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| **Verbatim report of proceedings** |  |
| **Tuesday, 13 November 2007 - Strasbourg** | **OJ edition** |

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Application of the Schengen acquis - Application of the Schengen acquis in the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (debate)** | |  |  |  | | --- | --- | --- | |  | [**Minutes**](https://www.europarl.europa.eu/doceo/document/PV-6-2007-11-13-ITM-013_EN.html) |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **President. −** The next item is the joint debate on  - the Council Declaration on application of the provisions of the Schengen acquis, and  - the report ([**A6-0441/2007**](https://www.europarl.europa.eu/doceo/document/A-6-2007-0441_EN.html)) by Carlos Coelho, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the draft Council decision on the full application of the provisions of the Schengen acquis in the Czech Republic, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (11722/2007 - C6-0244/2007 - [**2007/0810(CNS)**](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2007/0810(CNS))). |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **José Magalhães,***President-in-Office of the Council*. − *(PT)* Mr President, ladies and gentlemen, I am absolutely delighted to be here today before this House, on behalf of the Presidency and the Portuguese Republic, to discuss the imminent enlargement of the Schengen area.  Only a year ago dark clouds were hanging over Europe with the risk of an extremely serious political crisis due to the technical impossibility of bringing the second generation Schengen Information System (SIS) into operation in 2007. Indefinitely postponing the satisfaction of the reasonable expectations of free movement of citizens from the Member States which joined the European Union in 2004 would not only have been an intolerable demonstration of technological incapacity but also, in particular, a heavy defeat for the European ideal and evidence of the impotence and incompetence of our institutions and Member States. We could have given these citizens a thousand explanations but all would have sounded like feeble excuses and would have invited a search for the guilty parties, thereby preventing the practical solution of the problem.  Fortunately, we took another route with a speed and cohesion that was truly without precedent. First of all, we found in Lisbon the appropriate technological response to the technological crisis.  SISone4all was a project conceived in around 30 days with its feasibility study being scrutinised by top European experts within a similar timescale. In December 2006 the JHA Council was able to green light the start of the process with a schedule of operations worthy of a European version of the film ‘Mission Impossible’ and with a minuscule budget, little more than half a million euros. In March, as promised, the software application – a clone of the Portuguese N.SIS (National SIS) – was ready and was delivered to the new project partners. The C.SIS (Central SIS) also underwent a major upgrade thanks to the total commitment of the French Republic, which we must thank.  The German Presidency drove forward the appropriate legal measures with impeccable timing. On 31 August we managed to finish installing the applications and migrating the data which was a difficult and complex process. The next day, the security forces of the new Member States gained access to the new tools which they then started to use with great success. It only remained to check whether all the other many measures needed for admission into the Schengen area had been adopted with equal success, such as those relating to land and sea borders, police cooperation, data protection and issue of visas. Fortunately, these have been adopted. Last week, on 8 November, the JHA Council learnt that the Member States in question have demonstrated a sufficient degree of preparation in order to satisfactorily apply both the provisions not relating to the SIS and the provisions relating to the Schengen Information System of the Schengen acquis.  I should like to thank, here in this House, everyone who implemented the changes and carried out the assessment programme in recent months. Particular mention should be made of the important work carried out by the many experts involved in the visits which enabled the transformations achieved in just a few months to be confirmed without a shadow of a doubt.  We now have, at what will be the new external border of our European Union, some of the most sophisticated and modern equipment, organisational solutions which deserve prizes for innovation and appropriate procedures for ensuring a very high level in the fight against crime. These will be supplemented by special policing measures, already agreed on a bilateral or multilateral level, so that, in the ‘day after’ the abolition of controls, there is more freedom but no less security.  I must also stress that the concern for maximum transparency led the Portuguese Presidency to take very successful steps so that the European Parliament could access the information resulting from the enormous effort made. This House was therefore able to verify the absolute rigour of the impact assessment summary which we also wanted to provide as a separate document. I must congratulate the rapporteur, Mr Coelho, on his total commitment to meeting the deadlines set and on the excellent quality of his report.  Ladies and gentlemen, this is the method we need to use in order to overcome the future challenge of setting up and managing, in an integrated manner, the SIS II, VIS (Visa Information System) and new information systems on travellers which Vice-President Frattini recently announced. No one should have any illusions as mega-projects of this kind can be huge successes or heavy failures. Success can only be achieved with strong command structures, determined leadership and very tight schedules.  We do not need a technology tsar but rather a great deal of work in a democratic network involving the Commission, Member States and the European Parliament, as was demonstrated in exemplary fashion in this case. I should also like to officially thank all those who contributed to this success. This is the secret of the success of SISone4all and only in this way can we save resources, create synergies between projects and in particular, ladies and gentlemen, meet deadlines.  There is only one requirement to be met before the Council can take a decision, which is planned for December 2007, on the full application of the provisions of the Schengen acquis in the new Member States. This requirement is your vote, the vote of the European Parliament. I hope I can count on its result and be confident in this respect, given the very positive content of the motion for a resolution which is already on the agenda.  Please allow me, finally, to give warm thanks for the very complimentary comments which, through this motion for a resolution, the European Parliament has made to the Presidency and the Portuguese Republic. On behalf of the men and women who in recent months have dedicated themselves to our task of preparing for this historic decision which will finally bury the Iron Curtain, I must say that we were not inspired only by a desire for victory and to avoid a serious crisis. We mobilised the best know-how in Europe, we took advantage of the tools of the new digital Europe to quickly discuss our plans and difficulties and we created a fantastic network of experts and a 24/7 help desk to find solutions. All of this was accompanied by close and unprecedented liaison between experts and politicians, the ministers in this area who periodically met in special meetings to direct the process with the total solidarity of the Commission. I must particularly highlight the role of Vice-President Frattini.  We also never forget, ladies and gentlemen, that Europe has its parliamentary representatives, whose opinion must have a bearing on what we do. We took due note of your recommendations and we are counting on your representation at the commemorative ceremonies to mark the historic enlargement of the European area of free movement, which will take place on 21 and 22 November. Thank you, too, ladies and gentlemen, for your contribution to this historic result. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Franco Frattini,***Vice-President of the Commission***. −** Mr President, first of all I would like to congratulate all the Member States on their achievements in making it possible for citizens in Poland, Estonia, Lithuania, Latvia, the Czech Republic, Slovenia, Hungary, Slovakia, Malta and in the current Schengen countries to finally fully benefit from the free movement of persons, which is one of the pillars of the European Union.  This is a real benefit for the citizens of the Member States that joined the EU in 2004. It will make travelling quicker and easier. For all the Member States of the European Union, this shows the benefit of acting together in the European framework. An area without internal border control is an amazing achievement, without historical precedent. From 21 December onwards, travel will be possible from, for example, the Iberian Peninsula to the Baltic States and from Greece to Finland without border checks. This is truly symbolic of a united Europe and a basic right for all European citizens.  As you are all aware, this historic achievement follows much preparation. Joining the Schengen area is not an easy undertaking. It is a challenge, and we must strike the right balance between freedom and security. Lifting internal border controls is also a question of trust between Member States. It is through a peer evaluation process, the ‘Schengen Evaluation’, that Member States gain confidence in each other’s capacity to guard the external borders on behalf of all the others and issue visas valid for the whole Schengen area.  Member States will also improve police cooperation and security controls within the broader Schengen space, in order to prevent criminals from enjoying free movement and better opportunities to act illegally. All this would not have been possible without financial solidarity. The Schengen Facility, providing nearly EUR 1 billion, enabled the new Member States to meet, in particular, the challenge of building up an efficient border control and becoming full partners in the Schengen area.  I would also like to thank the rapporteur, Mr Coelho, and the European Parliament for their positive support in reaching this fundamental achievement, and last, but not least, I congratulate the Portuguese Presidency. I congratulate you personally, and Ministers of the Interior, Minister Costa and Minister Pereira, on your strategic partnership and clarity of purpose for the successful implementation of the Schengen information system project, known as ‘SIS One For All’. We have worked hard, together with the former German and the future Slovenian Presidencies, to support our Portuguese colleagues, and we have succeeded. This shows what can be accomplished if everyone is fully committed to a complex project. Now, ladies and gentlemen, work is not finished. Our ultimate goal is to make Schengen Information System II fully operational by December 2008. We will again have to work very hard together. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Carlos Coelho,***rapporteur*. – *(PT)* Mr President, Mr Vice-President of the Commission, Mr President-in-Office of the Council, ladies and gentlemen, the Schengen area is one of the greatest successes in the history of European integration. Abolishing internal borders and implementing several compensatory measures, such as the reinforcement of controls at the external borders, police and judicial cooperation and the creation of the Schengen Information System, are the best way to enable freedom of movement.  Like the European Union, Schengen has grown. From the five original Member States, we are now 15, including two non-Community countries, Iceland and Norway, and with the partial participation of Ireland and the United Kingdom. We are now facing an historic event: the biggest enlargement in Schengen’s history, with the simultaneous abolition of internal borders with nine Member States: the Czech Republic, Estonia, Hungary, Latvia, Poland, Lithuania, Slovenia, Slovakia and Malta. This is an event full of significance for Europe, for free movement and for these new Member States and their citizens.  I must start by welcoming and congratulating them. I want to congratulate them not only on their entry into this area but also, in particular, on the systematic and committed effort that they have made to meet all the requirements laid down by the strict Schengen rules. The December 2006 reports, already mentioned by Minister Magalhães, highlighted various problems which have in the main been overcome. The evaluation teams were composed of experts from all the Member States. They went to the borders and consulates and prepared exhaustive reports containing factual descriptions, assessments and recommendations, many of which required additional measures and follow-up visits due to the problems that still existed in the vast majority of Member States.  I want to congratulate the evaluation team, led by Dr Carlos Moreira, not only for the exacting work carried out in a short space of time, but also because it did not just fulfil its inspection role, it also frequently suggested measures and solutions allowing the problems identified to be solved.  Mr President, the absence of internal borders not only requires better controls at the external borders and a good exchange of information and data through the Schengen Information System (SIS), it is notably an exercise in mutual trust in which everyone must strictly comply with the adopted rules. Guaranteeing effective control at our borders allows the security of all European citizens to be ensured. In fact, the security of the Schengen area depends on the rigour and efficiency that each Member State applies to controls at its external borders and also on the quality and rapidity of the exchange of information via the SIS. Any weakness or incorrect working of any of these elements is liable to jeopardise the security of the Union.  That is why the remaining minor problems must be ironed out. Although they do not constitute an obstacle to abolishing the internal borders, they must be solved. That is why the European Parliament, in the political resolution to be adopted, which has been co-signed by five political groups, and in the legislative resolution, asks to be informed in detail within six months about all pending issues. That is why we also ask that a global evaluation of the functioning of the Schengen area is carried out within two years, involving all the Member States, both new and old.  Finally, I want to thank the Portuguese Presidency for its commitment and spirit of cooperation, in particular the Portuguese Government and the Portuguese Secretary of State, José Magalhães, who is here today, and for the solution found with SISone4all, as already underlined by Vice-President Frattini. This solution has enabled the new Member States to be connected to the SIS. If this had not occurred, given the delay with SIS II, it would not have been possible to extend the Schengen area this year. Minister Magalhães, I am fully aware of your extensive personal commitment and I also want to congratulate Dr Eduarda Peixeiro, to whom much is owed for the solution adopted.  I have two final comments. The first is to the European Commission. I would like to remind it once again that the creation of SIS II continues to be a priority for the European Parliament, not necessarily to allow the new Member States to access the system, as this has been solved with SISone4all, but mainly because, within the Community framework, it will enable more efficient use of data, thereby improving security through both the inclusion of biometric data and the interlinking of alerts. My second comment is to the Council. I must express my regret that at the start of this consultation process it did not respect the principle of reasonable cooperation with Parliament as it refused to send the evaluation reports prepared by the experts, on security grounds. Although a compromise was found to resolve the situation temporarily, a long-term solution must be sought. It is absurd to deny Parliament material with which it exercises its legislative competences.  Mr President, we have taken another step towards European integration. It is up to all of us to make sure that this step results in more freedom and greater security. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **József Szájer,***on behalf of the PPE-DE Group***. –***(HU)* Mr President, ladies and gentlemen, on behalf of the European People’s Party and European Democrats Group I would like to welcome the introduction of the Schengen system, and to use the occasion on behalf of the nine new Member States to thank both the German and Portuguese Presidencies, the Council, the Commission and especially Mr Coelho for the enormous amount of work needed to achieve this. I must also mention the efforts of the new Member States, since their work has enabled us to be at this point today.  The free movement of people is one of the four freedoms of the Union. We are now extending this achievement, this new area of freedom to many millions of new Union citizens. This is a joint act by all of us: we Europeans have created this together, and we should be proud of it.  Ladies and gentlemen of the House, I come from a town on the border of Austria and Hungary. For many decades my town, Sopron, was separated from its immediate environment and from Austria by an iron curtain. I have brought in a piece of this iron curtain to Parliament – as I have many other times. It was this iron curtain that made it impossible to exercise freedom in Europe. With the introduction of the Schengen system, we are eliminating the last remnants of it. This piece of iron should remind us that our recent past did not have freedom, and that we should never allow freedom to be taken away from us.  With freedom comes responsibility. The new Member States are taking on the responsibility of guarding the common European external borders rigorously, since the security of all of us depends on this. Furthermore, we must not allow ourselves to undermine widespread social support for the right to move freely. For this reason every citizen of the Union must comply with the laws of the Union; as Commissioner Frattini said just now, freedom of movement does not mean freedom of crime without borders.  Freedom must not and cannot be abused, because that endangers freedom itself and the right to move freely. Nor can we allow certain forces to revitalise the principle of collective guilt, which brings bad memories, so as to undermine the right to move freely. We cannot allow the perpetrators of crimes to go unpunished. For this very reason, I would like to express my thanks again that the Schengen system can be extended to these nine new Member States. This is an historical event. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Jan Marinus Wiersma,***on behalf of the PSE Group.***–***(NL)*Mr President, on behalf of my group I, too, would like to congratulate the citizens of the nine new Member States on the present that the Portuguese Presidency will be giving them on 21 and 22 December. I am in complete agreement with the Minister and the Presidency, who are indeed dismantling the last remains of the Iron Curtain. The free movement of citizens without internal borders is a very positive thing and one of the most important freedoms of the European Union, and I welcome the fact that the inhabitants of the nine new Member States will now be able to enjoy it.  The Schengen Agreement, however, concerns more than just the removal of internal borders. It also means that the external borders of the Union must now be monitored by these new countries, in the interest of all the other Member States. It is very important that the expansion of the Schengen area does not jeopardise our security. Mr Frattini and the Minister have both said the same. Efficient and effective border controls are therefore essential.  The assessment of the Council and the Commission show that the nine countries are in principle ready to take on this task, but that improvements could be made in a number of areas, for example as regards staffing and airport infrastructure, and our curiosity has been aroused as to the evaluations and monitoring that will appear as a result. We hope, too, that Parliament will be swiftly informed about this.  Schengen of course relates to much more than border controls. It implies greater police and judicial cooperation between Schengen countries. We are glad that in the case of these nine Member States the Portuguese Presidency has found a solution with a sort of SIS 1+, although we maintain that progress must be made as soon as possible on SIS II. I am happy with Mr Frattini’s promise to have it by December 2008, and naturally we will hold him to that.  We understand that Bulgaria and Romania still have to wait a number of years, but we also hope that these countries will continue to work hard, with our help, so that in a few years they can also join the Schengen area.  The same applies to Cyprus. It is a shame that the problem that has been holding the country back for so long is now also preventing it from joining the Schengen area. That is another argument for working together to find a solution to the problem that has affected this country for too long already. In other areas, too, for example in relations with Turkey, this question leads to problems. Naturally a solution is also necessary for the people of Cyprus themselves.  Finally, I want to refer again to yesterday’s discussion. It has rightly been indicated that the enlargement of the Schengen area and the entire Schengen system requires mutual solidarity between the Member States. As I have already said, controlling the external borders is a task that affects all our security and in which the nine countries concerned are now involved. We will now speak to them about this.  That security and the need for cooperation are themselves potential future problems, as regards internal migration for example. We must also agree that we will not try to solve the problems unilaterally, but that we will seek to cooperate, with all the countries that belong to the Schengen area working together to solve the problems that arise in the future. As I said, we must ensure that what is currently happening in Italy does not happen, i.e. that one country tries to solve on its own what is in fact a shared problem. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Henrik Lax,***on behalf of the ALDE Group. – (SV)* Mr President, I would also like to join the congratulators. I congratulate the new Schengen members for having succeeded in the feat of satisfying the requirements of the Schengen rules in such a short space of time.  I would also like to congratulate Portugal, which is a double congratulation. Portugal was the first to come up with the proposal of “SIS I for All”. Now, under its Presidency, Portugal has had the ability and energy to drive through the evaluation process.  We have heard here what an historic step forward this is. To reunite Europe also in this form, with free movement, is an achievement which cannot be overestimated.  The road has been difficult. In particular, the problem with SIS II, which has been delayed for reasons which are unacceptable and have been much criticised by Parliament. As we have heard, we need SIS II in order to strengthen security within the new enlarged area.  Parliament has also been critical of not immediately having had full transparency and access to the evaluation documents. I would like to give special thanks to my friend and colleague Mr Coelho. Without his efforts we would not have been able to complete our parliamentary scrutiny.  Finally, I would like to recall that many of the new Member States have long historical ties to their European neighbours. We must now ensure that the Schengen enlargement does not lead to a Schengen iron curtain against these. These, our neighbours, must also have access to the knowledge we have here if they are to be able to follow in our footsteps and build up a society governed by the rule of law, democracy and a market economy. Once again, congratulations to all three parties that have succeeded here. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Brian Crowley,***on behalf of the UEN Group***. –** Mr President, I would like to join with my colleagues in congratulating the Portuguese Presidency on being able to create an agreement and understanding with regard to the enlargement of Schengen, and indeed it is historic. It ranks there alongside the enlargement of the European Union and it is one that we should welcome.  There are concerns, however, as rightly mentioned by other colleagues, with regard to our external borders and what we can do and how we can deal with them, about the issue of solidarity and about showing solidarity with other Member States. In particular, from my own position coming from Ireland, because of the common travel area which exists between Ireland and Britain, there are certain difficulties with regard to Ireland becoming part of the Schengen Agreement, for no other reason, maybe, except the most important one of all: that it would reintroduce a border between the north and south of Ireland. So there is a difficulty there but we do not want to see hindered the progress that is being made. Now, with your permission, I would like to continue in Irish.  *(GA)* The EU will continue to grapple with the problems of drug imports into the EU and illicit trafficking in children, as well as addressing itself to common policy on migration, common asylum policy, EU-wide police cooperation, and the fight against organised crime. Europol is doing a wonderful job in tackling international crime in Europe.  And together we can actually achieve the required double result of free movement of people and security and certainty for all countries. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Tatjana Ždanoka,***on behalf of the Verts/ALE Group.***–** Mr President, first of all, on behalf of my group, I would like to congratulate the new Member States, including my own state, Latvia, on the occasion of joining the Schengen area. I also thank Portugal for its SIS I initiative, which has opened the way to free movement for many Europeans.  Many thanks to all the people who were involved in this work and did their best in order to make this Christmas gift possible.  In the mean time, a lot of problems still exist in this field. What has happened with SIS II? When can it start operating? We are also worried about the use of sensitive data by SIS II. The data protection regime applicable to these SIS II rules is unduly complex. Will we have a political agreement on the third pillar data protection framework decision by the end of this year? Will the framework decision solve all the problems? Do data protection authorities have adequate resources to enforce data protection rules in respect of SIS II? Will all Member States act in good faith when processing Schengen data?  Why am I posing so many questions now? I just want to remind you that the Schengen system is far from complete. A good job has been done in order to enlarge the Schengen area, but now we have a new task – maybe a more difficult one – to make the area of freedom and liberty a guaranteed area for everyone. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Giusto Catania,***on behalf of the GUE/NGL Group***. –***(IT)* Mr President, ladies and gentlemen, I too, on behalf of my Group, believe that today is a very important day because we are extending the possibility of free movement for many Community citizens. This marks a ground-breaking step forward, about which we are very happy because it guarantees additional freedom of movement. It is a great achievement, pointing us in the direction of a single European space.  My Group is nevertheless somewhat hesitant about certain other aspects, especially concerning the external dimension of the Schengen area. We are in fact strengthening the external dimension of the Schengen area, reinforcing and in a sense actually militarising our external borders. We have grave doubts about this: while guaranteeing ever greater freedom of movement for Community citizens belonging to the Schengen area, we are at the same time impeding access for non-Community citizens.  For this reason we are not happy with the entire process. Furthermore, we have our doubts about the implementation of SIS II: we are very concerned, and believe that in certain cases these exchanges of information do not afford proper protection for sensitive data. We therefore think that a very tangible step forward has been taken today in the building of the European Union, yet at the same time we have sent out a very negative signal about the form and substance of this European Union. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Bastiaan Belder,***on behalf of the IND/DEM Group***. –***(NL)*Mr President, I would like to speak on behalf of my colleague Mr Blokland.  In previous weeks it has become clear in the media that since the accession of Romania to the European Union, 500 000 Romanians have already moved to Italy. There is therefore a great deal of free movement of people within the European Union even without the application of the Schengen *acquis*.  I am therefore very concerned about the controls on undesirable persons crossing our internal borders. Italy’s decision to turn away European citizens is an extreme measure that clearly shows that open borders can also have negative consequences. Specific controls will therefore be necessary.  That is possible at the borders, but controls can also be carried out at airports and railway stations. For this reason it is necessary for a functional SIS to be operational in the short term. Can the Commission, in its Schengen assessment, also focus on the free movement of people from countries that belong to the Union but not to the Schengen area? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Andreas Mölzer,***on behalf of the ITS Group***. –***(DE)* Mr President, we too are pleased that the Iron Curtain which the Communists drew across Europe for more than half a century, with such contempt for human dignity, is finally down. I say this as an Austrian, for whom access to our neighbours, the Czechs, Slovaks, Hungarians and Slovenians, is now open again, just as it was a hundred years ago.  May I nonetheless voice a point of criticism: on a decision of such gravity, the fact that the Schengen Information System is functioning properly is by no means enough. In my view, the new guardians of the external borders must actually have the capacities to perform their role.  If we consider that some EU countries in East Central Europe were still major transit countries in 2006 and that the figures for the apprehension of illegal immigrants were far higher at the EU's previous Schengen borders in Austria and Germany than at the EU's external borders, we cannot afford to ignore this concern. Nonetheless, it is a very good thing that the Iron Curtain has finally been consigned to history. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Irena Belohorská (NI). –** *(SK) I* believe that the new Member States, including the Slovak Republic, are all well prepared to join the Schengen area.  The Slovak Republic has fulfilled the individual criteria in the area of Schengen cooperation and has therefore fulfilled all the basic conditions, so that Slovak citizens will be able to enjoy the removal of internal border controls on the ground from December 2007 and from March 2008 in the air as well. The Slovak Republic implemented the Schengen *acquis* in regard to the Schengen Information System by 1 September 2007 and police information is now flowing through the system in both directions.  