June) and on Bulgaria (Council Document 9167/11 of 9 June 2011).