We have built a network of points of contact to facilitate the exchange of data from police information systems. Our border protection and control are now in compliance with requirements of the Schengen border code. The shortcomings identified in personal data protection and at Bratislava airport have been remedied.  After three and a half years of EU membership, there are no longer any obstacles to Slovak citizens at last getting the right to which they are entitled under the EC Treaty, the right to the free movement of persons. I trust that the European Union will soon grant our citizens another right to which they are entitled, which is the right to work without restrictions in other EU countries and that European Union will no longer give priority to workers from third countries but will instead prioritise EU citizens from the Eastern Europe. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Manfred Weber (PPE-DE). –***(DE)* Mr President, ladies and gentlemen, I myself represent Lower Bavaria, which borders on the Czech Republic, here in the European Parliament. When I was even younger than I am today, this area really was the end of the world. Looking at the gallery, I see so many young people in the audience, and I think we can remind ourselves that it is an historic day when these borders finally fall and we are united in Europe. For that reason, yes, it is a cause for celebration!  As a political representative, may I say in all honesty that many people were not convinced that this would work as well as it has, or that our East European friends, one for all, would implement SIS in this way. May I express my congratulations and respect for that achievement. I would also like to thank Carlos Coelho. The fact that the European Parliament is playing such a major role when it comes to Schengen is due to our rapporteur. I would like to emphasise that point as well.  However, politicians always have to think of tomorrow and what will be facing us then. Here, I would like to remind everyone of what the Executive Director of Frontex, Ilkka Laitinen, said at the last meeting of the Justice and Home Affairs (JHA) Council: he said that migration flows are already demonstrably changing, away from the southern border across the Mediterranean and towards the eastern border. That is something we need to prepare for today. We must also work through the problems identified in the evaluation reports. That is why the evaluation clause proposed by Parliament is so important.  We need SIS II and may I appeal to the Vice-President of the Commission not to cease applying pressure here, for it is important that Member States resist any temptation to sit back and say, that is it, we have done it. We need the same level of commitment from them when it comes to the implementation of SIS II as well.  Once we have open borders for citizens, we will also have open borders for criminals, and when we have open borders for criminals, we need open borders for our police as well. For that reason, there must be no slackening of commitment now when it comes to the Prüm Treaty; we need closer cooperation here too.  As my fifth point, may I say that there is a need for a strengthening of Frontex. I would like to see Frontex taking on responsibility for the evaluation of standards at the external borders in future.  We will be celebrating in December, and I hope that what will come afterwards will not be a hangover but the positive memory of the celebration itself and the reasons for it. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Irena Belohorská (NI). –** *(SK)*Excuse me, Mr Chairman, excuse me, but I have been informed that the English interpreter said the Czech Republic instead of the Slovak Republic. I would like to appeal to our interpreters to get used to the fact that Czechoslovakia has been divided into two sovereign states, which also means that in the context of my speech, I meant that it was the Slovak Republic that was fulfilling the conditions. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **President. −** Thank you, Mrs Belohorská. We are aware of what happened, and you know that we were in fact exceptional witnesses to the situation. In any case we have taken due note of this, and if any corrections are necessary they will be made in due course.  To tell you the truth, I am not altogether sure who you mean, who mentioned Czechoslovakia. I do not think it came from the Presidency. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Magda Kósáné Kovács (PSE). –***(HU)* Thank you, Mr President. Today’s decision is truly symbolic, and it can be experienced most keenly by those of us who grew up behind the barbed-wire fence, who were able to cross the border to the West every three years, and who today can remember the stomach-churning moment of crossing the border.  Hungary implemented the necessary legislation by 2004, the time of the accession. Since then, it has developed its system of instruments necessary for Schengen protection. The inspections have classified the preparations as excellent, both for the land and air borders. In addition, Hungary will take responsibility for 15% of the eastern border.  We would like to thank the Member States who have shown us solidarity, and especially the Portuguese Presidency, for this opportunity that is full of responsibility. We would also like to thank the Council for their flexibility, which has enabled us to solve the problem we had with Croatia, and which has also made it possible to resolve the situation of Hungarians living abroad through bilateral agreements, in accordance with their wishes and the approval of neighbouring countries. Thank you everyone! Thank you for the floor, Mr President. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Toomas Savi (ALDE). –** Mr President, with the accession of nine new Member States to the Schengen area, which is a true and final falling of the historical Iron Curtain, the EU has truly given the opportunity to their European citizens to travel and fraternise in a reciprocal manner.  Last autumn I drew the attention of the Estonian public to the threat that the accession of the new Member States might be delayed until the beginning of 2009. I am glad that the European Commission has found the means to speed up the process and I hope that it has not affected the pertinence of the system. But, besides the positive products of this accession, the EU must be up to the challenge of managing the possible threats that might result from such a vast administrative unit.  The SIS is a necessary safeguard to secure the normal functioning of the Schengen area and it should definitely be left open to future complements. Now the practice might induce some new issues. Working off the threats and maintaining a flexible nature is essential for the SIS to address the challenges that this enlargement brings about. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Mario Borghezio (UEN). –***(IT)* Mr President, ladies and gentlemen, the spirit of the Schengen Treaty is about safeguarding the security of European citizens. To this end, it is undoubtedly better to have a few queues at borders and in airports rather than allowing free entry not only to decent people but also to the most hardened criminals, whom we do not want in our countries.  We wish to see border checks, for example on Romanian Roma, with compulsory detection of biometric data including digital fingerprints. We must know who we are allowing into our country, as well as the exact date of entry, so as to be able for example to apply scrupulously the European Directive enabling us – as pointed out just a moment ago – to expel after three months anyone who lacks the funds to support themselves.  Romano Prodi’s Commission made commitments to the new Member States without giving any consideration at all to emergencies, of which there have been several since then. They are now giving rise to appalling security problems, and the European Union must think not only about European citizens’ rights, but also about their security. Security is an inalienable right, a natural right.  Action is now required, and Commissioner Frattini is quite rightly sending out well-balanced, positive signals in this regard, but we should not forget that Schengen must also concern itself with checks at the European Union's external borders, and must do so ever more efficiently. We have nothing against any ethnic group or population group, still less against our brothers in Eastern Europe; however, we do not want criminals moving around freely in our land.  Padania is a land of honest, hard-working people. Its doors are open only to those who come to work, who behave well and – as befits the European Union's area of justice and freedom – who abide by the rules, namely the rules of honesty and law and order. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Miloslav Ransdorf (GUE/NGL). –***(CS)*The history of the enlargement of the Schengen area is marked by double standards. In 1995 the three new Schengen states only had to fulfil a few formalities. In 2004, however, the new Member States were subjected to a series of humiliating controls and assessments lasting three and a half years. There were objections from Germany and Austria in particular, which maintained that enlarging the existing Schengen Information System to include the new countries was not possible. In the end this problem was overcome thanks to the Portuguese Presidency, which is to be highly commended for having been able to overrule these voices.  SISone4all now fulfils all the requirements. The new Members are now ready to ensure adequate security of the Schengen area. There are a few issues that have yet to be resolved, such as data protection, perhaps even protection of the new Member States against the transport of toxic substances, such as in the case of Germany and the Czech Republic. I believe, however, that all these issues will be successfully dealt with and that Europe will not in the process become some sort of enclosed fortress. I hope that Europe will continue to be open to collaboration with other nations of Central, Eastern and South-Eastern Europe. Without Eastern Europe and the Balkans, Europe is not and will never be complete. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Koenraad Dillen (ITS). –***(NL)*Mr President, like the European Ministers of Home Affairs this Parliament is now giving the green light to the extension of the Schengen system to the Member States that joined in 2004.It will be a relief to many.  However, I am somewhat less euphoric about Schengen itself: the fact is that the European policy of open borders also noticeably strengthens the scope of international organised crime. As a result, Schengen has a spill-over effect. The system of open borders has always demanded a further transfer of competences and ever-closer police cooperation, which will eventually result in a full-blown European police force, prosecutors and criminal law, with their positive but also their negative aspects.  However, the policy of open borders renders the individual Member States powerless in the face of the regularisation programmes for illegal migrants adopted in certain countries – I am thinking of Spain and Italy in particular – which always attract more migrants to Europe’s poorly protected borders. The famous European solidarity is completely lacking here and this has to be said. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Barbara Kudrycka (PPE-DE). –***(PL)* Mr President, the decision on the Schengen issue was *mission impossible,* as Mr Magalhães stated. It proves that if there really is a will to do so, it can be possible to interconnect in practice the areas of freedom for the citizens of Europe, including the freedom to travel, whilst simultaneously reinforcing security for those same citizens, that is to say, internal security. Preparations for this decision have lasted at least 10 years, and have been very intense in the last two of these. In its present form, the Schengen project is quite different from what it was in the mid-1980s. The main difference is that it is now fully enshrined in the Community's legal and organisational order. In other words, as far as the new countries are concerned, the question is not if but when we will begin to benefit fully from the Schengen area.  At this juncture one is inclined to indulge in historical and symbolic reminiscences. After the Second World War the issue of borders and their control resulted in bloody dividing lines being drawn across the map of Europe. Crossing a border often meant risking one's life. As things now stand we can state that part of our post-war legacy has gone forever. The new countries have come through the preparatory stage with flying colours. It is abundantly obvious that many of the solutions adopted by Poland and other new Member States can and do serve as examples for current members of the Schengen area. The wind of change from the new countries will be an inspiration for the old Union, not a threat. It will also help to increase mutual trust.  The Schengen enlargement process also constitutes a challenge and hard work for us in Parliament. On a personal level, I was honoured to be able to work with such a distinguished rapporteur as Mr Coelho, with my colleagues from the group, and with the Committee on Civil Liberties, Justice and Home Affairs. I would like to thank the Portuguese Presidency for its tremendous determination. Thanks are also due to Mr Frattini for his favourable attitude and commitment to this splendid achievement, which is without precedent in the course of history. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Wolfgang Kreissl-Dörfler (PSE). –***(DE)* Mr President, extending the Schengen area to include nine new Member States is an historic step which completes the enlargement of the European Union and dismantles those borders where once the Iron Curtain separated our nations. There were those who believed, in advance of the process, that it was too early to do this, but we can now allay those fears.  The most recent evaluation has shown that the new Members are implementing the Schengen *acquis* to everyone's satisfaction. Let us be honest: border controls and the traffic jams which they produced have only ever made a limited contribution to our countries' security.  Real cross-border organised crime can only be combated effectively through intensive cooperation by our police and security agencies. This cooperation must be improved in future, and everyone is invited to play a role here. After all, among the old Member States, Germany is one of the countries whose borders have been most affected by the removal of controls.  I would therefore like to welcome the citizens of our neighbour countries to our common area of free movement. May I say that people in our own countries – in Germany, Austria, Italy, France and Spain – will benefit from the newly acquired freedom as well, whether during their vacations or a visit to friends.  On 21 December, Europe will move a step closer together. This is good for its people, and it is good for Europe.  *(PT)*Once again, many thanks to Mr Coelho, our President-in-Office and Commissioner Frattini. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Jan Jerzy Kułakowski (ALDE). –***(PL)* Mr President, Poland is to join the Schengen area on 21 December of this year along with other new Member Sates. This will represent a further significant step towards full membership of the European Union. We would therefore like to say how much we welcome this development. The next stage will be joining the euro zone.  Joining the Schengen area does not amount to turning our backs on our Eastern neighbours. We shall try to facilitate entry into Poland for their citizens within the framework of the Schengen commitments. Allow me to emphasise, however, that we shall only do so in accordance with our commitments as members of the Schengen area. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kinga Gál (PPE-DE). –***(HU)* Thank you for the floor, Mr President. The new Europe is now coming into our reach, in that the dividing lines that were drawn up so skilfully in the past have ceased to exist, and this will have a bigger impact than anything else on the everyday lives of all of us who live in the area. I would like to congratulate and thank the Portuguese Presidency for creating the opportunity and the technical framework for the events of today. We would like to thank Commissioner Frattini for the help that these Member States have received. Last, but not least, I would like to thank my colleague, Mr Coelho, for his sense of vocation in dealing with this matter.  We can now feel the advantages of enlargement as a physical reality, and also the symbolic and practical importance of being able, for example, to cross the bridges of the Danube without checks, or rowing across the Danube, which was an inconceivable dream for our parents. The precious desires of generations are coming true. In this way, history now admits that our young heroes of 1956 were right.  At the same time, we must do everything to extend this zone as soon as possible to Bulgaria and Romania, who acceded recently. In this latter case – for example in the case of Transylvania – the Romanian-Hungarian border will be so important, and it can only be compared to what must have been felt when the Franco-German border was dissolved, by the people living there.  At the same time, we cannot forget that checks will be even more stringent at the external borders of the Schengen zone. For this reason, the ethnic groups living outside our borders, the Hungarians living in Vojvodina and Subcarpathia, will be at a disadvantage: our close contact with them is a condition for their staying there and a constitutional obligation for us. The external borders cannot turn into a new iron curtain for these communities. It is only in this way, paying attention to those who remain outside, that the celebrations for opening up the borders can be complete for us. Thank you for the floor. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Genowefa Grabowska (PSE). –***(PL)* Mr President, along with previous speakers I would like to thank the Portuguese Presidency for its very determined work on enlarging the Schengen system. I welcome the fact that one of the last remaining differences of treatment between citizens of the old and the new Union will disappear on 21 December of this year.  In particular, as a Pole I am proud that my country is responsible for the control of more than 1 200 kilometres of the Union's external land border, and that the FRONTEX agency is located in Warsaw.  At the same time I should like to emphasise that the Schengen system is not intended to isolate the Union from its neighbours. It does not aim to create a so-called fortress Europe. I think we should take this opportunity to send out a signal from the House to our neighbours beyond the Union's borders, including the citizens of Russia, Ukraine and Belarus, making it clear that the strengthened Union border is certainly not a wall to defend ourselves against them. We must let it be known that it is simply a feature of our security as a Union, and that we shall not cease being good neighbours. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  | | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **István Szent-Iványi (ALDE). –***(HU)* The entry of nine Member States is a significant step forward in the field of integration, both for the European Union and for the Member States concerned. There will finally be a tangible benefit for citizens from membership of the European Union. Thanks for this are due to the Portuguese Presidency, which has done everything for us to join at the planned date, in 2007, even though there were attempts to prevent this. The Member States concerned are also due recognition for making great efforts to fulfil the stringent criteria and conditions.  It is very important that no new iron curtain should fall between the countries that have just joined and their neighbouring countries. The agreements on easing visa procedures and local border traffic might be a great help in this, but the ultimate goal in any case is to achieve visa exemption. A specific, realistic timetable is needed for this, to enable the creation of visa exemption as soon as possible. Thank you. | |

<https://www.europarl.europa.eu/doceo/document/CRE-6-2007-11-13-ITM-013_EN.html>

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| **Verbatim report of proceedings** |  |
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Migration to the second generation Schengen Information System (SIS II) - Migration to the second generation Schengen Information System (SIS II) (debate)** | |  |  |  | | --- | --- | --- | |  | [**Video of the speeches**](https://www.europarl.europa.eu/plenary/en/vod.html?mode=chapter&vodLanguage=EN&playerStartTime=20080923-21:01:07&playerEndTime=20080923-21:44:54) |  | | |  |  |  | | --- | --- | --- | |  | [**Minutes**](https://www.europarl.europa.eu/doceo/document/PV-6-2008-09-23-ITM-014_EN.html) |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **President.** – The next item is the joint debate on:  – the report ([**A6-0351/2008**](https://www.europarl.europa.eu/doceo/document/A-6-2008-0351_EN.html)) by Carlos Coelho, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on migration to the second generation Schengen Information System (decision) (12059/1/2008 – C6-0188/2008 – [**2008/0077(INI)**](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2008/0077(INI))), and  – the report ([**A6-0352/2008**](https://www.europarl.europa.eu/doceo/document/A-6-2008-0352_EN.html)) by Carlos Coelho, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on migration to the second generation Schengen Information System (regulation) (11925/2/2008 – C6-0189/2008 – [**2008/0078(CNS)**](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2008/0078(CNS))). |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Carlos Coelho (PPE-DE).** – *(PT)*Mr President, President-in-Office of the Council, Vice-President of the European Commission, ladies and gentlemen, we are examining two instruments: a regulation and a decision on migration from SISone4ALL to SIS II, including a comprehensive test that will assess whether the level of performance of SIS II is equivalent to that of the current system. These proposals are the result of a change in the migration strategy.  Four points: firstly, the initial plan was to have a migration of 15 Member States in a process lasting around 8 hours. In the meantime, the number of Member States increased to 25, which made the process much more complex and difficult. Secondly, an interim technical architecture will have to be created that will allow SIS1+ and SIS II to operate in parallel for a limited transitional period. This is a wise solution that we should agree to and it will enable us to have a fallback in the event of something going wrong. Thirdly, a technical tool – a converter – will be made available during this interim period that will connect the SIS I central system to the SIS II central system, enabling both to process the same information and ensuring that all Member States stay on the same level. Lastly, the mandate given to the Commission in 2001 expires at the end of this year.  We raised four concerns. Firstly, the need for the European Commission to continue to have a mandate to develop SIS II until it is operational. We are opposed to the idea, which was considered, of the Commission’s mandate finishing when work on the C-SIS central system is concluded. Secondly, for there to be a clear definition of the European Commission’s competences and of those of the Member States. Thirdly, that all the conditions laid down in No 2 establishing the legal basis for SIS should be fulfilled before the migration of the data takes place. Lastly, that this migration should be carried out in a single, one-shot phase, processed by all Member States.  The proposals we received on 3 September, on the same day that they were approved in Coreper, make major changes to the initial proposals. Normally Parliament should be consulted again when the texts presented involve substantial changes. However, once again, we are up against a tight schedule; the Commission’s mandate expires at the end of 2008 and it is essential that the Council approve these proposals at the end of October. Once again Parliament is showing it is living up to its responsibilities and it is not our fault that the process is delayed. As a matter of fact, the changes that have been made do answer most of the concerns outlined in my draft reports, especially in terms of clarifying the Commission’s responsibilities and those of the Member States and that the Commission will continue to have a mandate to develop SIS II until it is operational.  In conclusion, I should like to congratulate the French Presidency on the excellent work it has put into achieving a good agreement between the Commission and the Member States, which had looked as if it was going to be difficult. The European Parliament wants to contribute to avoiding further delays and to having SIS II operational by the new date set: 30 September 2009. We are, however, concerned, as various experts have said informally that it is more than likely that this date will once again not be respected.  There are two essential points that the European Parliament considers as key and that all the political groups support. Firstly, that the European Parliament should be updated on a six-monthly basis on the development of the project and, secondly, that the mandate given to the new Commission should not be an open-ended mandate and that a rule be included whereby the European Parliament has to be consulted again if there is a delay of more than one year. We sincerely hope that this time the project will be concluded in a timely fashion and that SIS II can start operating on the scheduled date. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.** – We will now hear from the Council. Mr Jouyet, on behalf of the European Parliament, I would like to thank you for being here all day. I believe that your attentiveness before this Assembly is a reflection of your commitment to Europe. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Jean-Pierre Jouyet,***President-in-Office of the Council.* – *(FR)* Mr President, thank you for your kind words. Obviously I return the compliment in terms of commitment to Europe, and to the Vice-President of the Commission, Jacques Barrot.  Mr Coelho, ladies and gentlemen, redesigning the Schengen system is necessary to develop the new functions that crime prevention and border control will demand in future. The ‘SISone4ALL’ system, Minister, developed on the initiative of the Portuguese Presidency, is a happy compromise that allowed the Member States that joined in 2004 to be included and, more importantly, led to the removal of controls at internal land borders, in December, and then at air borders, in March.  We all felt emotional seeing the last iron curtain come down, seeing Slovak and Austrian ministers symbolically cut down the wooden barrier at the Berg-Petržalka crossing point to the east of Vienna. I think that this is a proud moment for any staunch European supporter, knowing that we have an area of free movement of 3.6 million km2. This is the largest area in the world, although – as you know – the necessary corollary of this great freedom is an electronic system that allows us to identify suspected criminals and to follow the trail of false papers and stolen passports, while applying stringent data protection rules to guarantee individual freedoms. I would like to emphasise this point.  However, as you quite rightly said, the current system does not allow the use of modern technology, even if this complies with the fundamental principles of data protection and especially the principle of proportionality. How can the police be efficient with a central database that does not currently allow them to look at digital photographs of wanted criminals, to identify them with any certainty? This is why the aim of the Schengen II or SIS II information system must be maintained; as you clearly explained, this is the real issue in our debate. Mr President, on behalf of the Council, I would like to thank the Vice-President, Mr Barrot, who, under a new mandate, has agreed to continue overseeing the development of the new SIS central database, in addition to the connection with national databases. I would like to thank him for being personally involved in this project.  The draft texts that you will be asked to vote on tomorrow set out a clearer division of responsibilities between the Member States and the Commission during each phase, whether in terms of project development, final tests, the interim phase, with the converter, or the final migration of one system to another, in the interests of establishing an overall balance between the obligations of Member States and the responsibilities of the European Commission.  I would particularly like to thank Mr Coelho, who has worked swiftly, effectively and imaginatively on this important project, together with his colleagues from the Committee on Civil Liberties, Justice and Home Affairs. I would also ask him to pass on my thanks to the committee chairman, Mr Deprez. Mr Coelho has encouraged support for the texts needed for today’s plenary, and these texts incorporate the proposals that you made, Mr Coelho. Parliament’s support today allows us to embark on a new phase in the transition to SIS II, in time for the expiry of the Commission’s current mandate – an ad hoc mandate, I should point out – which is due to expire on 31 December. I would just like to reassure the Vice-President on this point.  Of course, the launch of the new system represents an enormous technological challenge, and one that was no doubt underestimated at first. In fact, the transfer of 22 million records involving more than 24 parties whose national databases are in different formats is, as you can imagine, no mean feat. However, the efforts that have been made in this project are, I think, up to the task. In view of these technical and financial efforts, the European Parliament deserves to be kept fully informed of the progress and of the difficulties that exist in the transition to the new system. A deadline should be set – as you said, Mr Coelho – to test the new system and check that it will be fully operational – as we all hope – in September next year, as agreed during the Justice and Home Affairs Council Meeting on 6 June.  We realise that we have set ourselves a tight deadline. The technical experts realise this. We can only meet this deadline if everyone is wholeheartedly committed to the SIS II project and shoulders their responsibilities. With this report, the European Parliament is sending out a positive signal this evening by asking perfectly legitimate questions. This is why the Council proposes to unconditionally approve the amendments tabled, which, I should point out, have received the support of all political groups within the European Parliament. Thank you so much for all your hard work. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Jacques Barrot,***Vice-President of the Commission.* – *(FR)* Mr President, I too would like to thank the Presidency and Mr Jouyet for agreeing just now with Mr Coelho’s report, since I truly believe that progress needs to be made in this crucial area now, without delay. I would also like to thank Mr Coelho for his report and for his personal commitment to the success of SIS II. If SIS II ever sees the light of day, then we will owe much to you, Mr Coehlo.  Your report again highlights the level of interest and ongoing support within the European Parliament for plans to develop the second generation Schengen Information System. Evidently, SIS II will be a key tool in the Common Space of Freedom, Security and Justice and, to that end, it is clearly essential that this system should be operational as soon as possible.  I am pleased, therefore, that an agreement has been reached on legal instruments relating to the migration of SIS I to SIS II. This agreement is acceptable because it respects the following three key principles:  – a clear delimitation of the tasks and responsibilities of those involved (Member States, Commission, Council);  – effective and unambiguous decision-making processes;  – the setting of compulsory milestones.  The adoption of this legal framework by October will help ensure that the work necessary for SIS II continues in 2009. It is true, as Mr Jouyet pointed out – you pointed this out, President-in-Office – that 30 September 2009, a date now recognised in the proposed legal instruments on migration, is an ambitious deadline. Even this summer we actually had to suspend some tests with Member States following an informal expert consultation.  The contractor now has a period of 20 days in which to correct the existing problems. However, there is no doubt that we need to keep a close eye on all of the potential problems that might arise and prevent us from keeping to the timetable for SIS II. We are currently in discussion with Member States on the best way of finishing the work on SIS II. We also need to find the right balance between the political priority attached to this system and, at the same time, the guarantee of excellence of the service rendered to the national authorities that will use it.  In any event, the proposed adaptation mechanisms give us some flexibility and oblige us to adopt the necessary transparency with regard to the development plan. Therefore, Mr Coehlo, we are in full agreement with your amendments; that goes without saying.  On the one hand, setting an expiry date for legislative acts on migration for the end of June 2010 will give us sufficient room for manoeuvre in the event of problems with finalising the development of SIS II or with migration. This date will also ensure that SIS II is fully operational by mid-2010.  On the other hand, the twice-yearly presentation by the Commission of reports relating to the development and migration of SIS I to SIS II will ensure that work on SIS II is transparent for the European Parliament.  For my part, Mr President, I would like to emphasise – like Mr Jouyet, speaking on behalf of the Presidency – that for Schengen to truly be a complete success – which it already is – we need SIS II. This is a real technological achievement, illustrating what Europe can do when it decides to use new technology. It is also absolutely essential.  This is why I am extremely grateful to Parliament, which, almost without opposition, has accepted all of these aspects and has approved Mr Coehlo’s report. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Marian-Jean Marinescu,***on behalf of PPE-DE***. –***(RO)* I endorse the rapporteur’s proposal of setting the deadline for this new legislative package for 30 June 2010; this is important in order to prevent any possible delays in the implementation of the second generation of the Schengen Information System, SIS II.  The removal of border controls on land and at sea, which started on 21 December 2007, as well as in the air (March 2008) is a relevant step for nine of the ten Member States. The Council decided that border control in the three outstanding states, Cyprus, Romania and Bulgaria, would cease when the operability of the Schengen System has been guaranteed following an evaluation. However, the working of the Schengen System in the three states depends on the working of SIS II in the current Schengen countries. As is known, SIS II was initially scheduled to start operating in May 2007, then it was delayed for December 2008, and now it has been postponed again to September 2009. This rescheduling may trigger delays in the three Member States. We should not forget that all of these three Member States are border states of the European Union and that they have both land and maritime borders.  The first two measures in the Schengen acquis are the removal of border control, its movement to external borders, and common procedures for the control of persons crossing external borders. These measures in the acquis are undermined by the fact that countries such as Romania, Bulgaria and Cyprus depend on the delayed implementation of SIS II in countries which are part of the Schengen Area. Therefore, I call on the Commission and the French Presidency to solve the problem of managing SIS II and to negotiate with the contractor, so as to avoid the imposition of a new timeline for the implementation of SIS II. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Roselyne Lefrançois,***on behalf of the PSE Group.* – *(FR)* Mr President, I wanted to say that Mrs Roure is the shadow rapporteur for this report. She could not be here today and so I am speaking on her behalf and on behalf of the Socialist Group in the European Parliament.  I share the comments made by the rapporteur, whom I thank for his work. This situation is in fact totally unacceptable. The launch of SIS II is considerably behind schedule. We have already had to extend the Commission’s mandate once until the end of December 2008 to carry out the migration. The Commission has again fallen way behind schedule and is now asking for an unlimited extension of its mandate to carry out the migration. This seems unacceptable to me, as any future consultation of the European Parliament on this issue would then be impossible.  However, we do not want the migration of SIS to SIS II to be rushed, since this would impact on the quality and security of the data and of the system as a whole. Consequently, every precaution must be taken to ensure that data is protected and that the system is secure. This is why we could agree to moving the calendar back and extending the Commission’s mandate to carry out the migration properly.  However, there is no way that this process can continue without democratic scrutiny by the European Parliament. This is why the PSE Group supports the rapporteur, in order to safeguard the powers of the European Parliament. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Henrik Lax,***on behalf of the ALDE Group***. –** Mr President, I would also like to extend my recognition to the rapporteur of his very good work.  The Schengen Information System is the largest common European database which operates as a joint information system for the Member States. This information can be used by the police and the judiciary when cooperating on criminal matters, as well as for checking individuals at external frontiers or on national territories, and also for issuing visas and residence permits.  The decision to create the second generation of the SIS **–** SIS II **–** took account of the need to introduce biometric data and new types of alerts, for instance because of the European arrest warrant. SIS II is also needed to bring on board the new Member States, as we have heard.  The new system was originally scheduled to begin operating in March 2007. We know there have been many delays, and a new timetable was announced providing for it to become operational by the end of this year. And, thanks to the transitional solution presented by the Portuguese Government and also mentioned here by Minister Jouyet, the so-called ‘SIS One 4 All’, it is now fully operational and it has allowed nine of the new Member Sates to be connected to the SIS. Nevertheless, as underlined by Commissioner Barrot, in this enlarged Schengen area, the reinforcement of security requirements has become even more urgent and can only be fully achieved by a full transition to the next generation of a system.  A must for this transition is that SIS II meets all the legally-defined technical and functional requirements, as well as other requirements such as robustness, response capacity and performance. Parliament is now asked to give its opinion on the two current proposals aiming to establish the legal framework governing the transition. As the ALDE shadow rapporteur, I fully support the line taken by the rapporteur, notably that the Commission shall submit by the end of June 2009, and then by the end of every six-month period, a progress report to the Council and to Parliament concerning the development of SIS II and also concerning the migration from the Schengen Information System to the SIS I+ to the second generation SIS II.  It has been extremely disappointing to face the fact that SIS II is not yet operational. With this new mandate and the rigorous testing that will take place, I hope that SIS II is finally on track to a successful launch by September 2009. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Tatjana Ždanoka,***on behalf of the Verts/ALE Group***. –** Mr President, I would like first of all to thank Mr Coelho for his customary productive work on the reports concerning transition to SIS II. The reports cover mainly technical things, but I would like to look at SIS II from a broader perspective.  Firstly, I would like to acknowledge the fact that the Portuguese presidency provided an opportunity for the 10 new Member States to join the old version of SIS. Otherwise, the new Member States, including my own, would have had to wait at least until September 2009 – in other words, almost two more years.  On the other hand, ‘late’ does not necessarily mean ‘bad’. SIS II will operate under two pillars. Nevertheless, we still do not have a legally binding framework decision on data protection within the third pillar. As SIS II introduces the processing of biometric data, the issue of data protection remains largely unresolved.  I would like to stress that my political group is extremely cautious where biometrics is concerned. Maybe we really have to wait for a solid legal background for data protection before we start using SIS II.  Another field where the operation of SIS might be useful is the entry bans introduced by the Member States for third-country nationals. According to the Schengen Convention, national law is applicable when a person seeks the deletion of an alert concerning him or her. In this respect, the regulation on SIS II provides for better procedural guarantees at European level.  To sum up, in some fields SIS II gives us a better Europe. Nevertheless, we will have to continue working on various significant flaws. If we have to wait in order to get more guarantees, perhaps we should be prepared to wait. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Pedro Guerreiro,***on behalf of the GUE/NGL Group.* – *(PT)*As various organisations that follow the process of communitarisation of justice and home affairs, areas at the very core of States’ sovereignty, have emphasised, with the ‘migration’ of the Schengen Information System to its second version, the characteristics of this information system and database have been extended with the inclusion of new types of alerts, such as the European arrest warrant, the addition of new data categories, such as biometric data, and access being given to new entities. New characteristics and functionalities have also been developed that interlink alerts and connect the system to the visa information system. It is also worth mentioning the worrying possibility that records may be kept, where necessary, for a long period of time, yet I wonder who will decide when this is necessary. Clarification is also needed on the all too vague area of the possible exchange of data with third countries.  It is our belief that this extension compared to the previous system brings with it risks as regards safeguarding citizens’ rights, freedoms and guarantees by adding new elements to a database which will be more accessible and which will mean a greater degree of information sharing. Basically, much more than responding to the enlargement to new countries, there is an attempt to adapt SIS to the dangerous preoccupation with security that is part of the increasing communitarisation of home affairs in the European Union, which we reject. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Hélène Goudin,***on behalf of the IND/DEM Group*. – *(SV)* Mr President, the subject we are now debating is of much greater importance than others that are regularly debated in this Chamber. We are discussing something as fundamental as the mobility of people within the so-called Schengen area. There is no doubt that this system eases travel for many individuals, but the downside of the system, it has to be said, overshadows its positive aspects.  I am referring to the fact that Schengen also results in the mobility of huge numbers of people being restricted because of social systems. Schengen is a further step towards the creation of a superstate, Fortress Europe. The creation of a society of control with immense powers. I do not wish to contribute to that.  There is indeed no doubt that cross-border crime is one of the greatest problems we are faced with today. Hence there is a need for cross-border solutions. However, I do not believe that Schengen, or the EU for that matter, is the right forum for the purpose. There is already Interpol, an excellent and efficient international police body in which sovereign states throughout the world participate. Instead of building up parallel systems, more should be done to strengthen Interpol. We know that criminality is not limited to our continent, but consists of worldwide networks. These were a few points of a general nature; now for the more specific ones.  One aspect, which in my opinion is treated all too lightly when it comes to the Schengen information systems, is the question of confidentiality. The personal data which will be processed and stored are of a highly sensitive nature. One of the most important tasks for the State is to provide its citizens with full safeguards against unauthorised access to personal data. Hence I see this as a national matter, since it is my firm opinion that the EU is in no position to provide the safeguards required. Besides, I consider it unnecessary and costly to establish new structures. After all, it is taxpayers’ money which has to finance the system.  I have long been of the opinion that the development of the EU, or European integration as some like to call it, can be compared to the growth of tyranny by small steps. Frighteningly enough, the steps are no longer particularly small. Instead we are witnessing large, determined and rapid strides towards the creation of an EU State. No true Europhile should accept that. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Zita Pleštinská (PPE-DE).** – *(SK)* Ladies and gentlemen, we are once again discussing the Schengen Information System (SIS) which is the main tool for the application of the Schengen principles. It is undoubtedly the backbone of a ‘borderless’ Europe and the Area of Freedom, Security and Justice and therefore it is essential that SIS II should begin to operate.  At the present time, the SISone4ALL system is fully operational as a transitional technical solution, allowing the nine new Member States to be connected to the SIS and of course, through accession to the Schengen area, to become full members of the Union. The date of 21 December 2007 was a great day in the history of my country, Slovakia, and of the entire EU. It marked the real fall of the iron curtain.  This is why I should like to thank Carlos Coelho for producing this report and for the tremendous efforts he has made. I am convinced that, but for him, the Schengen area would not have nine new members today. I believe that the new generation SIS will also manage to operate equally quickly and without any problems. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Jean-Pierre Jouyet,***President-in-Office of the Council.* – *(FR)* Thank you very much to all of the speakers for an excellent debate and for the wide support for the principle of the new mandate, as well as the position of the rapporteur, expressed by various speakers.  Mr Marinescu, I have praised the excellent work of the Portuguese Presidency, which has allowed new Member States to join the system. I have made a note that Romania wants to join the system as soon as possible under the supervision of the Commission, subject to any technical adjustments that might be necessary in this regard.  Concerning the observations made by Mrs Lefrançois and Mr Lax, the Council can only apologise for the delay, but we all recognise the efforts made by the Commission, the personal pledge from Vice-President Barrot to get things back on track and the strict measures imposed on the contractor. The Council will also remain vigilant alongside the Commission and all the Member States, who will remain strongly committed to completing the project, as planned, by ensuring that it is both technically feasible and effective, as well as guaranteeing citizens’ freedoms, of course.  In answer to Mrs Ždanoka and Mr Guerreiro, I understand – and Mrs Lefrançois underlined this – that several of you would like a further discussion on incorporating new functions into the system, but it is vital that we complete SIS II before we allow these. Therefore, I believe that it would be natural for there to be a political debate on what these new functions should be. However, as several of you have pointed out, this should not hinder the launch of the new system. In fact, it would be unacceptable to abandon these functions for the sole reason that an obsolete system – in this case SIS I – could not accommodate them. First of all, before we have this debate, it is essential that we have the system and that the technological development is completed.  In terms of the other speeches, which were mainly concerned with data protection, I would like to point out – as the President did, and we took part in this morning’s debate on personal data protection with Commissioner Barrot – that we effectively want to continue the work undertaken at European level, and that we believe that the guarantees you requested, in terms of protecting this data and sharing information with third countries, must be in place. Without returning to the general debate that we had this morning, I would just like to say that, in terms of the protection of this data, it was agreed that we would follow the recommendations of the European Data Protection Supervisor so that these concerns are taken into account. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Jacques Barrot,***Vice-President of the Commission.* – *(FR)* Mr President, I too would like to thank all of the speakers and the rapporteur once again. To follow up on what Mr Jouyet said, I would also like to remind everyone that we are very mindful of compliance with data protection rules. As you said, President-in-Office, the services are in regular contact with those of the European Data Protection Supervisor to ensure that these rules are properly integrated into the development and management of SIS II. A visit to Strasbourg by the European Data Protection Supervisor is planned in the first half of 2009, before the migration takes place, to ensure that data protection is secure.  The converter, which is in the process of being developed, will also enable secure data transfer from SIS I to SIS II. Mrs Lefrançois quite rightly said that this migration should not be rushed, and she is right. We need to be very careful.  In any case, the legal instruments contain specific provisions aimed at ensuring compliance with the principles of data protection. That is all I can say about data protection, bearing in mind that we need to pay close attention to ensuring that this system is consistent with what we are trying to achieve elsewhere in Europe in terms of data protection.  Now, going back to the matter of the delay: I completely understand Mr Marinescu, Mr Lax and Mrs Lefrançois, who clearly expressed their concern following the series of delays that we have had. As for SIS II preparations at central level, we are keeping a close watch on progress, we have introduced measures that will help us monitor things closely and the Commission’s services will specifically see to it that there are enough resources to follow up on the work of contractors.  Evidently, if necessary we can resort to the penalties provided for in the contracts, as my predecessor did by imposing a fine of more than EUR 1 million on one of the contractors. However, Mr President, ladies and gentlemen, rather than resort to penalties, I would prefer to see contractors working efficiently and keeping to our timetable.  Nevertheless, the implementation of SIS II does not just concern the central SIS II. Clearly we also need a considerable effort from the Member States. I am glad that the French Presidency is here today, because I know how committed it is to this.  To assist the Member States in their preparations at national level, the Friends of SIS II, established by the Slovenian Presidency and recognised by the French Presidency, is extremely useful. This high-level group, in which the Commission is actively involved, has the task of monitoring the implementation of SIS II in the Member States. It is only through solid cooperation that we will succeed in overcoming the problem.  I would just like to say that we are not trying to turn Europe into a fortress with SIS III; we are simply trying to make sure that the removal of internal borders does not mean a greater risk of uncertainty, violence and terrorism for the European Union and for European citizens. Therefore, I cannot allow it to be said that by creating SIS II we are closing the doors to Europe. It is not a question of that. It is simply a case of ensuring that, having removed our internal borders, we can offer European citizens a space – yes, I will say it – a space of security and freedom.  That is all, Mr President. In any case, I would like to thank the European Parliament and Mr Coehlo personally for investing so much in the construction of SIS II, which again is key to the success of Schengen. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Carlos Coelho,***rapporteur.* – *(FR)* Mr President, I am taking the risk of making my final comments in French in response to the courteous remarks made by Mr Jouyet and Vice-President Barrot. Therefore, I am now going to thank you in your own language. It has not been easy to reach a consensus within the Council, but you have succeeded. For us, two things are truly important: a clear division of competences between the Commission and the Member States, and the issue of the Commission’s mandate.  The Commission’s mandate cannot end until SIS II is working properly. I would also like to thank the Council, the Commission and all political groups in the Committee on Civil Liberties, Justice and Home Affairs for their work on drafting the amendments that we will vote on tomorrow. For us, the transparency clause is crucial: citizens have the right to be kept informed about Schengen and SIS II. As for the question of the Commission’s mandate, an unlimited mandate is unacceptable. However, we have managed to address that problem.  To finish, Mr President, I would like to explain why we like SIS II to those who have spoken rather negatively about the system. We like SIS II because we like freedom of movement in Europe. However, for there to be freedom of movement in Europe, we have to be sure that our external borders are secure. The security of our external borders is a condition of the freedom of European citizens, and that is why we urgently need SIS II. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.** – The debate is closed.  The vote will take place tomorrow. | |

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| **Verbatim report of proceedings** |  |
| **Monday, 1 September 2008 - Brussels** | **OJ edition** |

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Use of the Visa Information System (VIS) under the Schengen Borders Code (debate)** | |  |  |  | | --- | --- | --- | |  | [**Video of the speeches**](https://www.europarl.europa.eu/plenary/en/vod.html?mode=chapter&vodLanguage=EN&playerStartTime=20080901-19:04:58&playerEndTime=20080901-19:25:26) |  | | |  |  |  | | --- | --- | --- | |  | [**Minutes**](https://www.europarl.europa.eu/doceo/document/PV-6-2008-09-01-ITM-018_EN.html) |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**− The next item is the report ([**A6-0208/2008**](https://www.europarl.europa.eu/doceo/document/A-6-2008-0208_EN.html)) by Mr Brejc, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code ([**COM(2008)0101**](https://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexplus!prod!DocNumber&lg=EN&type_doc=COMfinal&an_doc=2008&nu_doc=0101) - C6-0086/2008 - [**2008/0041(COD)**](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2008/0041(COD))). |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Jacques Barrot,***Vice-President of the Commission*. − *(FR)* Mr President, I should firstly like to thank the rapporteur, Mr Brejc, for his work on this proposal. An important step is being taken which will allow us to benefit fully from the technical tools available to secure our external borders.  It is extremely important to use the Visa Information System (VIS) to ensure that the checks carried out at external borders are efficient. The VIS provides a reliable link between the visa holder, the visa and the passport in order to prevent false identities from being used.  The full benefits of this system will only be gained with the introduction of biometrics. The legislative instrument on the agenda will lay down, once formally adopted, the common rules to guarantee the efficient and harmonised use of the VIS at our external borders.  Without common rules, those border crossing points where the VIS is not systematically used could be exploited by illegal immigrants and criminals. By amending the Schengen Borders Code, these common rules will be established.  I can therefore fully support the compromise reached and congratulate the European Parliament and the Council on the agreement at first reading. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mihael Brejc,***rapporteur.***−***(SL)* I would like to thank the Commissioner for his kind words. The European Parliament is involved in a co-determination process for amending the regulation governing the use of the Visa Information System. The amendments to the visa system proposed by the Commission initially envisaged a very thorough control of the entry of third-country citizens needing a visa. This would involve not only the usual procedure of matching the person to the document, but also fingerprinting. The regulation contains all the search measures and conditions for the appropriate authorities managing the controls at external border crossings to access data for checking identity and so on – I will refrain from listing all these checks.  In accordance with this regulation, the border official has access to the Visa Information System, where he can check all the data on the passenger at the border, including fingerprints. The proposed regulation, that is to say a systematic checking with fingerprinting of third-country citizens every time (I emphasise every time) they enter the Schengen area, would certainly prolong the waiting time at border crossings, especially during the tourist season and at the beginning and end of public holidays.  Since Europe is a global economic power as well as an interesting tourist destination for third-country citizens, who of course need entry visas, in my opinion it is, or was, necessary to ease the regulation appropriately. That is why I proposed random checking and fingerprinting at border crossings. I thereby wanted to draw attention to the fact that the visa holder was fingerprinted once in the process of obtaining a visa, and then again on entering the Schengen area for the purpose of comparison and verification of identity.  I think that such an operation or such a rigid provision is an exaggeration because we actually have no data on, or estimates of, the numbers of forged visas. On top of that, fingerprinting totally unsuspicious people is senseless and time-consuming. Despite separate lanes for citizens of the European Union, very long queues would form at border crossings where everyone, namely citizens of the European Union and those with visas, would be queuing during public holidays and vacations.  In this session of Parliament we have managed, relatively quickly, to reach a consensus on certain deviations from such rigid provisions, and a compromise with the Council and the Commission was also reached after two trialogues. The Committee on Civil Liberties, Justice and Home Affairs approved the proposal with a large majority, there being no votes against and only two abstentions.  In brief, I think that the current regulation is good because it ensures a smooth border crossing. Even when there are many people queuing, the border official makes his own assessment in accordance with the regulation and, if conditions dictate, carries out a random check. The decision to carry out random checks is not a matter for the official alone, but primarily for his superiors at the border. I think we have ensured appropriate safety standards and at the same time enabled passengers to cross the border in the shortest possible time.  Allow me to take this opportunity to thank the Council and the Commission for their excellent cooperation, and especially the shadow rapporteurs, in particular Mr Cashman, for a number of good ideas and their active search for a compromise. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Urszula Gacek,***on behalf of the PPE-DE Group***. –** Mr President, the extension of the Schengen area has removed border controls in most of the EU and made day-to-day travel within those borders quicker and easier for our citizens. It also means, however, that non-EU citizens entering the Schengen area are effectively only checked once, at the external border.  While our citizens often equate illegal immigration with dramatic scenes of unseaworthy and overcrowded vessels breaching our maritime borders, or container-loads of unfortunates – victims of human trafficking – crossing land borders, the reality is much more complex. About 50% of illegal immigrants enter the EU legally, but fail to leave our territory on expiry of their visas. Secondly, incidents of falsified documents are widespread, especially at airports.  In order to reduce the number of overstayers, as well as to decrease the risk of granting access to persons with falsified documents, a harmonised and secure system for checking visa validity and taking fingerprints will apply in the Schengen area. However, as all our citizens who travel are well aware, increased security leads to increased inconvenience and waiting times at borders for bona fide travellers. Therefore a degree of pragmatism is also necessary. If there is deemed to be no risk related to internal security and illegal immigration, and traffic at a border is of such intensity that waiting times become excessive, then the need to take fingerprints may be waived.  This more flexible system may operate for a maximum of three years, after which an evaluation of its effectiveness will take place. While we aim to make Europe secure, we need at the same time to be welcoming to business travellers and tourists alike. I believe that the proposed visa information system has struck the right balance between those two objectives. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Michael Cashman,***on behalf of the PSE Group***. –** Mr President, I wish to thank the rapporteur for the excellent work he has done. The compromises we have achieved with the Council are sensible and effective, and I say this as the original rapporteur on the Schengen border code.  Brevity is the source of wit, so I will detain the House no more, other than thanking – as every MEP should – the two wonderful assistants, Renaud and Maris, who work with me and who make my work not only enjoyable but also productive. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Sarah Ludford,***on behalf of the ALDE Group***. –** Mr President, as the rapporteur on the visa information system (VIS), and still working on the amendment of the common consular instructions to govern the actual collection of the biometrics, I take a great interest in anything that concerns the visa information system.  When we decided on the VIS, we allowed for this three-year period when the search could be done using just the visa sticker, without the fingerprints in the VIS. But I have slightly mixed feelings about the compromise. I support it because that is what has been able to be agreed. But on the other hand the Commission has rightly said that only a biometric check can confirm with certainty that the person wishing to enter is the one to whom the visa has been issued, and therefore a systematic consultation of the VIS, including a biometric check by border guards, should be performed for each visa holder. I am therefore a little bit worried about the derogation and the ability to have random checks.  I shall look forward to this report after three years, and ensure that flexibility has not become a loophole, because of course if we are going to have the VIS we had better apply it properly. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Tatjana Ždanoka,***on behalf of the Verts/ALE Group***. –** Mr President, I would like to thank Mr Brejc for his excellent report. We appreciate his point that consulting the VIS using the visa sticker number in combination with the verification of fingerprints will create a lot of problems. Therefore we welcome the introduction of a derogation in exceptional cases to consult the VIS without verification of fingerprints.  Nevertheless, in our opinion, the report is not as ambitious as it should be. The derogation should instead be a general rule. We suggest that the VIS should be consulted in exceptional cases when there are doubts regarding identity. It is well known that the Verts/ALE Group strongly opposes the extensive introduction of biometrics until its necessity is proved beyond reasonable doubt. We believe that it has crucial implications for personal data security and for fundamental rights. Therefore we cannot vote in favour of the regulation at this time. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Philip Claeys (NI).** –*(NL)* Mr President, the regulation rightly provides that, for everyone in possession of a visa, the Visa Information System (VIS) should be systematically consulted for a biometric check. This is the best and safest way to check the authenticity of a visa. It is regrettable, therefore, that Parliament feels the need to undermine the principle by introducing a list of situations in which we will make do with checking the identification sticker and not proceed to check the biometric data. There is a danger then that, due to the introduction of this list, biometric checks will become the exception rather than the rule. I know, of course, that it is impossible to perform the biometric checks routinely in all circumstances, but it should certainly be the rule. In the context of the fight against illegal immigration and the fight against terrorism and cross-border criminality, we cannot permit a lax and informal approach in this case. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Gyula Hegyi (PSE). -***(HU)* Mr President, Hungary was naturally also very pleased about joining the Schengen zone. Allow me to say a few more sentences in connection with this topic, concerning the unfortunate situation that has developed on the border of Hungary and Austria. In many respects the Austrian authorities do not take the Schengen system into account: although Hungary has been part of Schengen for nearly a year, they ask for the passports of Hungarians arriving from across the border and impose fines if they do not have a passport. Naturally, this is not a frequent occurrence but, when it does happen, it understandably and justifiably causes great antipathy in Hungarian public opinion. Unfortunately, in addition to this, there is also a practice of closing, at the border, roads that have existed up to now, to prevent Hungarians from using them to cross the border without a passport under the Schengen Agreement. I hope that there will be a way for us to stop these abuses by the Austrians. Thank you. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Manfred Weber (PPE-DE).** – *(DE)* Mr President, I also believe that we have an excellent result from our rapporteur which takes account of security on the one hand and practicability on the other. However, we have also heard that, if we look to the future, one of the key concerns is the issue of overstayers, in other words people who enter the EU legally but fail to leave our territory and vanish from view on expiry of their visas.  I should just like to add this to the debate: over the long term, if the entry and exit system is to work, we will need to have systematic checks. We will not be able to avoid these, and we need to be looking at this issue at Europe’s external borders. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Jacques Barrot,** *Vice-President of the Commission*. − *(FR)* Mr President, I must once again thank your rapporteur, Mr Brejc, because he has grasped the main aim of the proposal, which is to secure the borders, without forgetting, however, that these borders must be sufficiently flexible. I believe that the two can be reconciled and that you have achieved this in this text which is the result of an excellent compromise. I would add, as an echo to what Mr Weber has just said, that we do have a problem in terms of both opening up Europe to everyone wishing to enter and leave on a regular basis, while being relatively attentive to those who, it must be said, try to cheat and abuse the rules. This dual requirement of openness and, at the same time, regularity and respect for the law must therefore be taken into account.  My thanks go to the House for allowing us to make progress in securing our borders while maintaining the necessary flexibility. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mihael Brejc,***rapporteur*. **−***(SL)*I would like to comment on two contradicting opinions: deviation as a general principle and strict observance of the rules laid down in the Schengen Code.  It is precisely the compromise we have reached that allows reasonable border crossings even when the queues are really long. Just imagine a border crossing between, say, Slovenia and Croatia during a public holiday when fifty to sixty thousand people turn up, ten thousand of whom have a visa. If those ten thousand had to be fingerprinted, the others, who are citizens of the European Union and can cross the border without any formalities, would have to wait a day or two. Therefore, let us be realistic and create a strict control system comprising reasonable measures for a smooth border crossing.  Let us not forget that the regulation clearly states, and I quote: ‘… *for the sole purpose of verifying the identity of the visa holder and/or the authenticity of the visa …, the competent authorities for carrying out checks at external border crossing points … shall, …, have access to search using the number of the visa sticker in combination with verification of fingerprints of the visa holder’*. Therefore, in all cases where there is even the slightest doubt, the border official will check; in all other cases, when there are a large number of people at the border, he will act in accordance with the regulation, which allows for some deviation.  We must not build a new ‘Berlin Wall’ of officials and information. The European Union is and should continue to be a global power that is considerate towards its own citizens and to others who are entering.  I would like to thank Mr Cashman, among others, and of course the Commissioner for their patience when we were working on this compromise. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**− The debate is closed.  The vote will take place tomorrow.  ***Written statements (Rule 142)*** |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kinga Gál (PPE-DE),***in writing***. –***(HU)* Mr President, ladies and gentlemen, we all agree on the necessity of amending the Schengen Borders Code so that its provisions are consistent with the stipulations of the Visa Information System.  However, the Commission’s original proposal is problematic since it stipulates that, when citizens of third countries cross the border, not only should the validity of the visas be checked but fingerprints should also be taken from them. This may, however, cause huge congestion at the EU’s external borders, mainly at inland border-crossing points during holiday periods or on public holidays.  I therefore welcome the rapporteur’s proposed amendments, which provide that these checks should not be carried out systematically but only as random samples, under well-defined conditions and time restrictions.  In the vote tomorrow, please support the Committee’s opinion that crossing our external borders should become possible without long waiting times, not only in principle but also in practice. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Ramona Nicole Mănescu (ALDE),***in writing.* – *(RO)* This regulation comes as an answer to the need to secure and strengthen the European Union’s borders by making control at border check points more efficient. Nevertheless, the most important aspect refers to establishing common rules for the harmonization of the Visa Information System.  Although some Member States deemed that the mandatory use of VIS could only be achieved when the technological development allowed the feasible use of portable devices, with a rapid transfer and a certain check, I believe the rapporteur’s proposal to let the border police officer choose whether to use the Visa Information System or not represents a solution until the technological system allows rapid data transfer and its systematic use.  We should also not forget that an adequate control at the EU borders would increase the internal security of Member States and, consequently, would fight frauds such as organized crime and even acts of terrorism. Moreover, in addition to the significant increase in the efficiency of border controls, a systematic consultation of the Visa Information System would also constitute a preliminary condition for greater flexibility when submitting the visa application. |  | |

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| **Verbatim report of proceedings** |  |
| **Tuesday, 12 June 2012 - Strasbourg** | **OJ edition** |

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| |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | | **4. Legal basis of the Schengen evaluation mechanism (debate)** | |  |  |  | | --- | --- | --- | |  | [**Video of the speeches**](https://www.europarl.europa.eu/plenary/en/vod.html?mode=chapter&vodLanguage=EN&playerStartTime=20120612-08:59:31&playerEndTime=20120612-09:48:31) |  | | |  |  |  | | --- | --- | --- | |  | [**Minutes**](https://www.europarl.europa.eu/doceo/document/PV-7-2012-06-12-ITM-004_EN.html) |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– The next item is the Council statement on the legal basis of the Schengen evaluation mechanism ([**2012/2687(RSP)**](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2012/2687(RSP))).  I would like to make it clear that there will be no catch-the-eye procedure during this debate.  I have agreed with Commissioner Malmström that we will give her the floor for her statement after the group chairs have spoken. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Morten Bødskov,***President-in-Office of the Council.*– *(DA)* Mr President, Commissioner, honourable Members, thank you very much for the opportunity to speak during the European Parliament’s debate on this important matter.  It is said that politics is the art of putting off decisions until they are no longer relevant. I do not agree. We are in politics in order to take decisions, decisions for the benefit of the population, including when these decisions are not popular. I am sure that that applies to all of us here today.  The decision to change the legal basis for the proposal for the Schengen evaluation mechanism is not equally popular in all quarters. I am happy to admit that. It is necessary, however, if we are to achieve the results that Europe needs. Given the positions of the Member States, this was the only possible decision in the Council.  The EU is there to benefit the citizens of Europe, and creating a European community without internal borders is one of the greatest achievements in our history, European history. It is our responsibility to safeguard that victory. An absolutely crucial prerequisite for maintaining an EU without internal borders is the confidence that the Member States will live up to their obligations under the Schengen rules.  There has been a strong political will for many years to bolster the Schengen evaluation mechanism. A year ago, the European Council called for the evaluation system to be strengthened in order to effectively meet the challenges facing us and for the establishment of a special mechanism to deal with extraordinary situations, where Schengen collaboration as such is at risk. It is these two proposals that make up what is known as the Schengen governance package, which was put forward in September last year.  Both the Polish and the Danish Presidencies have worked intensively on the two proposals in the Council. I am therefore also satisfied to have achieved a unanimous Council last week in order to provide a common response to the challenges facing Schengen cooperation.  There has subsequently been a specific focus on one of the elements of the Council’s common response, namely, the changing of the legal basis for the Schengen evaluation proposal from Article 77(2)(e) to Article 70 of the Treaty on the Functioning of the European Union. There were, however, a number of elements to what was decided by the Council. First of all, there was political unanimity on the content of the Schengen evaluation mechanism, including a change of legal basis from Article 77(2)(e) to Article 70. Next, there was the decision – and I would very much like to emphasise this clearly at this point – to consult Parliament in accordance with Article 19(7)(h) of the Council’s Rules of Procedure in order to ensure that Parliament’s position is taken into account as far as possible before the final text is adopted. Thirdly, there was a general approach on the content of the proposal to reintroduce border controls. These three factors thus constitute the basis for the first informal trialogue with the European Parliament in respect of this proposal.  This is an important decision, and I am pleased to have the opportunity to explain the change from Article 77 to Article 70. First of all, it is important for me to make it clear that, if we were to have a stronger evaluation mechanism, it was necessary to change the legal basis. The alternative was that we would not have a new evaluation mechanism, as it was not possible to reach agreement in the Council on a proposal that could be adopted under Article 77. I am absolutely convinced that we, as publicly elected politicians, best fulfil our responsibility towards the electorate by keeping the focus strictly on our obligation to also get results. In the Council, there was one possibility, and one possibility alone, for us to achieve this result. Clearly, that opportunity must not be wasted. In that connection, I would also like to stress that the Council was unanimous in endorsing the decision to change the legal basis. I would also like to point out, in this regard, that, with this decision, the Council followed the very clear pronouncements of its legal service in respect of the proposal. As a third point, the Council did, in fact, make it very clear that it wanted to take into account all the aspects of Parliament’s position as it moves forward with this matter.  I therefore hope that it is absolutely clear, given what I have just said, that the decision to change the legal basis is a purely legal decision based solely on content and not politics. For that reason, honourable Members of this House, it would be entirely wrong to turn this into a fight between the Council and Parliament. Nothing, honourable Members, could be more wrong and more destructive to our common desire for stronger Schengen cooperation.  It is important for me to stress that the Council proposes continued dialogue on the whole Schengen package, not just the proposal on border controls, but also the proposal on the evaluation mechanism. Given the serious challenges that the EU currently faces, there is a need for close cooperation, in which we all come together to find answers to the challenges. Only through collaboration can we come up with the solutions that Europe’s citizens expect of us. The Danish Presidency therefore attaches an extraordinarily high degree of importance to close collaboration with Parliament.  From day one, we have had very close contact with the rapporteur for the Schengen evaluation proposal, Mr Coelho. The same applies to other Members of this House. We have listened, and ensured influence for Parliament, we have had sound and constructive dialogue, and that is something that I would like to thank you all for. I was therefore also pleased to hear that, in a debate in the Committee on Civil Liberties, Justice and Home Affairs on Thursday, 31 May, the rapporteur for the proposal recognised the Presidency’s efforts to incorporate Parliament’s views into the text, which has now achieved unanimous support in the Council. With this proposal, we have taken a major step in the right direction, and that is thanks in no small part to the efforts of Mr Coelho and other honourable Members of this House.  It is thus a strong desire on Parliament’s part that has helped ensure that the Council’s compromise also includes the absence of controls at internal borders. It is also partly thanks to Parliament’s efforts that the Council’s compromise provides for an increased role for the Commission, the possibility of unannounced evaluation visits, the fact that the evaluation mechanism applies to both first and second mandate evaluations and, finally, also a high degree of transparency, with regular reports to Parliament.  We have had close contact, and it is therefore certainly not a surprise to the Presidency to hear points discussed here that are important to Parliament. What is more, the proposal on the Schengen Borders Code continues to be subject to the ordinary legislative procedure, with Parliament as the colegislator.  I mention this because I know that the issue of the re-introduction of border controls is a subject close to Parliament’s heart. It was therefore also important to the Presidency to have the politically sensitive provisions on that very ability to re-introduce border controls transferred to the proposal on the Schengen Borders Code. By moving these provisions, we ensured that Parliament continues to be colegislator in respect of these absolutely key provisions, despite the change of legal basis for the proposal on the evaluation mechanism. At one stage, there was a proposal to transfer the provisions on the re-introduction of border controls back into the evaluation mechanism. However, that was something that the Presidency and many other Member States opposed. If they had been moved back, it would have been understandable for Parliament to be critical of the Council’s actions, but that was not the case.  Honourable Members of the European Parliament, the fact that today we have an EU without internal borders is the result of many years’ worth of efforts, and it is therefore important to see the bigger picture in respect of this proposal. With the Council’s compromise, we are paving the way for a more EU-based model and, as the outcome of the debate at the meeting of the Council last week showed, it is key for the Council to involve Parliament to the greatest possible extent in the wider work on the proposal.  I look forward to the debate today, which I am pleased is taking place. None of us should be in any doubt that the Council wants to continue a close dialogue with Parliament on this matter. The Presidency has enjoyed close collaboration with Parliament on this important proposal for Europe’s future. Honourable Members, it is our joint task now to push this proposal forward. The citizens of Europe expect that of us. Thank you for giving me the floor. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Joseph Daul,***on behalf of the PPE Group.* – *(FR)* Mr President, I will try to stay calm, even though I am absolutely seething. Minister, we had already been provoked, and you have provoked us even further this morning. However, I will stay calm.  *(Applause)*  By deciding unanimously, against the opinion of the European Commission, to alter the legal basis of the Schengen evaluation mechanism, the interior ministers have made a decision that is completely unacceptable to the Group of the European People’s Party. I would like to thank Ms Malmström for the courage she showed right to the end. She did not bend under pressure from the Council.  *(Applause)*  Ms Malmström, we will need the Commission over the next few weeks, as the debates will be tough.  Minister, I am surprised that you did not introduce visas at the same: you would have protected our 500 million consumers even more.  *(Applause)*  By proposing this initiative, you have broken the bond of trust with this Parliament: this initiative has broken the fundamental principle of the community method in a very dangerous way and, as you know, I am very attached to that principle. You have attacked it and you will find us blocking your way.  This principle prevents the larger Member States from imposing their will on the smaller States. It ensures that Europe’s general interest comes before national interests. You have broken that, my friend. The European Parliament and Commission are the guardians of this community method, and we have no intention of giving up on it.  Last Thursday, I asked the Presidency of the Council, in the person of Ms Thorning-Schmidt, who is a former member of the European Parliament herself, to appear before this Parliament to explain her position. She telephoned me yesterday evening, and I think she ought to have been here this morning, because the community method is important and she knows what she is talking about.  The Danish Presidency does not have enough respect for Europe’s 500 million citizens to even bother to tell them why it has denied its Members of Parliament the right of codecision on a subject as important as freedom of movement.  As far as I am concerned, since the evening of 7 June, the Danish Presidency is over. Between now and midnight on 30 June, we will address either the Council or the incoming Presidency of the Republic of Cyprus. You should know that I had to think long and hard before saying that, but you have broken the community method. That is something that must not be done.  *(Applause)*  At a time when the economic and social crisis we are going through calls for a spirit of solidarity, responsibility and respect from everyone and from all our national and European leaders, you have broken that respect. By withdrawing their trust in Parliament, the Member States are going in the opposite direction to the one that will allow us to come out of the crisis from the top down: in other words, via political integration between us. The solution to our problems is not to withdraw behind our borders; quite the opposite: the solution is shared sovereignty and joint management, in a spirit of mutual trust and of respect for the thing we hold most dear: our freedoms.  Our group asks the Council to reverse its decision. Only by doing this will it be able to come back to this European Parliament.  *(Applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Hannes Swoboda,***on behalf of the S&D Group.*– *(DE)* Mr President, Mr Bødskov, some said that I would have a hard time today, with a social democratic government and presidency, but you have made it very easy for me. Everything that you have said, we are opposed to. We had an extensive discussion within the group yesterday and we concluded in unison that we are strongly opposed to what you have done. We reject the position that you have just expressed.  *(Applause)*  The Group of the Progressive Alliance of Socialists and Democrats in the European Parliament takes a clear view that you have gone down the wrong road, and a dangerous one at that. You have the experience of Denmark. Did you not learn anything from your predecessors in office, from how the government came under pressure from right-wing populists? You should surely have learned that that is not the right way to go! Unfortunately, you learnt nothing.  May I come back, now, to the quoted reasons for this move? We were told that there was a mass stampede of Tunisians to Europe. That was the origin of this debate. Mr Berlusconi and Mr Sarkozy agreed that they simply had to close the borders, as if that would solve the problem! So, where are these millions of refugees in Europe all of a sudden, the ones to which you have to react, Mr Bødskov? Instead, we have something else. The Europeans intervened in Libya, an intervention I fully supported. Millions of refugees fled from Libya to Tunisia. Because, as before, there are many Libyan refugees in Tunisia, does that mean that we might have to close our borders, or make it easier to do so? Is that our response to the Arab Spring? That is the wrong answer, Mr Bødskov, absolutely the wrong answer.  *(Applause)*  I agree that there is a problem – a problem on the border between Turkey and Greece. So, then, should we close our borders, because that is the only way to solve that problem? Is there no one left in this Europe who argues that we need to show solidarity, we need to help ensure that this border is made secure against illegal immigrants? Has it, then, become the custom in Europe to respond to populist demands? Does the Danish Presidency also go along with this? That, if you ask me, is a scandal, and we find it unacceptable.  *(Applause)*  You then have the gall to come here and tell us that we should actually be grateful to you for preventing something worse from happening. Is that your impression of the European Parliament, that we would get down on the floor and say ‘Thank you, Presidency, you prevented permanent new borders in Europe’?  I know why the Council of Justice and Home Affairs Ministers locked out Parliament. It did so because this institution, together with the Commission – and I would like to add my thanks to the Commissioner – has always been the institution that has defended the European accomplishment that is freedom of movement. We have defended it in many debates. Given that you know that there would be opposition here in Parliament if borders were to be closed again without reason, you have removed from Parliament the right of codecision in the evaluation. If you listen to some Justice and Home Affairs ministers – and I am thinking of some quite specific people – then you know how the land lies, and then you know people’s reasons for wanting this. Indeed, a few of the ministers want to have more options to close borders before elections – as was the case in Denmark – or on other occasions. That is the reason, and we reject it.  The S&D Group, like the other groups in this House, is unanimous, and we will pursue all avenues – political and legal – to fight against what you have begun. You are opening a door to right-wing populism in Europe. I am sorry that it is the Danish Presidency that is opening this door.  *(Loud applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Guy Verhofstadt,***on behalf of the ALDE Group.*– Mr President, next Thursday – in two days’ time – we will celebrate Schengen’s 27th birthday. So let me thank the Minister very much for the gift.  It is a shame that we are having this debate today. In fact it is a disgrace. Certainly it is a disgrace, Mr Minister when, a few minutes before starting this debate, you publish a press statement in Danish – and we have some Danish Members who will be able to read that – saying that this agreement is good for Europe and that it has been the outcome of a very deep dialogue with the EU Commission and with the EU Parliament. That is what it says in the statement released by your services this morning, just a few minutes ago.  Well, Mr Minister, we are no longer living in the Middle Ages. In the Middle Ages, there was a dialogue between the King and the Parliament, but today we live in the 21st century. It is not based on dialogue but on codecision in a modern society and in a modern parliament. So we do not need your dialogue. What we need is for you to recognise the powers of the European Parliament.  In fact, colleagues, this dispute is not about the power of the European Parliament. It is, in fact, a question of an attempt by the Council to renationalise Schengen by doing two things: first of all. changing the legal basis so that this Parliament lies outside the decision-making process and secondly – and more importantly – by clearly stating that implementation of the new *acquis* will be delegated to the Council and not to the Commission. So this is not an attack against Parliament but, more importantly, an attack against the Commission, against the communitarian method, and against the fact that Schengen is a full part of European Union policies.  What is an even bigger scandal is that the United Kingdom, which is not in Schengen and has an opt-out, will be treated better than Parliament. Under Article 70, the UK will continue to be present at the negotiations –without having a say, apparently, but it will be present – but this Parliament will not.  So we have to take clear action today. Firstly, I think we need to go to court.  Secondly, why is it necessary to pay for all this? If they want to renationalise, let them renationalise, for example, and then pay for the Schengen *acquis* themselves. Instead, it is the European Union which has to do it.  Thirdly, Minister, why are we continuing with you on Justice and Home Affairs? Why continue with the Dublin II report on asylum? We have a trialogue on 19 June. Why is it necessary to go on with it? Why continue with the Díaz de Mera report on the visa safeguard clause? We have two trialogues in the next two weeks. Why are we continuing with this? Why are we continuing with the Weber report on the reintroduction of border controls if we have no say on the Coelho report? Why should we continue in any way with you, the Danish Presidency? Why are we not suspending all talks on Justice and Home Affairs until the new Presidency is in place?  *(Applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Rebecca Harms,***on behalf of the Verts/ALE Group.* – *(DE)*Mr President, Mr Bødskov, ladies and gentlemen, for me, the worst thing is that I get the impression that the Danish Presidency is acting against its better judgment. All the conversations I have had have led me to conclude that, in Denmark, in the government there that just recently wanted to bring about pro-European progress in the discussion on Schengen, people are actually well aware that there cannot be a happy ending where social democrats are following right-wing populists.  *(Applause)*  Ladies and gentlemen, in terms of content, everything has already been said, except one aspect that I would like to re-emphasise. I actually find it deeply shocking that a Danish Presidency of the Council, with which my group sought close cooperation, should today declare its distrust of the European Parliament overall, and not only that, but its distrust on an issue that is relevant to our citizens right across Europe. We are not trusted, in the conflict between freedom and security, to make decisions to the benefit of the well-being of our citizens. There are former Heads of Government who are now Members of this House. You know them all. Why do you, why do the Justice and Home Affairs ministers of the European Union, believe that we in this House cannot be trusted with the security of our citizens?  For me, that is absolutely scandalous, and I believe that you are performing something of an emperor’s new clothes trick. Since Europe’s citizens are so insecure as a result of the financial and economic crisis, you are resorting to an arena that really should not be occupied in this populist way. You are taking an axe to one of the greatest achievements of the European Union, freedom of movement, and that is truly shameful. We will take this to court. I am certain that – in contrast to what you said – today is not a good day in your Presidency for Denmark and for Europe. It is the saddest day of your Presidency.  *(Applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Anthea McIntyre,***on behalf of the ECR Group.*– Mr President, I, too, was surprised by the Council’s move to change the legal base of Schengen, but I am even more surprised by colleagues’ reactions here today. This is a time for cool heads and calm consideration. We should not be reacting with a childish tantrum and by throwing our toys out of the pram. We are in very challenging times in Europe and we need good working relations with all the institutions.  Our first step should be to investigate the legal consequences of the Council’s actions, but I have sympathy with the Member States who unanimously agreed on the change of legal base. The evaluation mechanism is linked to the proposal on temporary border controls, both of which we voted on in the Committee on Civil Liberties, Justice and Home Affairs (LIBE) last night. In both cases, we have seen proposals from the Commission to create a Brussels-based Schengen governance, and in both cases the Member States strongly disagree, with solid arguments.  You will recall Article 4 of the Treaty on European Union, which states that ‘national security remains the sole responsibility of each Member State’. In my view, the management of a country’s borders is directly linked to matters of national security. I understand why Member States do not want to give up this competence, so let us proceed in an ordered and sensible way with cool heads, rather than this unnecessary reaction. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cornelia Ernst,***on behalf of the GUE/NGL Group.* – *(DE)* Ladies and gentlemen, at the end of the day, the EU’s open borders represent the most important symbol of the Union around the world, and they have a deep allure to many people across the globe. We in the Confederal Group of the European United Left – Nordic Green Left, as you know, have always criticised the fact that the EU is also associated with fencing off the outside at the same time. That is precisely the reason why it was so important to us to retain a built-in European emergency mechanism, but the Council was up in arms about that idea. I can only say to you that what you are doing here, what you, the Council, are celebrating, is troglodytic. Go back to the basic principles of the Community! I beg you to do that! Put an end to this kind of, ultimately, anti-European politics. Ladies and gentlemen, the policy of the Council in this case is anti-democratic, as it seeks to downgrade Parliament to the status of a consulted body. We will not tolerate this, however. We have it in writing, we have a Treaty right to codecision, and we intend to – and will – exercise that right.  My second point is that the Council’s decision is deeply anti-European because it nationalises Schengen. I ask you, the Council, the Danish Presidency: do you want to bring back the customs borders? Do you want to go back to the 19th century? What signs are you hoping to send to the outside world with this decision? You are making yourselves look ridiculous to the world, and to Europe.  My third point is that this decision by the Council is populist, in the truest sense of the word, and provides a boost to the forces of nationalism, exactly those people who want to retreat to the nations and destroy the Europe that we have built. We cannot settle for that. I appeal to you to take back your decision, and be Europeans again! |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Auke Zijlstra (NI).**– *(NL)* Mr President, Member States have decided to take responsibility for border security back into their own hands. The European Parliament will no longer play any role in this. Mr Verhofstadt, speaking in his own name as well as on behalf of the delegations of D66 and the Dutch People’s Party for Freedom and Democracy (VVD), has called this decision a declaration of war. However, it is, in fact, the European Parliament that is waging a war against Member States. This Parliament has done nothing to stop the influx of illegal immigrants. This Parliament does not want to take notice of the problems caused by cross-border crime.  Member States are making a choice in favour of security and, therefore, *against* this Parliament. Member States are making a choice in favour of their citizens and, therefore, *against* this Parliament. The fact that Parliament is opposed to such decisions only shows that Member States are being very sensible. Mr President, Member States ought to take a whole lot more policies back home, back to the national parliaments, which are the *actual* bodies that represent their people.  This House, Mr President, should abolish itself. Not only is that a much cheaper solution, but it would also be a step in the direction of peace and security. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cecilia Malmström,***Member of the Commission.*– Mr President, a year ago, there was a lot of anxiety about Schengen. There was fear of unilateral actions on unclear grounds. There was uncertainty over how to act in cases of real persistent problems at borders and under what conditions borders could temporarily be reinstalled.  The European Council asked the Commission to bring forward proposals to strengthen Schengen and to enable it to deal with future crises. It asked for a European-based mechanism.  In September last year, the Commission brought forward such a proposal. It brought forward a proposal on a European-based evaluation to enable the Commission, together with Member State experts and their agencies, to detect problems early at our borders in order to be able to identify what could be done, to propose remedies, to activate all our tools and to present an action plan that would be compulsory and that the Commission would monitor. This would replace the peer-to-peer review that we have today and which has proven to be quite useless.  The legal basis for this would be Article 77, because only then would there be a robust evaluation with binding impact and an increase in political legitimacy, as the European Parliament would be a colegislator. This is not just a legal proposal; it is also a political ambition.  *(Applause)*  The other proposal was on the Schengen border code, which is also a European mechanism for the reintroduction of borders as a last resort and is linked to the evaluation mechanism. Such a situation might arise when everything else has been tried. Member States are masters of their borders, but Schengen is a joint European achievement and very much cherished by our citizens. New borders will affect citizens, business, trade, jobs and growth, and that is why any decision to reinstall borders cannot be taken unilaterally. It must be a European decision.  On the Commission side, there is clear disappointment at the decision by the Council. It adds very little to current rules; we are creating a system where there is no real enforcement decision that can be followed up at EU level and it does not equip us to fight abuse or populist movements arising from domestic pressure.  I appreciate the European Parliament’s support for this and am convinced that the last has not been said on this matter. We also took note of the vote yesterday in the Committee on Civil Liberties, Justice and Home Affairs (LIBE). The Commission will work on this file together with Parliament, and I count on Parliament’s support to work towards a stronger Schengen to the benefit of our citizens, where we defend security but also freedom of movement for citizens, business, jobs and growth so that we have clear and transparent European rules for evaluation and decision making.  *(Applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Morten Bødskov,***President-in-Office of the Council.*– *(DA)* Mr President, I would like to offer my thanks for today’s very lively debate and for the opportunity to provide Parliament with a direct account of the Council’s discussions on the Schengen evaluation mechanism. I have listened very carefully to the arguments and views put forward today, and there is one point I would like to stress, which is that all the questions about the introduction of border controls that the honourable Members of this House have raised are part of the ordinary legislative procedure. It is therefore a misunderstanding to say that Parliament is unable to influence such questions.  It seems to me there is no justification for anyone to attempt to make this into an expression of some major struggle between the Council and Parliament. The changing of the legal basis was a necessary consequence of the content-related compromises that we managed to reach in the Council. The Council’s discussions on the content of the proposal very clearly showed that it would have been impossible to achieve the required majority for a proposal that could be based on Article 77.  There can be no doubt that the Council fully recognises that the Council and Parliament have a completely equal interest in ensuring a sound and properly functioning Schengen system. In this connection, I would therefore also like to recognise, and offer my thanks for, the driving force that Parliament has constantly represented in relation to the development of Schengen cooperation. In many cases, Parliament has been a crucial factor in the ongoing adaptation and development of that cooperation, and therefore it is also to a large extent to Parliament’s credit that the Schengen system has been equipped to face the challenges that have arisen on a regular basis. For many years, Mr Coelho has been practically the personification of that drive, and it is my clear hope that we will continue, in future, to make good use of Mr Coelho’s insight and dedication to this cause.  Despite the voices of disagreement that have been raised today, I am certain that the crucial question for all of us is how we can together ensure a better framework for, and better administration of, Schengen cooperation. It is to that end that the Council has now tabled its offer in the shape of the proposals that were agreed on Thursday. The Council and the Danish Presidency have been in constant dialogue with Parliament on this matter, and I feel that the many discussions that we have had on all the elements of the Schengen governance package have been both constructive and rewarding. It was crucial for the Danish Presidency to work to ensure that Parliament’s main concerns were reflected in the compromise agreed by the Council. I believe that the Presidency has succeeded in this to a very great extent, and the Presidency therefore also has high hopes that the end result for all elements of the Schengen governance package will be satisfactory for both the Council and Parliament. The ball is now in Parliament’s court. When it comes to the Schengen Borders Code, Parliament will have its usual role as colegislator to play. In relation to the Schengen evaluation mechanism, Parliament will be informed of the results of the negotiations in the Council. As I stressed in my introductory remarks, however, the Council proposes close dialogue on the whole package, not just the proposal on border controls, but also the proposal on the evaluation mechanism.  It was very clear from the discussions in the Council over the last week that the Council does want to take account, to the greatest possible extent, of the views expressed in Parliament in connection with consultation. Let me therefore be absolutely clear: the Council has the strongest possible wish and the strongest possible desire to enter into close dialogue with Parliament about this matter. No one should be in any doubt that the Council does have the best of intentions. The reality, after all, is that only if the Council and Parliament join forces can we achieve the results that we absolutely need and that are also expected of us.  In light of that, I look forward to further collaboration on this issue, and I look forward to entering into close and constructive dialogue with Parliament. I know that the same also applies to the incoming Presidency. I now very much look forward to Parliament bringing forward its formal communication of your position on this matter. I will take the many views that have been aired here today back with me to the Council, and I would like to offer my thanks to you once more for the opportunity to be present here today and to provide you with a more detailed account of the negotiations on this matter in the Council. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– Mr Bødskov, ladies and gentlemen, I ask for your attention for one moment, please. Mr Bødskov. I get the impression that the delight about the continuation of this debate is very much only on one side. Rule 151 of our Rules of Procedure provides that a speaker who is directly addressed should be given the opportunity to make a personal statement at the end of the debate. This applies to the rapporteur, Mr Coelho, who has been addressed a number of times. I therefore give him the floor pursuant to Rule 151. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Carlos Coelho (PPE).** – *(PT)* Mr President, ladies and gentlemen, the Danish Presidency started well with Minister Bødskov’s pragmatic approach, but finished badly due to the Council’s intransigence. The Council has demonstrated that it does not trust this Parliament and, more significantly, it has shown negative signs of a return to the mentality that existed before the Treaty of Lisbon. I accuse the Council of not wanting to strengthen freedom of movement. I accuse the Council of being obsessed with multiplying, enlarging and enhancing the reintroduction of controls on internal borders. I accuse the Council of not wanting a true evaluation of Schengen, which would identify the problems, lead to their resolution and strengthen the security of our citizens. I accuse the Council of wanting to retain the existing system under which, as Cecilia Malmström put very well, the Member States hide and ignore each other’s mistakes and shortcomings. I accuse the Council of rejecting a European mechanism and of going back to a tired and outdated intergovernmental model. Mr President, finally, I accuse the Council of a dangerous madness and, as several other speakers have highlighted during this debate, renationalising the Schengen project is undesirable. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Morten Bødskov,***President-in-Office of the Council.*– *(DA)* Mr President, I would just like to take the opportunity – as Mr Coelho has just spoken – to thank him for the close collaboration that we enjoyed and for being a close sparring partner for the Danish Presidency for a prolonged period in connection with this proposal. I would also like to thank him for recognising that the Presidency has listened. The House’s views will now be taken back to the Council, and I hope that we can use them as a starting point for a continued constructive dialogue in order to ensure that we achieve what we all have an interest in, namely, a dialogue about how we can bolster Schengen cooperation. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  | | --- | --- | --- | --- | |  |  | **IN THE CHAIR: OTHMAR KARAS** *Vice-President*  The debate is closed. ***Written statements (Rule 149)*** |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Vilija Blinkevičiūtė (S&D),***in writing.* – *(LT)* A year ago, the Council condemned the unilateral actions of countries restoring border controls and obliged the Commission to present specific proposals on how to strengthen the protection of the Schengen area and the management of the EU’s external borders. Nevertheless, it is now becoming clear that governments do not see the Schengen area as a common European achievement or common value. Member States do not wish to establish the centralised European border management mechanism proposed by the European Commission, of which the European Parliament has repeatedly expressed its approval. Heads of Government would apparently find it unacceptable to have an independent and impartial arbiter who would monitor how the Member States are complying with the provisions of the Schengen *acquis*. In my opinion, so that we can continue to ensure a successful area of free movement in the European Union, we simply need to strive for the creation of an independent evaluation and supervision mechanism, the functioning of which would be based on democratic principles. That is why it is illogical to allow the Member States to assess their own performance in carrying out border controls, particularly those Member States on the EU’s external borders where controls must be tighter. In my opinion, recent events have demonstrated the shortcomings of the current mechanism in which Member States have a decisive role. As nationalistic movements are being ignited more frequently and clearly, mutual trust among Member States will soon collapse. I therefore hope that the measures we, the European Parliament, will take, will be effective and that EU citizens will be able to continue to take advantage of the freedom of movement without hindrance. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Corina Creţu (S&D),***in writing.* – *(RO)* The decision made by the Justice and Home Affairs Council regarding the right of Schengen area Member States to reintroduce national border controls temporarily is a great and regrettable backward step in the process of European integration. It is also a flagrant violation of the provisions of the Treaty of Lisbon, which establish the codecision procedure involving the Council and Parliament. It marks an outrageous switch from the constantly restrictive attitude hitherto adopted by the Council regarding the freedom of movement issue to removing Parliament from the decision-making process on the Schengen area. This abuse is likely to compromise both the Community spirit and the institutional and regulatory framework forming the basis of the European Union. The tendency in favour of renationalising the Schengen area, on its 27th anniversary, under pressure from the national and populist trends which are against the free movement of citizens, is unacceptable. Indeed, changing the legal basis of the mechanism for evaluating the implementation of the Schengen rules is tantamount to Parliament being relegated from the position of codecider, as specified in Article 77 of the Treaty of Lisbon, to a purely consultative position. This is a two-pronged attack against open borders – one of the major hallmarks of the European Union – and against the only European forum directly representing citizens’ wishes. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Ioan Enciu (S&D),***in writing.* – *(RO)* The Council’s decision to change the legal basis of the Schengen evaluation mechanism is unacceptable for at least two reasons. Firstly, it is a serious violation of the Treaties and of the principle of sincere cooperation between institutions, thereby helping to foster a spirit of distrust between the European institutions. Secondly, apart from the legal and interinstitutional considerations, the Council’s approach even jeopardises the Schengen area’s integrity. The evaluation mechanism proposed by the Council will not make any improvement compared to the current system, and is the opposite of Parliament’s desired option, which is a European evaluation system where the Commission plays the key role. In practical terms, Member States would like to continue sweeping the problems at the Schengen borders under the carpet instead of promoting an effective evaluation mechanism involving both assistance in the event of shortcomings and sanctions when they are required. Parliament cannot accept such an approach to the Schengen area and is prepared to take the matter to the Court of Justice of the European Union if the Council does not reconsider its position. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Pavel Poc (S&D),***in writing.*– *(CS)* The decision of Member State interior ministers to change the legal basis for the formation of a new Schengen evaluation mechanism from Article 77 to Article 70 of the Treaty on the Functioning of the EU, and thus from codecision on the part of the European Parliament, as originally proposed by the Commission, to mere consultation, is absolutely unacceptable. The ministers want to chip away at one of the cornerstones of the European Union, and one of the EU’s fundamental rights – the right to freedom of movement – by means of non-transparent intergovernmental agreements without the participation or democratic control of the European Parliament. This opens the door to unilateral action and closes the door to the European monitoring that is needed for protecting workforce mobility. Member State governments have again shown that they do not respect the EU’s sole democratic institution. In recent years, I have repeatedly taken the Commission to task over the controls on the Czech-German border, which are absurd, discriminatory and, above all, a violation of the Schengen Code. The Commission has finally begun to address this problem effectively. Now, all European citizens are being dealt a blow by their own governments, which want to close them up within the old administrative borders any time they like. Bringing back borders in this way is a retrograde step for our freedom, our economy and our further development. I believe that the European Parliament will find a way of blocking this, and I am personally very curious as to what the European Court of Justice will have to say about this approach taken by the ministers. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Mitro Repo (S&D),***in writing.*– *(FI)*Other Members from various political groups have now reacted strongly to the Council’s decision not to include the European Parliament in the decision-making process with regard to the Schengen *acquis*. This is yet again a woeful example of how attempts are being made to trample underfoot the powers granted to Parliament.  At present, the Committee on Culture and Education is debating the Europe for Citizens Programme, and there is a similar dispute about the legal basis going on in this connection. According to the Commission and the Council, Parliament has no say in what the programme should consist of, although this is an initiative that relates very closely to ordinary people. It is indeed strange that an institution that is elected by means of direct democratic elections and which represents 500 million Europeans should not be able to decide on the content of decisions that affect Europeans.  Now the same thing is happening with Schengen. Free mobility is one of the EU’s greatest achievements and one of the most tangible rights of the EU citizen. I am astonished that the Council wants to strip Parliament of the role which the very same Member States granted it at Lisbon. The dangers connected with all this are a weakening of the rights of the individual, a deterioration in democratic principles, and a decline in cooperation between Parliament and the Council in the future. The Council has adopted an anti-European stance. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Edward Scicluna (S&D),***in writing.*– The solution is not for Member States to kick countries out of Schengen because they cannot cope with irregular migration, but to work together to ensure that this situation does not happen. The value of the EU is in seeking common solutions to common problems rather than an ‘every man for himself’ attitude which inevitably means that the smaller and poorer countries struggle. The countries that directly border non-EU countries, or are islands, already face a disproportionately high burden, and the question of absorption capacity has become particularly acute following the Arab Spring. My own country, Malta, has seen over 700 irregular migrants arrive in the last month which, when taken on a per capita basis, is akin to Germany having to cope with 400 000 people. The Dublin agreement forms the basis of a common EU approach to immigration. We need a combination of burden sharing and financial assistance so that asylum seekers and economic migrants can have their cases judged swiftly and fairly. Passport-free movement guaranteed under Schengen is one of the major achievements of the EU. It would be a shame to see it unravel because of politicians pandering to populist prejudice rather than seeking a solution. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Adrian Severin (NI),***in writing.*– The members of the Council insist that the Schengen legal basis is in need of change merely because they want powers to reintroduce the internal borders within the EU. This is utter populism, since internal borders do not improve the life and security of the citizens, but put limits on their freedom. It is clear that the Council intends to renationalise the Schengen project, and to go back to an outdated intergovernmental approach. More than seeking to satisfy the ego of one of the European institutions, this reflects the demagogic approach of the dialogue with the national societies, rather than the concern for the security of the citizens. The change in the legal basis of the Schengen evaluation mechanism should be considered only in terms of finding the correct paths for the implementation and putting into effect of the Schengen *acquis*. The Member States gathered in the Council want to control and change the Schengen mechanism as they please, not for improving it, but for hiding their incapacity to improve the life of the citizens by presenting the freedom of movement as the source of all evils. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Rafał Trzaskowski (PPE),***in writing.* – *(PL)* The Council’s decision to amend the legal basis for decisions imposing temporary restrictions on the free movement of persons limits the European Parliament’s involvement in such decisions, and is thus nothing other than an infringement of the Treaties which should be taken to the European Court of Justice. This decision represents a threat not only to the EU’s institutional structure, but, above all, to one of the greatest achievements of integration, namely, the freedom enjoyed by citizens of the EU to move around its territory. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kathleen Van Brempt (S&D),***in writing.*– *(NL)* The Council’s decision to sideline the European Parliament in the reform of the Schengen Agreement lays the way open for an attack on the fundamental rights of European citizens. If Parliament is not given any say over Schengen’s evaluation mechanisms, we will no longer have democratic scrutiny of decisions which could even lead to the temporary reintroduction of passport controls. This is unacceptable. The Council should review its decision because it erodes the principles and basic freedoms of the European Union, in particular, free movement of people. I therefore fully support the proposals that have been put forward so that we, as Parliament, can resolutely counteract this decision. Firstly, by political means, that is, by suspending the ongoing negotiations with the Council, and then legally, that is, by taking all necessary steps to prepare an action and bring it before the Court of Justice. What we need in these difficult times through which the EU is currently struggling is more solidarity and more trust; we need a European approach and European solutions. What we do not need is the erosion of European institutions, putting national interests first and allowing the demands of the large Member States to prevail. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  | | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Josef Weidenholzer (S&D),***in writing.* – *(DE)* For months now, the European Parliament has been negotiating what has become known as the Schengen package under the ordinary legislative procedure. Suddenly, however, the interior ministers changed the legal basis (Article 70), aiming to transfer responsibility for this to the Member States. Behind this perhaps seemingly technical issue hides the basic question behind all European politics: are the Community and its institutions to make decisions based on community principles or are the national governments to perform that function based on more or less agreed positions – in other words, are decisions to be made on a Community or intergovernmental basis? Since the entry into force of the Treaty of Lisbon, the European Parliament has developed more and more into an institution that stands above national special interests. This could, perhaps, act as a brake against populist politics, which occurs regularly in many Member States, especially in the run-up to national elections. It seems clear that Europe’s interior ministers fear that the European Parliament takes its role as guardian of European fundamental rights seriously. | | |
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Accession of Bulgaria and Romania to Schengen (debate)** | |  |  |  | | --- | --- | --- | |  | [**Video of the speeches**](https://www.europarl.europa.eu/plenary/en/vod.html?mode=chapter&vodLanguage=EN&playerStartTime=20111012-17:43:20&playerEndTime=20111012-18:57:42) |  | | |  |  |  | | --- | --- | --- | |  | [**Minutes**](https://www.europarl.europa.eu/doceo/document/PV-7-2011-10-12-ITM-015_EN.html) |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– The next item is the debate on  – the oral question to the Council on the accession of Bulgaria and Romania to Schengen by Renate Weber, Sophia in ’t Veld, Alexander Alvaro, Cecilia Wikström, Sarah Ludford, Filiz Hakaeva Hyusmenova, Stanimir Ilchev, Louis Michel, Metin Kazak, Sonia Alfano and Gianni Vattimo, on behalf of the ALDE Group ([**O-000218/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000218_EN.html) – B7-0628/2011),  – the oral question to the Council on the accession of Bulgaria and Romania to Schengen by Cornelia Ernst, Willy Meyer and Marie-Christine Vergiat, on behalf of the GUE/NGL Group ([**O-000221/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000221_EN.html) – B7-0629/2011),  – the oral question to the Commission on the accession of Bulgaria and Romania to Schengen by Cornelia Ernst, Willy Meyer and Marie-Christine Vergiat, on behalf of the GUE/NGL Group ([**O-000222/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000222_EN.html) – B7-0630/2011),  – the oral question to the Council on the accession of Bulgaria and Romania to Schengen by Claude Moraes, Ioan Enciu and Iliana Malinova Iotova, on behalf of the S&D Group ([**O-000223/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000223_EN.html) – B7-0439/2011),  – the oral question to the Council on the accession of Bulgaria and Romania to Schengen by Marian-Jean Marinescu, Andrey Kovatchev, Carlos Coelho, Mariya Nedelcheva, Monica Luisa Macovei, Elena Oana Antonescu, Simon Busuttil, Georgios Papanikolaou and Manfred Weber, on behalf of the PPE Group ([**O-000224/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000224_EN.html) – B7-0440/2011),  – the oral question to the Commission on the accession of Bulgaria and Romania to Schengen by Marian-Jean Marinescu, Andrey Kovatchev, Carlos Coelho, Mariya Nedelcheva, Monica Luisa Macovei, Elena Oana Antonescu, Simon Busuttil, Georgios Papanikolaou and Manfred Weber, on behalf of the PPE Group ([**O-000225/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000225_EN.html) – B7-0621/2011),  – the oral question to the Council on the entry of Bulgaria and Romania into the Schengen area by Mara Bizzotto, on behalf of the EFD Group ([**O-000234/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000234_EN.html) – B7-0631/2011),  – the oral question to the Commission on the entry of Bulgaria and Romania into the Schengen area by Mara Bizzotto, on behalf of the EFD Group ([**O-000235/2011**](https://www.europarl.europa.eu/doceo/document/O-7-2011-000235_EN.html) – B7-0632/2011). |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Renate Weber,***author.* – *(RO)* Mr President, the qualifying matches for the European Football Championship are taking place at the moment, which makes us all experts on football. In fact, the situation of Romania and Bulgaria can be compared to a football match which both countries have lost, not on the pitch, but through a random decision. Although they trained hard for it and played very well technically, both countries have failed to qualify for the ‘Schengen League’ because some referees decided that the original rules and fair play do not matter and have devised new rules, right in the middle of the game, which no one is actually familiar with, but which have extremely serious consequences.  I personally wish to thank the Polish Presidency for the constant efforts it has made, aimed at achieving my country’s accession to the Schengen area. However, the fact that we are debating a resolution today on a matter which we already decided by vote four months ago highlights what a tough stalemate the European Union is currently in. This is why I find it absurd that we have two versions of the truth, one from the European Parliament and the other from the Council, about the freedom of movement within Europe’s borders. I am sure that the authorities and officials in the Netherlands and Finland understand that European citizens have rights which cannot be interpreted and applied differently, according to the nationality or ethnic group they belong to by birth. However, they have given in to trivial, though vociferous domestic pressures.  If we feel a sense of responsibility, we cannot allow a new split in Europe: either east-west or north-south. This is precisely what the far-right parties are expecting, that people, feeling duped and confused, will refuse to be governed from Brussels any longer. This is why the double standards must be dropped from both the speeches made by Europe’s political leaders and from their decisions. If these double standards had not existed, Romania and Bulgaria would have already been part of the Schengen area, and this decision would have produced a positive impact on the European economy. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Marie-Christine Vergiat,***author.*– *(FR)* Mr President, on 22 September, the Council rejected the accession of Romania and Bulgaria to the Schengen area. What hypocrisy! True, the Netherlands and Finland were the ones who vetoed this application, but the majority of the Member States, starting with France and Germany, seem to share their misgivings. Yet Romania and Bulgaria have now fulfilled the conditions that were imposed on new members in 2008, and they seem to be even better prepared than some of the countries that were accepted without hesitation at the time.  The need for so-called guarantees regarding the fight against corruption and organised crime has been cited. Dare I say it, that is a load of rubbish. What is the sad reality? The political developments in a number of Member States are the only real reason for this refusal. Xenophobia is increasingly undermining Europe, and fears are being played on, because the underlying reason for this refusal is still the fear of a lack of border controls, and it shows what the reality of the Schengen area is.  How does the so-called principle of the free movement of persons work if some European citizens are denied that which is granted to citizens of non-EU countries? The reality of the Schengen area is that it is increasingly becoming a security area in the strictest sense of the word, a security-based police area that allows Europe to turn in on itself. It is a fortress Europe that refuses to take in a few million Tunisians or to reach out to a few dozen Libyan refugees. The Finnish and Dutch governments’ courting of popular opinion and, hence, voters, is broadly supported in many Member States.  The Commission is the guardian of the Treaties. Can it explain to us which new criteria are going to be imposed on Romania and Bulgaria? When will the same principle of reversed qualified majority voting that is applied to economic matters be introduced for matters relating to human rights, justice and freedom? For how long are we going to let the Union drift, and for how long will the interests of the few continue to take precedence over the general interest? Yes, the European Union has a governance problem, but it is not a problem of economic governance; it is a problem of political governance. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Claude Moraes,***author.*– Mr President, the Socialist and Democrat Group also begins with the premise that Schengen is a cornerstone of the European Union and therefore, we should not create a two-tier situation in relation to the Member States of the European Union.  The continuing delay and blocking by Member States, in particular, the Netherlands and Finland, of Romania and Bulgaria joining the Schengen *acquis* risks creating that two-tier system for EU Member States. Bulgaria and Romania have met the criteria to join Schengen, the same criteria that were applied to each Member State that has previously joined the *acquis*. Furthermore, this has been judged and verified by the independent expert EU committee, yet some Member States are now taking the political initiative of blocking their accession on the basis that they have serious levels of corruption and organised crime. Of course corruption and organised crime are serious issues, but the approach to these serious issues is disingenuous and is creating a problem with one of the key principles of the European Union and its freedoms.  The EU has an ongoing evaluation mechanism to judge organised crime and corruption, but we must not pervert that mechanism in creating a two-tier system for these countries. The Member States should be treated equally and fairly. We work hard to tackle all forms of discrimination and we have to ensure that we do not allow for the creation of a subsidiarity position for Romania and Bulgaria. Of course we welcome efforts to strengthen and improve the Schengen *acquis*; re-evaluating any legislation is necessary to improve it and adapt it to be able to best respond to current demands and situations. However, the rules that we create must also be respected by all Member States in Council. It should not be that we negotiate EU legislation which is then ignored by some Member States and Council.  We have to strengthen Schengen and ensure that an instrument which was created for solidarity purposes across the EU – for the freedom of individuals across the EU – is not now used to divide it. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Marian-Jean Marinescu,***author.* – *(RO)* Mr President, Romania signed the Treaty of Accession in 2005. At the same time, it undertook to comply with the obligations contained in the Schengen Agreement and fulfil the provisions included in the Cooperation and Verification Mechanism relating to justice and the fight against corruption. Both commitments include separately requirements and sanctions in the event of non-compliance. The mechanism is still applicable. The Commission drafts progress reports every year and has the option to apply the stipulated sanctions in the event of failing to comply with the scheduled phases. The Schengen road map has been fulfilled in its entirety, in keeping with current EU provisions, which was confirmed by the decision made by the JHA Council in June this year.  In addition to this, the European Council in June, including Romania, proposed a review of the Schengen criteria, but clearly stated in the conclusions that this proposal would not affect the accession process involving Romania and Bulgaria. Unfortunately, the JHA Council has not kept to its own decision in June and did not adopt any decision in September.  The situation we are in is completely unclear, with no sign of hope, where a Member State is fulfilling its obligations, but is being blocked, and we might even say, punished by other Member States without any legally justified reasons. Furthermore, according to the Treaty on the Functioning of the European Union, the Commission is the only body which can propose sanctions against a Member State.  The European Union is based on a number of principles, including trust and, in particular, mutual respect. In the current situation, I believe that the European Council needs to intervene. I call on the European Council to discuss this matter and make a fair decision based on the proper merits of both Member States, for the benefit of all Member States and the European Union. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mara Bizzotto** , *author.*– *(IT)*Mr President, ladies and gentlemen, Finland and the Netherlands opposed the motion in the Council for a very simple reason: Bulgaria and Romania are not currently able to ensure effective border control and are the scene of rampant corruption involving politicians and organised crime.  These are not the words of the populist parties and movements, but of Europol in its 2010 report on organised crime. There is no populist propaganda, but a serious security problem. Were Bulgaria to join the Schengen area at this time, law enforcement and security agencies predict that Bulgaria’s borders, especially its maritime ones, would become easy targets for organised crime syndicates from Eastern Europe and Turkey, and Bulgaria and Romania would become the crossroads for trafficking of human beings and drugs.  It is natural that some Member States should have many reservations about the real capacity of Bulgaria and Romania to ensure effective border control against organised crime and corruption, and so it is quite natural that they should oppose their membership of Schengen. Allowing them in now means opening the door to transnational organised crime syndicates and opening a gaping hole in Europe’s borders where there is intense migratory pressure from Turkey.  There are many reasons to oppose this and Europe cannot ignore them. I would therefore like to know what the intentions of the Commission and Council are on this delicate question, which I think has so far been treated recklessly, without taking into account the dangers that the entry of Bulgaria and Romania would entail, according to the competent bodies dealing with security and international crime.  In my opinion, the Commission and the Council should postpone the entry of these two countries into Schengen and give the go-ahead only when there is reasonable assurance that the entry of Bulgaria and Romania will have no impact on the security of European citizens. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Piotr Stachańczyk,***President-in-Office of the Council.* – *(PL)* Mr President, I am very grateful to Parliament and the political groups for raising this important issue and for putting questions to the Council at today’s sitting. I am pleased that the question of Bulgaria and Romania’s accession to the Schengen area is so particularly important to members of this House.  I am sure you all know that the Council discussed this matter at the meeting of 22-23 September on the basis of a compromise proposal put forward by the Presidency. It was drafted in response to fears – expressed earlier by some Member States – over the initial request for a decision on a framework for full application of the provisions of the Schengen *acquis* to Bulgaria and Romania.  Unfortunately, it became clear that it would be impossible to guarantee the unanimous support within the Council which is essential to reaching agreement. Therefore, the Presidency decided not to put the request for a Council decision to the vote.  Honourable Members, as you know, the Act of Accession of 2005 provides for verification through an evaluation procedure in order to guarantee that Bulgaria and Romania fulfil the conditions necessary for application of all parts of the Schengen *acquis*. This is an essential condition for the Council so that it can – after consultations with the European Parliament – decide on full application of the *acquis* and the consequent abolition of checks at internal borders and at borders between these two Member States.  These evaluations were carried out between 2009 and 2011. After completion of the evaluation process, on 9 June this year, the Justice and Home Affairs Council adopted conclusions corroborating the fact that the necessary preconditions enabling the Council to decide on the abolition of checks at internal air, land and sea borders have been met. The Council also agreed that it would come back to this matter as soon as possible and not later than September this year.  The Polish Presidency submitted a compromise proposal to the Council. This proposal provided for the gradual abolition of internal border checks: initially at air and sea borders, and then at land borders. This proposal was also the fruit of a process of intensive discussions with the Member States, including, of course, Bulgaria and Romania. As I have already said, it did not receive the necessary unanimous support.  We are still treating the accession of Bulgaria and Romania to the Schengen area as a priority, and we are involved in work which will enable a quick decision to be made on this matter. The Polish Presidency is determined to ensure that agreement is reached quickly on this matter, and to this end we are going to continue to work on a balanced approach which will allay the specific fears expressed by some Member States while also providing for the abolition of checks at land borders in a reasonable timeframe.  The Presidency will keep Parliament informed about this situation as it develops. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cecilia Malmström,***Member of the Commission.*– Mr President, thank you for putting this issue on the agenda. Thank you for your support on this. As you are aware, the decision on Romania and Bulgaria joining the Schengen area is the responsibility of the Council, so it is the Council who can and who has answered many of your questions.  From the Commission’s side, we have repeatedly said that the two countries fulfil the technical criteria, they belong in the Schengen area, we support them entering the Schengen area, and we also support the numerous and very hard efforts made by the Polish Presidency. I hope that we can find a solution to this in the very near future. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Simon Busuttil,***on behalf of the PPE Group.*– Mr President, this debate and this resolution are our response to the unjustified delay by the Council of Bulgaria’s and Romania’s accession to the Schengen zone.  This Chamber has already made its position clear and we reiterate it today: namely, that Bulgaria and Romania should be allowed to join Schengen once they fulfil the entry conditions. We say this out of a basic sense of fairness and respect for the rule of law, so we are very surprised and deeply disappointed that, despite Bulgaria’s and Romania’s having fulfilled the conditions for membership – the same conditions that were applied to all the rest of us – the Council failed to ratify the decision to give them the green light.  We are told that this happened because of the opposition of two Member States – the Netherlands and Finland – which wield a veto on the decision. That is disappointing because both these countries have a strong European tradition of respect for fairness and the rule of law. As it happens, both their governments rely on the support of populist parties. I would not like to think that the reason for the blockage is that these governments are held hostage to populism, because that would be very worrying indeed. We need to stand up to populism by explaining to the public that fairness dictates respect for the rules, and that when the rules are respected, we should draw the appropriate conclusions: in this case, by allowing both Bulgaria and Romania to join the border-free area of Schengen. We should not be afraid to explain this to the public. We should not be afraid of taking fair decisions, and we should not be afraid to show political responsibility. Not to do so would be to move the goalposts after the game has started, and that is simply not fair. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Iliana Malinova Iotova,***on behalf of the S&D Group.* – *(BG)* Mr President, I want to say a special word of thanks to Ms Malmström who is always present when Schengen is being discussed, but I am surprised that the President of the European Commission, Mr Barroso, is not among us during such a debate, which is supported by the vast majority in the European Parliament. He is obviously not interested in this or in the will of MEPs, preferring to take part in the pre-election campaign in Bulgaria rather than deal with this matter.  We are urging with today’s resolution for both the Commissioners and ministers of the Council to become fully involved in making a decision or setting a definite timetable for Bulgaria and Romania to join Schengen. This case involving the accession of both countries is an extremely serious matter because it casts doubt over the effectiveness of European law. The criteria for becoming members of this area have been fulfilled, but no decision has been made. The Council has put the Commission and all of us in a legal tangle, as it allowed new requirements to be imposed on both countries during the same accession procedure. The European Commission must issue a much tougher response to this behaviour from the Council as it is the guardian of the Treaties and oversees their compliance. The European Commission must ensure that the new package being proposed for assessing compliance with the Schengen criteria will be complied with by all Member States and will not be dependent on political realities.  Finally, I would also like to reply to Ms Bizzotto by quoting a statement made today by our Socialist colleague: ‘If we had a similar attitude to combating crime and corruption in Member States as to Bulgaria and Romania, Italy ought to have left Schengen a long time ago’. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Sarah Ludford,***on behalf of the ALDE Group.*– Mr President, the EU is based on the rule of law; Romania and Bulgaria have passed the Schengen tests. It is unfair and invidious to allow populist nationalism to move the goalposts. Of course we need stricter tests for Schengen participation. In fact, it is a disgrace that Member States which insisted on keeping charge of setting the criteria failed to insert anti-corruption, the independence of judges and fighting mafia crime into them. That is what we need to do from now on, so new and existing Schengen members are properly evaluated and, if necessary, sanctioned. But, for the time being, apply the rules.  Finally, it makes no sense to exclude the UK from the Schengen evaluation process. The UK is not in the border-free arrangements, but it will be in the Schengen Information System and ought to be included in scrutiny, otherwise other Schengen states cannot evaluate the UK. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Tatjana Ždanoka,***on behalf of the Verts/ALE Group.*– Mr President, we all know there were some shortcomings on Bulgaria and Romania’s road to Schengen, but now the problems are resolved and Bulgaria and Romania are fully prepared to join the free travel area in 2011. One cannot invent new criteria for joining the Schengen area and one cannot undermine the certainty that a state may join as soon as the existing criteria are met.  My group finds it unacceptable that the Netherlands and Finland have even blocked the Polish Presidency’s compromise in the Council without formulating any convincing reasons to do so. Such action undermines European solidarity and I hope that the European Council will find a solution – as we have heard today – with the assistance of the Commission. I would like to thank Ms Malmström for this.  I myself come from a Member State which joined the Schengen area in the previous enlargement and I remember how we wanted to join the Schengen area. As such, I very much welcome the accession of Bulgaria and Romania. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Timothy Kirkhope,***on behalf of the ECR Group.*– Mr President, suggesting there are flaws in a system and acknowledging weaknesses is not intended as an attack on any Member State or the achievements of the Schengen area, but instead the logical conclusion from reflecting on a system which is no longer working properly or responding to modern challenges.  Some Member States have shown their reservations about Bulgaria and Romania joining the Schengen area – and they do this despite the Romanian and Bulgarian people having worked so incredibly hard to meet the criteria that have been set for them – but calling those reservations xenophobic or racist, as we heard a moment ago, is a cheap and unworthy suggestion.  Unfortunately, Romania and Bulgaria are the victims of the current criteria which are outdated and lack coordination with modern European concerns, concerns which should rightfully include corruption and organised crime. We have the resources through Europol, Eurojust and Frontex – and indeed OLAF – to improve the system, to find a better way forward by making sure that Member States are ready to join. By ignoring this reality, we do ourselves, the Schengen area and the Member States in question a gross disservice. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Dimitar Stoyanov (NI).** – *(BG)* Mr President, I am not at all surprised that double standards are being applied to Bulgaria and Romania. Double standards were applied to Bulgaria and Romania throughout the whole process of their accession to the European Union. I have been listening to us for six years in this Chamber denying that double standards are applied. Nevertheless, the negotiations were conducted based on double standards and the accession process was a glaring example of double standards because Bulgaria and Romania were separated from the other 10 countries in the fifth enlargement round. Double standards apply to the process for joining the euro. Now it is the turn of Schengen – the next example of double standards. In fact, look at who is imposing a veto – the Netherlands – a country which recently showed that it actually does not want to be part of Schengen.  The problem is not whether Bulgaria and Romania have fulfilled the criteria, nor is it even the desire of the Dutch and Finnish governments to apply double standards. The problem lies, ladies and gentlemen, in the actual system which you federalists have set up – a crazy, absurd and pointless system which needs to be scrapped and does not have any kind of practical use. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Carlos Coelho (PPE).** – *(PT)* Mr President, Mr Stachańczyk, Commissioner Malmström, firstly, I would like to say that all of the assessments carried out by the Council and the Member States have proved that Bulgaria and Romania comply with the rules and are ready for accession; and, secondly, Parliament endorsed that view by a substantial majority in June. Yet now, when we should be congratulating these two governments and receiving these two countries into the Schengen area, the Council is refusing to rule in favour, owing to the opposition of two Member States. It is crucial that the Council overcome this situation swiftly, so as not to exacerbate the sense of injustice and disappointment in Europe felt by the peoples of Bulgaria and Romania.  We believe Schengen is central to the area of freedom, security and justice. We have created a system in which freedom of movement is maintained and strengthened, so we need a new Schengen evaluation system. Mr President, while we are talking about free movement and Schengen, the president of the Portuguese youth organisation, who is a member of the Portuguese Parliament, has brought to my attention what is happening in Ukraine. The president of the opposition youth group has been beaten by Ukrainian police, along with other leaders, and their homes have been raided and searched without warrants. As we are talking here about ‘freedom of movement’, please allow me to say that authorities resorting to brutal intimidation deserve our clear and unequivocal condemnation. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Ioan Enciu (S&D).** – *(RO)* Mr President, for quite some time now, the subject of the accession of Romania and Bulgaria to the Schengen area has been extended well beyond a debate focusing on both countries. In fact, at the moment, it embodies all the ills which have been afflicting the European Union for some time: ignorance about European rules and treaties, populism, nationalism, the decline of solidarity and denial of basic rights, such as the right to free movement. I believe that the European Parliament has a duty to remind everyone of the values on which the European Union is founded and to condemn the selfish, anti-European behaviour displayed by some Member States, ensnared by far-right populism.  As the President of the Commission, Mr Barroso, said recently, the vote of a minority should not dictate the will of the large majority and the EU. We accept and respect the principle of sovereignty of each Member State. However, we cannot agree to one or two Member States blocking the desire of the others to take the European project forward.  The resolution which we are going to vote on tomorrow is not just about Romania and Bulgaria. We all know, including even those who are against their accession to Schengen, that both countries meet the highest standards stipulated by the Schengen *acquis*. Tomorrow’s resolution will actually be an indictment against populism and nationalism, and a call for compliance with the European rules and principles which some Member States have forgotten. It is the Council’s duty to take the European Parliament’s opinion into account and to act accordingly. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Stanimir Ilchev (ALDE).** – *(BG)* Mr President, it has transpired that saying the words ‘Bulgaria’, ‘Romania’ and ‘Schengen’ in the same sentence highlights a major paradox. The Schengen working group gave a positive assessment. The Council decided that both countries were ready. Parliament also confirmed this. Even on 24 June, government leaders agreed to adopt the decision no later than September. The obvious logic in this sequence of events has currently produced no result. Bulgaria and Romania are continuing to wait until goodness knows when. Requirements are being imposed on them which seem to have been produced on an *ad hoc* basis. These requirements do not derive from the Accession Treaty. They create inequality. The two Member States which blocked the accession of Romania and Bulgaria are stubbornly defending a paradox.  It must be stated outright that refusing to decide in favour of Bulgaria’s and Romania’s accession creates an unacceptable situation turning into political isolation for both countries. Our Union should not fall prey to isolationism. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Judith Sargentini (Verts/ALE).**– *(NL)* Mr President, this week, Romania invited the Netherlands to come and see how it monitors its borders. Romania wants to demonstrate that it is complying with all the standards. That is a nice gesture, but it is not going to help. The Dutch Government is deliberately trying to move the goalposts while the match is still being played.  The Dutch Government is on a collision course. For them, this is not about external borders, but about domestic politics. Workers from Eastern Europe are being blamed for contributing to unemployment amongst the Dutch. The government wants to show the Dutch public that it can be tough, but free movement of workers is being confused here with freedom of movement. We are robbing our own pockets. Dutch trade with both countries will be damaged. We are showing ourselves to be not just a bad neighbour, but a bad merchant as well. In the Netherlands that *I* know, that is usually seen as extremely detrimental.  I therefore call on my counterparts in the Netherlands to stop having national debates on the backs of Romanians and Bulgarians who want to travel freely, just as we do. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Peter van Dalen (ECR).**– *(NL)* Mr President, I do not support the accession of Bulgaria and Romania to Schengen, and I have three reasons for that.  First of all, both countries seem to be complying with the Schengen criteria, but these criteria are too soft and inadequate. No account is being taken of corruption, human trafficking or organised crime, and it is precisely in these areas that both countries have to do a lot more work. The European Union ought to assist them in that respect, and let us then talk about the accession again in a few years’ time.  Secondly, Schengen is under pressure. Greece and Italy are hardly able to cope with the influx of immigrants and asylum seekers any more. We first have to resolve those problems before we continue talking about Schengen.  Thirdly, Dexia also passed the stress test for banks, but this bank was rescued this week at the very last moment. Politicians are the very people who ought to keep their eyes and ears open for differences between theory and everyday reality. As far as free movement of persons is concerned, that difference in Romania and Bulgaria is still enormous.  *(The speaker agreed to take a blue-card question under Rule 149(8))* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Dimitar Stoyanov (NI).** – *(BG)* Mr President, we heard the Commissioner say just a short time ago, Mr van Dalen, that Bulgaria and Romania have fulfilled all the membership criteria. You are claiming the opposite. Please answer my question: who is lying, you or the Commissioner? If you claim that she is lying, stand up and say it to her face. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Peter van Dalen (ECR).**– *(NL)* Mr Stoyanov, this issue has nothing to do with this or that person lying. It has to do with two things. First of all, the criteria currently applied to Schengen accession are inadequate and should be adjusted, and secondly – as I told you already with my example of the Dexia bank – it recently fully passed the stress test, there was nothing wrong. However, now, or rather last week, that bank was rescued at the eleventh hour.  As politicians, we need to keep an eye open to what things are actually like in everyday reality and what they look like in theory. I have alerted you to this and that is why I am saying that neither of the countries are up to scratch; reality still differs too much from theory.  *(The speaker agreed to take a blue-card question under Rule 149(8))* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Corina Creţu (S&D).** – *(RO)* Mr President, I would like to ask Mr van Dalen why two Member States, Romania and Bulgaria, have to pay for what is happening in Dexia Bank. What connection does Dexia have with the Romanian and Bulgarian peoples’ aspirations to join Schengen? Do you not think that we lived long enough under communism due to the cowardice and populism in the European Union? Why do we need to pay again for your mistakes? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Peter van Dalen (ECR).**– *(NL)* Ms Creţu, I made the comparison with the Dexia bank because, in theory, according to the books, Dexia appeared to be an excellent bank and one where nothing was wrong. Therefore, everything was fine. Now, that is the same situation we are dealing with at the moment when it comes to Bulgaria and Romania: on the face of it, everything is fine, but the corruption, the human trafficking and the organised crime are still too big and are threatening the free movement of persons. Therefore, that needs to be addressed first, just as Dexia is now being addressed, and then, at a later date, we will be able to talk again about the accession of both countries to Schengen. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Philip Claeys (NI).**– *(NL)* Mr President, I am not surprised by the crocodile tears that have already been shed here, because the huge gulf between the citizens and European politicians manifests itself nowhere more spectacularly than when we talk about the abolition of borders. We all know that Bulgaria and Romania continue to face very serious problems, such as organised crime and corruption. Those are problems that will, by definition, spill over into other Member States when the borders disappear.  Moreover, there is also the problem of Bulgaria not yet having taken a number of measures in order to enhance its cooperation with Greece and Turkey on improving border management. The problem of mass illegal migration via Turkey is well known. The countries which are opposing the accession of Bulgaria and Romania to the Schengen area are not doing so merely in their own national interests, but also in the interests of all Member States of the European Union, because the Schengen area can only work if there is confidence that all Member States are fully complying with all conditions.  *(The speaker agreed to take a blue-card question under Rule 149(8))* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Victor Boştinaru (S&D).** – *(RO)* Mr President, I would like to ask the distinguished non-attached MEP, Mr Claeys, whether this apocalyptic picture of Bulgaria and Romania is the same one which he has presented along with his compatriot, Mr van Dalen? Has he happened to have a discussion, even just by accident or in a corridor, with representatives of the numerous Dutch companies in Romania and with the Dutch multinationals which successfully do a large amount of business in Romania, even to find out why they are attracted by Romania and why rightwing politicians in the Netherlands are against Romania and Bulgaria? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Philip Claeys (NI).**– *(NL)* Mr President, I have to inform Mr Boştinaru that I am not a Dutchman, but a Fleming, although we do speak the same language. I have not, therefore, spoken to anyone representing Dutch business interests in Bulgaria or Romania.  However, I do understand the feelings of those who are actually doing business there and I concur with Mr van Dalen when he says that we need to be extremely strict about any future enlargement of the Schengen area, because we have faced some serious problems. I would encourage the two Member States that are the object of today’s debate to make every necessary effort to join Schengen as soon as possible, but to do so according to the rules.  *(The speaker agreed to take a blue-card question under Rule 149(8))* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Monika Flašíková Beňová (S&D).** – *(SK)* Mr President, I am neither from Romania nor from Bulgaria, but I would like to ask the honourable Member, since I did not have the opportunity to ask Mr van Dalen earlier, and despite the fact that I do not represent these two countries: what gives you the right to judge EU Member States that have fulfilled all the necessary conditions for joining the Schengen area, and to speak about them in the plenary of the European Parliament in the way that you did? Are your countries better than the other Member States of the European Union that are in the Schengen area? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Philip Claeys (NI).**– *(NL)* Ms Beňová, when it comes to managing immigration flows, my country is no better than the other countries of the European Union, and it may even be worse. However, that is not the subject of this debate.  I think it is important that the rules are applied uniformly everywhere and that, when it comes to immigration, the European public should be very seriously concerned about excessive flows of illegal immigrants. We should properly ensure that all conditions are met with every new step that is made towards enlarging the Schengen area. It is the Member States that make decisions on this: the European Council and the Member States represented there. Those are the rules and those rules should, therefore, be respected. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Andrey Kovatchev (PPE).** – *(BG)* Mr President, if all the Member States had abided by the rules that they themselves have adopted, not only would we have not ended up in the current financial and economic crisis in Europe, but we would not be having this debate with you today. Unfortunately, the reality in Europe is different. Member States are not abiding by the rules they have adopted. The upshot of this is that we have an economic and financial crisis and we have Bulgaria’s and Romania’s Schengen membership being blocked. The actual reality is as follows: both countries fulfilled all the criteria which were used to assess the countries that joined Schengen at an earlier stage and which were enshrined in the accession treaties. There is not a single argument to support the notion that the two countries’ accession poses a risk to the Schengen area. On the contrary, allow me to support with facts the argument that Bulgaria contributes to the security of Europe’s citizens. Both Bulgaria and Romania became part of the Schengen Information System in November 2010. Since the start of November 2010 up until 11 October 2011, according to the data, Bulgaria has provided Schengen Member States with information about the following matters: 323 persons wanted for arrest; 1 383 motor vehicles, personal documents, weapons and other personal items being sought in Schengen area countries; 92 missing persons; 1 208 persons involved in criminal proceedings in the Schengen area; 737 persons discreetly monitored; and more than 8 000 rejected visa applications for entering the Schengen area. Bulgaria and Romania always perform their duty of solidarity to all the other citizens in the European Union.  Ladies and gentlemen, especially those from the far right who spoke a short time ago, I hope that these arguments will make not only European citizens, but also Finnish and especially Dutch citizens, see that Bulgaria’s accession ...  *(The President cut off the speaker)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mitro Repo (S&D).** – *(FI)* Mr President, I am from Finland. As we know, opposition on the part of some Member States has resulted in the postponement of Schengen membership for Bulgaria and Romania for the time being. Although both countries meet the jointly agreed technical criteria for Schengen membership, with Romania and Bulgaria there is a feeling that the conditions for membership should be interpreted somewhat more comprehensively. It is common knowledge that both Bulgaria and Romania have problems with corruption, organised crime and the jurisdictional system.  The core of the problem, however, is probably that Bulgaria and Romania were not completely ready for EU membership at the time of their accession to the European Union. Many political reforms remained half-complete and the EU, as is well known, has no means at its disposal for bringing its Member States under control. I do hope that the postponement of Schengen membership can be interpreted positively and, furthermore, as an incentive for Romania and Bulgaria to carry through all their reforms. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Filiz Hakaeva Hyusmenova (ALDE).** – *(BG)* Mr President, ladies and gentlemen, the arguments defending the accession of Bulgaria and Romania to Schengen have been discussed for months. They are being aired again today so that they will be heard by those who put themselves above the rules. We are reiterating today that refusing to admit these countries is unjustified and breaches the procedures, as they have proven their technical readiness. We are highlighting that double standards, even discrimination, are being applied. We are talking about a crisis of confidence in the whole EU and about political populism in the countries opposed to their accession. We are warning that we are about to turn our back on values such as equality, solidarity and cooperation. I hope that we will not become hostages to scepticism spurred on by the severe crisis. Otherwise, I subscribe to the idea of revamping the procedure for adopting Council decisions unanimously, especially when it is implemented to the detriment of legislation. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Csanád Szegedi (NI).** – *(HU)*Mr President, ladies and gentlemen, I am disappointed that we cannot draw a distinction between the case of Bulgaria and that of Romania, as it is only Romania’s accession to Schengen that I want to discuss. I am in two minds about Romania’s accession to the Schengen area. On the one hand, eliminating the existing national borders would be in the interests both of the Hungarian community in Transylvania and of Hungary itself. It would also mean the elimination of the unjust borders imposed upon Hungary under the Treaty of Trianon. At the same time, however, I also understand the Dutch and the Finns in the sense that we have to look at the crime statistics too. This is not hard to do; they are not talking about fiction, but about reality.  And what the crime statistics show is that Romania is not yet ready to be part of Schengen. Also, joining Schengen represents an extension of a country’s legal framework. I cannot support Romania’s accession to the Schengen area until the issue of self-determination for the Szekler region or autonomy for Hungarians in the Érmellék (Ier River) area has been resolved. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Sari Essayah (PPE).**– *(FI)*Mr President, free movement is a basic value of the EU, and is based on trust. For that reason, the situation with regard to Bulgaria and Romania must be examined as a whole, because the internal security situation of a potentially acceptable Member State cannot reflect negatively on the other Schengen states. When the Schengen rules are enforced, it is particularly important that a Member State is able to fight corruption and organised crime and that the judicial systems of countries work effectively. Bulgaria and Romania must genuinely fulfil these requirements before they can be accepted into the Schengen area.  A report under the Cooperation and Verification Mechanism (CVM), published in the spring, stated that both countries were showing progress but that there were still serious weaknesses. That is why the conclusions drawn by Finland and the Netherlands are, I think, clear. Technical readiness is not enough if we cannot persuade people to accept that border guards cannot be bribed. In Finland, attention has also focused on the weak position of the Roma minority and on the fact that many Roma have had to leave their homeland to apply for asylum or to beg elsewhere in Europe.  From the perspective of the security of the area of free movement, it is sensible to encourage Romania and Bulgaria to make efforts to enable their accession to the Schengen area. The next natural review date falls next spring, when we can expect to receive the Commission’s interim report.  *(The speaker agreed to take a blue-card question under Rule 149(8))* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Ioan Enciu (S&D).** – *(RO)* Mr President, I would like to ask my colleague whether, as a member of a parliament and being involved in creating proper European laws, it is natural that the first thing for us to do is to respect these laws ourselves and explain them to the citizens who elected us by our example. Secondly, I would like to ask, since many of my distinguished colleagues have raised this issue here, how they actually know what exactly is going on in Romania and Bulgaria in terms of corruption. Is it written down somewhere? Do they have spies in Romania? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Sari Essayah (PPE).** – *(FI)*Mr President, I do not have any spies, but instead the international media reports what is happening in Romania and Bulgaria. I have here a copy of the International Herald Tribune from early September. It says that Romanian border guards can earn around EUR 5 800 a month illegally if they look away at the right moment when someone is crossing the border with various hazardous products, for example. This says something about what the current border control situation is like in Romania. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– I am reminded of the old saying ‘It must be right; I read it in the newspaper’. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Emine Bozkurt (S&D).**– *(NL)* Mr President, agreements are agreements. If you move the goalposts in the middle of a match, you create distrust. What are the agreements we are making here with each other now worth? That is why it is important that we deliver on the promises we have already made. Romania and Bulgaria are now feeling that they have been treated unfairly by the Member States. After all, they have fulfilled the requirements of the agreements on accession to the Schengen area.  However, some other agreements were made in 2007, too, at the time when these countries joined the EU: those on combating corruption. According to recent Commission reports, the results leave much to be desired.  These agreements may directly impact on the European area of freedom and security. Do not get me wrong. I want a strong Schengen area with Romania and Bulgaria, one that will ensure our citizens retain their faith in a Europe without internal borders. After all, the external borders will only be as strong as the weakest link. There should be no doubt about that, but doubt there is. I therefore ask the Council how they intend to resolve this? It is my hope that you will tackle this soon, so that Romania and Bulgaria can become part of the Schengen area as soon as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Kinga Gál (PPE).** – *(HU)*Mr President, according to a recent poll carried out by the European Youth Parliament, the majority of young Europeans surveyed, 89%, voted in favour of free movement within the European Union, the strongest consensus on any issue in the poll. The survey also revealed that the largest share of those supporting free movement were Romanian and Bulgarian young people. It is precisely these people who are being denied the opportunities for free movement provided under the Schengen Agreement. In other words, they are the ones who have now been EU citizens for four and a half years but are still unable to enjoy one of the most important components of the Community *acquis*, despite the fact that their countries meet the Schengen requirements. The Member States cannot change the rules in the middle of the game.  The EU has often made mistakes by applying double standards, which have proved to be very difficult to correct. I am thinking particularly of the Copenhagen criteria. So the crucial message, one which we have often expressed before but needs to be stressed again, is that we cannot apply double standards – in this case, with regard to Romania and Bulgaria. And the two Member States that are still dragging their heels need to understand this. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Juan Fernando López Aguilar (S&D).** – *(ES)* Mr President, the Committee on Civil Liberties, Justice and Home Affairs and the plenary of the European Parliament have expressed their support for the entry of Romania and Bulgaria into the Schengen *acquis*, because they have fulfilled the established criteria (police cooperation, data protection, a visa system and the Schengen Information System) with regard to external sea and land borders. The Council’s failure to endorse their fulfilment of the technical criteria and its postponement *sine die* therefore send out a worrying message, and this House clearly states as much in its resolution.  First of all, this is worrying because it implies the use of double standards, which shows prejudice, rather than the use of reliable information, with regard to the proper fulfilment of criteria; secondly, because it casts a shadow that undermines the reputation, prestige and credibility of Schengen, in terms of what it is now and what it should continue to be: a space of free movement of people and, what is more, the best expression we have so far of the idea that Europe is about citizenship and free movement of people; that Europe is something more than just the euro and the internal market, and that it has a political dimension. That is what Schengen actually means. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Monika Hohlmeier (PPE).** – *(DE)* Mr President, ladies and gentlemen, firstly, I would like to thank Bulgaria and Romania for the impressive efforts that they have made. They have not only fulfilled the technical details of the Schengen Agreement, but have also taken very specific measures at their borders in order to safeguard the external borders of the European Union. The claim that they have only met the small-scale technical requirements is simply wrong. Everyone can go to these borders and see what Bulgaria and Romania have done to bring about a massive improvement in standards and in education and training and to see the measures that have been taken to secure the external borders. In my opinion, their efforts have been significantly underestimated.  Secondly, the subject of corruption has repeatedly been mentioned, together with organised crime. I think it is right for us to discuss these matters and I also think it is right for us to take serious measures to combat corruption and organised crime within the context of the Schengen Agreement. However, laying the responsibility solely at the door of Bulgaria and Romania is wrong. There are also significant problems relating to corruption and organised crime within the Schengen countries. Therefore, against this background, and with regard to securing the external borders, I am calling specifically for the fulfilment of the Schengen Agreement in all the Member States to be evaluated, because it is necessary to ensure that all the Schengen countries meet the requirements, not only those which want to join. We need long-term safeguards and not simply short-term demands on two Member States. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Monika Flašíková Beňová (S&D).** – *(SK)* Mr President, political decisions must enforce real solutions based on facts. Let us start with these facts.  Romania and Bulgaria adopted the Schengen *acquis* when they acceded to the Union in 2007. Both countries have fundamentally revised and reorganised their integrated border control systems, visibly strengthening their institutional and legal framework. This is acknowledged in all of the Schengen evaluation reports. Both countries have fully implemented the Schengen *acquis*, which is the sole condition for their accession to the Schengen area, under the Accession Treaty and the current legal framework of the EU. As a result, Parliament confirmed by a large majority in the resolution adopted in June this year that Romania and Bulgaria are ready to join.  I would therefore like to call on all Member States to adopt the decision to expand the Schengen area to include these two states exclusively on the basis of the Schengen *acquis* and the Schengen procedures that are currently in force. In my opinion, it is wrong to impose additional criteria on Member States that are already in the process of joining the Schengen area. It is therefore time for the competent authorities to adopt the necessary measures allowing Romania and Bulgaria to join the Schengen area, as they have fulfilled the list of requirements they received on signing the Accession Treaty. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Georgios Papanikolaou (PPE).** – *(EL)*Mr President, unified Europe is going through one of the most difficult periods in its history. Things in the economic and fiscal sector are going from bad to worse from one day to the next. The pillar of freedom of movement of European citizens also appears to be going from bad to worse.  The recent ray of hope for the European vision, for our common vision, has come from Bulgaria and Romania, two countries that have worked hard and made extensive changes to the way in which they are structured and function and that are now ready, according to all the evaluations and reports, to join the Schengen area. Their accession will show all of us that the vision is still alive and will remind everyone watching us that Europe does not only have a common currency; it also has common borders.  At this critical time when, for numerous reasons, the eyes of the world are turned on us, the European Union is – unfortunately – sending out the wrong message. It is sending out a message that, within the European family, Member States wanting to assimilate further into all sectors of European integration are – I repeat unfortunately – coming up against suspicion and mistrust from other Member States in that same family.  To close, let me be clear about one thing: it is in difficult times that you find out who your friends are. Bulgaria and Romania are our friends and partners; they have discharged all their obligations and they deserve – I repeat – to be admitted to the Schengen area immediately. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Tanja Fajon (S&D).**– *(SL)*Mr President, Commissioner Malmström, this is not intended as a criticism of your work, but this kind of horse-trading on rules is causing the European Union to lose credibility. The point we are making is that both Bulgaria and Romania have now met all the conditions, so the Netherlands and Finland have no basis on which to argue for a blockade. This kind of populism is highly dangerous.  Europe is in a difficult situation, and so integration and trust are even more important than ever. Besides, every previous enlargement has subsequently proved to strengthen cooperation. What is the point of having the Commission and Parliament if two countries can decide differently? We are the ones who are going to be blamed if we mess up the Schengen project. That is why I ask you, Commissioner: how can we work together to remove the blockade?  If we fail to do so, neither your work nor ours will make any sense. We have a sensitive reform of the Schengen Agreement on the table: we must maintain sobriety and wisdom and find common solutions, and ensure that we by no means undermine the foundations of freedom to travel. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Anna Hedh (S&D).** – *(SV)* Mr President, the removal of internal borders and the opportunity to travel and stay anywhere within the Schengen area for up to three months is a mainstay of the EU, and this is important for all of the citizens of Europe, whether they come from Sweden, Romania, the Netherlands or Bulgaria. Romania and Bulgaria meet all of the technical requirements and therefore they should also be permitted to participate in the Schengen cooperation. The Council’s blocking of these two States’ accession to Schengen is therefore against the rules. It is unacceptable to treat certain States one way and others another way, deviating from the rules that are in place. This then becomes a question of populism and nationalism in certain Member States.  I would like a specific answer as to what the intentions and expectations of Finland and the Netherlands actually are. Lastly, I would like to say that walls must not be built either within or outside Europe and the EU. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Eduard Kukan (PPE).** – *(SK)* Mr President, for our citizens, the Schengen area is one of the most tangible manifestations of freedom of movement within the EU. Romania and Bulgaria have the right, as Member States, to become members of this area, just like any other country in the Union. The standards and criteria for their entry must also be the same as for any other country. The final evaluation by the Schengen evaluation working group showed that both countries fulfil the criteria for joining the Schengen area and have implemented the Schengen *acquis* in all seven of the required areas.  As with any other measure, adherence to the principles and values on which the Union stands is also necessary in this case. These include an even-handed approach to the rights and obligations of individual Member States, and facilitation of the free movement of persons. The Member States and European institutions must realise that it is unacceptable to apply double standards in this situation. I would therefore like to call on the representatives of the Council and the Polish Presidency to start addressing this issue as soon as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Silvia-Adriana Ţicău (S&D).** – *(RO)* Mr President, today, the President of the Commission and the Presidency of the EU Council have spoken about regaining the trust of Europe’s citizens. The seriousness of, and respect for, the commitments which have been assumed will help regain this trust. Romania and Bulgaria have fulfilled their commitments in terms of complying with the criteria for joining the Schengen area. It is time for the other Member States as well to fulfil their commitments and give the go-ahead to Romania and Bulgaria joining the Schengen area.  Romanians and Bulgarians have been moving around the European Union freely since 2002, therefore roughly five years prior to joining the European Union. Both Parliament and the Council confirmed in June that both countries had met all the necessary criteria and were ready to join the Schengen area. Romania and Bulgaria should be included in the Schengen area, based purely on the Schengen procedures and *acquis*. Additional criteria cannot be imposed on Member States already in the process of joining the Schengen area.  On the subject of corruption, a European framework is going to be established which will apply equally to all Member States. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Elena Oana Antonescu (PPE).** – *(RO)* Mr President, during 2011, Romania and Bulgaria have proved through the strategic measures and decisions they have taken that they have the logistical and human capacity to guarantee a high level of security at the European Union’s eastern border and that they have met all the accession criteria. This has involved a significant financial input, backed up by robust actions aimed at institutional and administrative reform.  We now find ourselves in the odd situation where, although the technical conditions have been met, which were the only conditions for accession, their inclusion has, nevertheless, been postponed indefinitely. Does the Council think that it is right for us to ask these Member States to implement these additional accession criteria right now? Rules are not made to be broken or to be changed in the middle of the game, nor can they be interpreted and applied in a biased manner. I believe that populist attitudes do not do Europe any favours. Indeed, such incidents may even set a dangerous precedent. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Ioan Mircea Paşcu (S&D).**– Mr President, the Schengen arrangement is the purest expression of a basic value shared by the EU, namely, the free circulation of people within the Union. The fact that Romania and Bulgaria are being prevented, exclusively on political grounds, and in defiance of the signed Treaty, from having access to this space, is a sad reminder that what was integrated can equally be disintegrated. Unfortunately thus, the old policies of beggar-thy-neighbour and of finger-pointing prevalent in Europe in the 1930s are back in force, only this time not among individual states, but among members of the same organisation, the EU.  Although each country is free to pursue its national interest, let us not forget that there is no integration without a minimal solidarity and that the bad feelings accumulated today might burst out tomorrow when times are better, impeding our further integration. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mariya Nedelcheva (PPE).** – *(BG)* Mr President, the actions of the European Union are based on sound logic, clear rules and clear messages. I cannot find a single one of these attributes mentioned in the arguments put forward by the Council. Postponing Bulgaria’s and Romania’s Schengen membership is a dangerous game involving a matter of major importance and entailing serious risks. The vague reasons given and any additional criteria conceal serious consequences. They are of fundamental importance in the long term. Will we defend European values and the same rules for all at European Union level, or will we give in to populism and nationalism? Corruption is a pan-European problem. When we can clearly differentiate it from the others, we will also deal with it.  In Bulgaria and Romania, the Council’s decision forms part of the image of the European Union conveyed to Bulgarian and Romanian citizens. I am pleased that, as an MEP, I will not have to change the image which some countries in the Council are creating at the moment for the European Union.  Finally, how does the Council respond to our work in the European Parliament and its reports? What is the point in us creating new rules when the current ones are not being observed? There is only one message you are conveying at the moment: Europe’s citizens do not feature on your agenda. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Csaba Sándor Tabajdi (S&D).** – *(HU)*Mr President, it is beyond doubt that there is a debt crisis in the European Union, and the Schengen system is also in crisis. However, the current dispute is not a crisis of the Schengen system, but a crisis of European solidarity. To be more specific, seven years have passed since our accession to the EU. Ten countries were admitted, but we still have first-class Member States and second-class Member States. It is unacceptable that equal treatment does not prevail within the EU. Nobody who supports the admission of Romania and Bulgaria to the Schengen area is asking for special treatment for these two countries. What we are asking for is equal treatment, since these countries have complied with the fundamental requirements for Schengen accession, as was endorsed by Parliament and the Council this summer.  I therefore urge the Finnish and Dutch populists to end the policy they have been pursuing to date. Let us not obstruct Schengen accession for Romania and Bulgaria. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cecilia Malmström,***Member of the Commission.*– Mr President, there has been much talk about corruption today, and corruption is a disease that we all suffer from. Let us be honest: is there a single country in the European Union that has no corruption?  We intend to fight this. The Commission has presented a proposal for fighting corruption more effectively and addressing the issue in a biannual report in which we single out the problems and help each Member State to move forward – and I would like to thank this particular plenary for its support in that regard.  However, the criteria for Bulgaria and Romania joining Schengen were outlined in the accession agreement of 2005. They fulfil the criteria, and no additional criteria can be added. Romania and Bulgaria have done a lot to meet these criteria and that is why the Commission has said that they do fulfil them. That is why the Council in June said, yes, they fulfil the criteria, and that is why you, the plenary, with a huge majority, said, yes, they fulfil the criteria. Now it is time to make a decision. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Piotr Stachańczyk,***President-in-Office of the Council.* – *(PL)* Mr President, I would like to reiterate that the Polish Presidency is still treating the accession of Romania and Bulgaria to the Schengen area as one of its priorities. We do truly regret that it was not possible to reach the necessary agreement at September’s meeting of the Justice and Home Affairs Council based on the approach we suggested. We still believe that our proposal enshrined a truly balanced approach which can and should be the basis for a decision in this matter.  So I would like to give my assurance that the Presidency is going to continue efforts to find a solution which will achieve the necessary support – which in this case means unanimous support – and will ensure that the accession of Romania and Bulgaria to the Schengen area takes place in a reasonable timeframe and at the earliest opportunity. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– I have received two motions for resolutions**[(1)](https://www.europarl.europa.eu/doceo/document/CRE-7-2011-10-12-ITM-015_EN.html" \l "def_1_1)** tabled in accordance with Rule 115(5) of the Rules of Procedure.  The debate is closed.  The vote will take place tomorrow, Thursday, 13 October.  ***Written statements (Rule 149)*** |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **John Attard-Montalto (S&D),***in writing.*– I believe that this issue is part of a far wider debate. The European Union needs to have a direction and not directions. It is imperative for Europe to be, and to be seen as, a real union. At present, Europe is not seen as a coherent entity. Because, in reality, it is not. Within the Union, a tug-of-war is being waged between those States which want more union and those States which want less union. We are trying to find compromises allowing Member States to choose and pick which initiatives they wish to participate in. Schengen is perhaps one of the best examples. But there are others like the eurozone. Selecting parts of a menu is resulting in a Europe *à la carte*. I have advocated that in order for Europe to be taken seriously and be seen as a meaningful power, it has to have a common project, a common aim, a common direction. This can only occur if further integration takes place. That is why – in spite of a number of difficulties – I am in favour of Bulgaria and Romania becoming part of Schengen. The more countries that participate in common initiatives, the more integrated we become. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Sebastian Valentin Bodu (PPE),***in writing.* – *(RO)* The resolution being debated must be voted for in the form in which it was submitted. Any amendment relating to additional conditions being demanded prior to the accession of Romania and Bulgaria is a change to the rules in the middle of the game.  My country has made huge investments to come into line with border security standards, and it is now being criticised for corruption, which is, however, a problem that affects Romania in general. Romania is fighting against this scourge, perhaps more than other Member States are combating other problems that are at least just as dangerous, such as the budget deficit and sovereign debts. These are problems which threaten the very existence of the euro area and even the European Union and, by extension, the Schengen area.  When the assessment for Romania to join Schengen was carried out, the level of preparedness was also tested, along with the integrity of the border police and customs officers in this area. I repeat, in this area, because I am not ever going to be able to say that there is no corruption at the border crossing points and at customs. However, the test was passed in this area. Otherwise, the conditions for data protection, the Schengen Information System, border control (land, sea and air), police cooperation and the visa regime could not have been met. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Mario Borghezio (EFD),***in writing.* – *(IT)* Opposition to Bulgaria and Romania joining the Schengen area is due to what should be one of the mainstays of European policy: the precautionary principle. In fact, it is to be expected that some Member States, already subject to intense flows of immigration, may be put under increasing strain with the entry into the Schengen area of two countries that do not seem to have achieved sufficient control of their external borders. This is particularly clear with regard to the border between Bulgaria and Turkey. We cannot allow the free movement of citizens unless we are satisfied that this does not lead to increases in petty crime and illegal immigration, reductions in security and risks to public order. The data on the fight against organised crime in these two countries are hardly comforting for those who desire to see a serious and effective EU policy against organised crime. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **George Sabin Cutaş (S&D),***in writing.* – *(RO)* I would like to give a reminder that Romania and Bulgaria currently meet all the conditions stipulated by the Schengen *acquis*. This has been endorsed not only by the conclusions of the Schengen Evaluation Working Group, but also by the firm stance expressed by the European Parliament via the resolution adopted in June this year.  Postponing indefinitely the accession of Romania and Bulgaria to the Schengen area reflects the lack of credibility European integration has, where the rules are made and unmade to suit the interests of certain Member States. The EU-27 is made up of first-class and second-class countries, citizens with rights and lower-class citizens, ‘old’ states and ‘new’ states, or those which have joined too early. We talk glibly about solidarity, yet we turn a blind eye just as easily when a Member State is subjected to discrimination. We encourage an outdated form of nationalism without realising that every decision like this turns European integration into an empty shell. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kinga Göncz (S&D),***in writing.* – *(HU)* Following the crisis in the euro area, the European Union is on the threshold of another crisis – this time in the Schengen area. Two Member States are blocking Schengen accession for Romania and Bulgaria in the Council of Ministers. This undermines the EU’s credibility and legal certainty: we cannot apply double standards! Access to the Schengen area is also a matter of trust: should the task of guarding the EU’s external borders be entrusted to a country which, according to all the assessments, fully complies with all the prescribed criteria? The answer is unequivocal: yes. Unvoiced opinions and interests are at play behind the obstruction of Bulgaria and Romania’s Schengen accession, and this is further damaging public confidence. Delaying the enlargement of the Schengen area heightens the disappointment felt by the EU’s Bulgarian and Romanian citizens. The most likely victims of this frustration will be the disadvantaged communities that are being treated as scapegoats for the delay in reaching a decision on accession to Schengen. In the midst of a crisis, the last thing the EU needs is to sow distrust among the Member States and send feelings running even higher. We must make a clear stand in support of Schengen accession for Bulgaria and Romania and introduce an appropriate Schengen evaluation system as soon as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Cătălin Sorin Ivan (S&D),***in writing.* – *(RO)* Romania and Bulgaria have fulfilled the technical criteria stipulated in the Schengen *acquis*, which ought to have been reflected in them joining this area of free movement. It has not happened like this, and now additional criteria may be imposed on both these Member States which were not hitherto discussed when any other Member State was joining Schengen. The European Parliament supports a Schengen area, based on the way it was conceived in 1995, without any additional, arbitrary criteria. Today, we are reaffirming our support for this pillar of integration.  However, if compliance with the Schengen *acquis* is no longer a strong enough argument to persuade some Member States, the weakening of European integration ought to be considered. During this deep crisis that we are currently experiencing, preventing Romania and Bulgaria from joining the Schengen area sends out a negative and dangerous signal, which may pave the way to the disintegration of the EU. I reaffirm my confidence in the political backbone of Europe’s leaders, who must adopt a fair approach to both these Member States, irrespective of nationalist fears, prejudices and exploits. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Lena Kolarska-Bobińska (PPE),***in writing.*–*(PL)*Just as we cannot alter regulations on the conduct of elections before the vote, we should not alter regulations on accession to the Schengen area by new applicant countries. Romania and Bulgaria have worked very hard to satisfy the EU’s criteria. Member States, including those who already belong to the Schengen area, should not be telling Bulgaria and Romania now, just when they are about to reach their target, that they must start the entire process anew. We can debate the principles of reforming the Schengen system as regards future Member States of the European Union, but we cannot introduce new regulations for the current members. This is why I wish to state that I oppose the amendment tabled by our British colleagues from the European Conservatives and Reformists Group. The European People’s Party must send out a clear and coherent message on this issue. We must fight corruption in all Member States, but this report does not concern the fight against corruption. It is quite irregular that Members of Parliament representing countries outside the Schengen area should strive to alter its regulations. They should tread more carefully. One day, the United Kingdom may wish to join the Schengen countries, and what would happen if they failed to meet the ‘new criteria’ introduced by the old members? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Petru Constantin Luhan (PPE),***in writing.* – *(RO)* In order to complete successfully the accession of Romania and Bulgaria to the European Union, these countries must enjoy the same privileges as the other Member States, especially when it comes to the free movement of persons. Both countries have earned this right after fulfilling all the necessary requirements for implementing the Schengen *acquis*.  I wish to thank all my colleagues for the support offered on this issue, and I advocate the need for Parliament to send a clear message again to the European Council. We would like all Member States to enjoy equal treatment, and I deplore the fact that the current regulations on accession to the Schengen area are NOT being observed by some countries for purely political reasons. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Elżbieta Katarzyna Łukacijewska (PPE),***in writing.* – *(PL)* Since their accession to the European Union, Bulgaria and Romania have been hoping that the Schengen area will be opened up to them as quickly as possible. I would like to point out that the policy of small steps which has been pursued towards Romania and Bulgaria has been a success, because it has made them adopt European conventions. There is no doubt, however, that many Europeans are afraid of enlargement of the Schengen area. Problems such as the growing conflicts in North Africa and organised crime do not evoke positive emotions, neither do they engender optimism. In my opinion, if Bulgaria and Romania have fulfilled the necessary conditions, it is not fair play to delay the decision on enlargement. We need decisions which are both rapid and carefully considered. Europe must be united. All the Member States should work together, not on their own, and for the common good, particularly now during the crisis in Europe. What we need is mutual cooperation and mutual trust. These are an essential prerequisite to making decisions which are important for us and for the EU’s citizens. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Alexander Mirsky (S&D),***in writing.*– Recently, Parliament has turned into an institution where double standards are broadly used. Practically in all areas of activity, there exists fellowship by national principle, lobbying and uncovered unprofessionalism. If such a state of play continues to exist, then Parliament may lose its international status, and its opinions and resolutions will bring forth only a smile instead of a serious attitude. Now a decision not to give Bulgaria and Romania the right to join Schengen is false and unfair. I call on all Members of the European Parliament to stop closing their eyes and ears. We should support the right of our brothers and neighbours to travel around the EU without any restrictions, because these countries are part of the European Union. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Katarína Neveďalová (S&D),***in writing. – (SK)*I would like to express my profound concern at the low level of solidarity shown towards Bulgaria and Romania. The principle that rules should not be changed in the middle of the game applies just as much in business or politics as it does in a sporting contest. These countries have fulfilled the necessary requirements in the Accession Treaties and are ready to join the Schengen area – as the report adopted in June has already made clear. I therefore share the same position as most of my fellow Members across the political spectrum: double standards for old and new Member States are not acceptable. Meddling with the rules in this way would result in greater distrust in the Schengen *acquis* while, at the same time, setting a dangerous precedent that might have a major effect on future Member States. I would therefore like to express my support for Romania and Bulgaria, and to call on the countries blocking their accession to the Schengen area to reconsider their position. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Rareş-Lucian Niculescu (PPE),***in writing.* – *(RO)* A prominent European political leader, about whom I have no doubts in terms of his good faith with regard to the accession of Bulgaria and Romania to Schengen, used a fairly bland term when confirming that both countries had met all the accession conditions and, therefore, had to be ‘tolerated’ by Europe. This is a downright awful choice of word. Romania and Bulgaria are entitled to join the Schengen area and not just be tolerated. Fulfilment of the technical conditions is the only applicable criterion in this respect. Indeed, the fact that we met these criteria was confirmed by the European experts. Any possible deviation from this principle only indicates the inclination of some political leaders towards cheap populism. They are trying to divert the attention of their own citizens, affected by the global financial crisis, away from the real issues onto other problems, created and sustained artificially. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Franz Obermayr (NI),***in writing.* – *(DE)*We can only congratulate the Danes and the Finns on their wise, patriotic decision. They have to put the emphasis clearly on the security interests of their own citizens. The measures taken to combat corruption, organised crime, human trafficking and prostitution in Romania and Bulgaria are still inadequate and improvements are being made only very slowly. My home country, Austria, is a particularly popular location for people smugglers from the east because of its exposed geographic position.  An EU regulation which provides for permanent monitoring of compliance with the Schengen Agreement is currently being drawn up. This should include sanction mechanisms which make it possible to close the loopholes in the individual Member States. It should also be possible to reintroduce border controls temporarily, if the security interests of citizens are being put at risk. Instead of blocking exports of tulip bulbs from the Netherlands at its borders, Romania should be protecting those borders against a very different kind of intruder. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kristiina Ojuland (ALDE),***in writing.*– I object to the way the Council has handled the accession of Bulgaria and Romania to the Schengen area. For the moment, the Council has postponed their accession indefinitely, despite the fact that, according to the Commission’s progress reports, both countries had fulfilled all the required technical and legal criteria, which has also been reiterated by the Commissioner today. As a champion of transparency, the European Union cannot afford to discredit itself by applying the terms laid out in the EU Accession Treaties in an arbitrary manner. If the current criteria are deemed insufficient or incomplete, they should be amended accordingly in cooperation with the involved parties. Instead, the Council has opted for a political decision without a proper legal basis. Such discrepancies must be avoided in the future by exerting more foresight when devising any criteria that are to be applied in a uniform manner. Failure to live up to one’s principles at home also inflicts damage on the reliability of the EU abroad. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Justas Vincas Paleckis (S&D),***in writing.*– *(LT)* The Schengen area is one of the basic foundations of the European Union, strengthening the solidarity of the EU Member States and guaranteeing the free movement of citizens. Romania and Bulgaria have fulfilled all the Schengen accession criteria. This has also been recognised by independent experts. However, certain EU Member States have mounted a political campaign aimed at preventing these two countries from joining the Schengen area for reasons of corruption and organised crime. These wounds run deep in Romania and Bulgaria. However, slamming the Schengen door shut is not the best means of healing them. The abandonment of these two nations outside the Schengen area is contributing to the creation of a two-speed Europe. I welcome the proposal that the European Council should fully analyse this issue and take an appropriate decision. I would like to congratulate the Polish Presidency of the EU, which is also seeking a solution that is as swift and smooth as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Daciana Octavia Sârbu (S&D),***in writing.* – *(RO)* The countries of Eastern Europe were kept apart from those in the West by the Iron Curtain for several decades. Today, two European Union Member States, the Netherlands and Finland, are again attempting to isolate us from the rest of Europe. It seems that the rules have changed for Romania and Bulgaria in the middle of the game, as the accession of both states has been postponed indefinitely, even though both countries have fulfilled all the necessary criteria.  I believe that the accession of Romania and Bulgaria to Schengen must be based on the criteria which were initially established. This would at least be fair. Finally, I would like to thank the Polish Presidency for all the support it has given to Romania and Bulgaria in this process. I hope that the populist governments will not win the day. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Csaba Sógor (PPE),***in writing.* – *(HU)*At the most recent meeting of the Justice and Home Affairs Council, the vote on the accession of Romania and Bulgaria to the Schengen area was postponed again, as it appears it did not receive the unanimous support of the Member States. I would like to draw your attention to the fact that while the European Union is delaying the decision without providing a proper explanation based on European law and in keeping with mutual trust among the Member States, Romania has complied fully with the accession criteria laid down in the Schengen Agreement. Some say that the unresolved issue of Romanian corruption is the reason why the decision on accession has been delayed. Aside from the fact that there is nothing in the law that connects Schengen accession and the extent of corruption in a given Member State, do you really think that corruption problems in some Member States should prompt the remaining Member States to exclude those countries from certain aspects of European integration? I do not think so. And I do not want to see this happening in the case of Romania and Bulgaria either. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Joanna Katarzyna Skrzydlewska (PPE),***in writing.* – *(PL)* I hope the Council will make a decision soon on the question of Bulgaria and Romania’s accession to the Schengen area. It is an important matter, not only from the point of view of the citizens of those countries, but from the point of view of all the citizens of Europe. The free movement of people is one of the freedoms which the people who live in the European Union value the most. We should not artificially create difficulties and impose additional, previously unforeseen requirements on those two countries in particular. Protection against organised crime, drug dealing or money laundering is unquestionably important, but if both those Member States have improved their controls in these areas, in accordance with the rules of the Schengen system, they should not be blocked in this way on the grounds of widespread fears about unwanted immigration, for example, when there are often no specific data to support those fears. It is not acceptable to change the rules of play during the game. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Rafał Trzaskowski (PPE),***in writing.*–*(PL)* Bulgaria and Romania have fulfilled all the requirements set for them by the European Union, and the Schengen area should be laid open to them. We must meet our obligation towards these countries. One does not change the rules in the middle of the game, especially in times of crisis when the European Union requires closer unity and solidarity among its Member States. The problem of corruption does not affect these two countries alone, and, moreover, it did not prevent them from fulfilling the formal requirements they were set by the European Commission. Therefore, there is no reason why their acceptance into the Schengen area should be delayed. The Council should take a positive decision on this issue as soon as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Traian Ungureanu (PPE),***in writing.*– The accession of Romania and Bulgaria to the Schengen area should be just that: a process regulated by the norms previously agreed. Both countries took this process in good faith and prepared according to the rules. But something changed. There is a pressure to change the rules of the game during the game. This is not only unfair towards two Member States that were singled out. This is detrimental to the European solidarity principle. It happens at a most unfortunate time, when true European values are tested by radical agendas and political forces. The Schengen debate was largely absorbed by this sort of politics.  The resolution adopted today is a step in the right direction. The resolution proved that there is a consensus in the European Parliament on the need to promote the interests of a coherent and united Europe, especially in times of doubt and crisis. Romania and Bulgaria should not be treated differently. Once they fulfil the original criteria, they should be allowed to join the Schengen area. The same rules should work from now on for future candidates. The European Parliament always supported this approach. This is an excellent example of applied European politics. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  | | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Vladimir Urutchev (PPE),***in writing.* – *(BG)*Bulgaria and Romania have fulfilled all the criteria for joining the Schengen area as they are stipulated in their legislation and treaties relating to EU accession. In actual fact, these countries are already protecting the eastern borders according to the Schengen criteria, even though, officially, they are not part of the area. These are the facts, but this is where the problems start. The EU is divided over the measures to take to exit the growing financial and debt crisis when this union’s very existence is under threat. Two countries are blocking the Council’s decision on Bulgaria and Romania joining Schengen without having any legal grounds whatsoever for this. It seems as if everyone is thinking about number one. This inevitably raises the question whether the EU can take tough decisions in such a complicated situation when the only response is more Europe, more synergy and solidarity, and not disunity and national protectionism. In light of this, the forthcoming Council meeting on 23 October will be a test of the EU’s ability and of whether its leaders are up to meeting the expectations of its citizens to take decisive actions to deal with the impending threats, which includes rejecting populist domestic policy objectives in order to save Europe. The decision on Bulgaria and Romania joining Schengen will be part of this test. | |

<https://www.europarl.europa.eu/doceo/document/CRE-7-2011-10-12-ITM-015_EN.html>

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| **Verbatim report of proceedings** |  |
| **Tuesday, 7 June 2011 - Strasbourg** | **OJ edition** |

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Application of Schengen acquis in Bulgaria and Romania (debate)** | |  |  |  | | --- | --- | --- | |  | [**Video of the speeches**](https://www.europarl.europa.eu/plenary/en/vod.html?mode=chapter&vodLanguage=EN&playerStartTime=20110607-17:05:05&playerEndTime=20110607-18:36:42) |  | | |  |  |  | | --- | --- | --- | |  | [**Minutes**](https://www.europarl.europa.eu/doceo/document/PV-7-2011-06-07-ITM-015_EN.html) |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– The next item is the report by Mr Coelho, on behalf of the Committee on Civil Liberties, Justice and Home Affairs, on the draft Council decision on application of all the provisions of the Schengen acquis in Bulgaria and Romania (1412/2010 – C7-0369/2010 – [**2010/0820(NLE)**](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2010/0820(NLE)) ([**A7-0185/2011**](https://www.europarl.europa.eu/doceo/document/A-7-2011-0185_EN.html)). |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Carlos Coelho,***rapporteur.* – *(PT)* Madam President, Mrs Győri, Commissioner, ladies and gentlemen, I would like to make six brief points. Firstly, on strengthening Schengen: the free movement of people is one of the greatest successes and achievements of the EU, and Schengen is one of the Union’s major pillars. We are therefore among those who believe that it should not be weakened, but rather preserved and strengthened. I agree with the remarks that Commissioner Malmström made to this effect a little while ago.  The five original Member States have given way to the current 25: 22 within the Union, and three outside it. Free movement is thus guaranteed within a territory of almost 43 000 km of external maritime borders and more than 7 700 km of land borders, covering 25 countries and 400 million people.  Secondly, on mutual trust: the abolition of internal border controls requires a high level of mutual trust between the Member States. There needs to be a rapid and adequate exchange of information through the Schengen Information System (SIS), good police cooperation and effective controls in place at the external borders. The security of the Schengen area depends on the rigour and efficiency with which each Member State carries out checks at its external borders. If this does not happen, the security of the Schengen area is weakened, the credibility of the European Union is undermined and mutual trust is destroyed.  Thirdly, on equal rules: there should also be trust in the procedures, which must be clear and fair. Candidate countries must be able to implement and enforce all the Schengen criteria effectively and correctly: the same criteria that were demanded of previous candidate countries; no more, no less.  Fourthly, on transparency: we need to ensure greater transparency, in the interests of both freedom and security. I regret that, once again, the Council has not acted as it should in relation to Parliament, denying Members of this House access to the evaluation reports. The problem could only be overcome thanks to the diligence of the ambassadors of Romania and Bulgaria, who requested the declassification of the reports and their submission to Parliament, so enabling Members of this House to have access to the content of the evaluations, recommendations and final conclusions. Unfortunately, the Council has failed to respect Parliament once again. This very transparency is needed to address the outstanding problems that have been pointed out, as although these are not an obstacle to the two countries’ full membership of Schengen, they should be subject to monitoring by the evaluation committee so as to verify that the recommendations have been acted upon, along with any changes that are still ongoing. Parliament demands access to this information.  Fifthly, on European citizenship: how often do we invoke the value of European citizenship during our speeches? Since their accession to the EU, in 2007, both Bulgaria and Romania have had a legitimate expectation that their citizens would become fully fledged EU citizens and that they would be able to enjoy the same rights as other EU citizens, including freedom of movement within the Schengen area. This is the European citizenship that we are strengthening by extending the Schengen area.  My sixth and final point is that they have worked hard. It is clear that both countries are to be congratulated on the efforts they have made towards meeting all the requirements of Schengen. This is clear in the evaluation reports and in subsequent observations by the expert missions that made the evaluation. It was also clear during the mission that we made to Bulgaria and Romania, and for this I would like to thank my fellow Romanian Members, Mr Marinescu, Mr Enciu and Mrs Weber, and my fellow Bulgarian Members, Mr Kovatchev and Mrs Nedelcheva. We are therefore able to welcome Bulgaria and Romania into the Schengen area, and I hope that the Council will adopt the same position as soon as it receives our positive opinion. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  | | --- | --- | --- | --- | |  |  | **IN THE CHAIR: STAVROS LAMBRINIDIS** *Vice-President* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Enikő Győri,***President-in-Office of the Council.*– Mr President, I am particularly glad of the opportunity to participate on behalf of the Council in the debate on the extension of the Schengen area to Bulgaria and Romania.  This has been a consistently high priority for the Hungarian Presidency. I am therefore especially pleased that by now, both Bulgaria and Romania have received positive evaluation of their technical preparedness to apply the entirety of the Schengen acquis. We welcome the fact that the assessment by this Parliament has also led to similar conclusions. I particularly commend the work of the rapporteur, Carlos Coelho, for his professional and personal dedication.  For a moment, allow me to deviate from the protocol for the sake of a historic reference. When the accession of Hungary and other new Member States from Central Europe to Schengen was hampered by a technical difficulty related to the development of the Schengen Information System, the SIS II, it was the then Portuguese Presidency that helped us with a generous and inventive solution.  I would also like to thank the Chair, Mr López Aguilar, and all the members of the Committee on Civil Liberties, Justice and Home Affairs, for their commitment to this issue. The Hungarian Presidency has made considerable efforts to take this dossier forward. The Presidency became aware early on that there was a need to address persistent reservations on the part of a number of Member States vis-à-vis the process.  The Presidency therefore put the state of play of the accession of Bulgaria and Romania to Schengen on the agenda of the JHA Council meeting on 24 and 25 February. On that occasion, the Council endorsed the Presidency’s conclusions on the progress made and the need to continue to work in close cooperation with all Member States towards a solution acceptable to all parties involved.  Both Bulgaria and Romania have taken very significant steps to bring their countries’ policy and practice up to the Schengen standards. These include areas such as data protection, police cooperation, the control of external air, sea and land borders, the issuing of visas and the appropriate implementation of the SIS and SIRENE functions. In the meantime, the Schengen evaluation of Romania and Bulgaria on all chapters was completed in March with a positive outcome. Following the adoption of the relevant reports by the relevant Council working party, the Presidency submitted draft conclusions on the completion of the evaluation process to the JHA Council scheduled for 9 June.  I know that this will be good news for most in this House, not least those Members from Bulgaria and Romania. It will mark an important step on their way towards full participation in Schengen. The Council will continue to monitor further progress in all areas since proper follow-up is an ongoing exercise in all Schengen countries. In this respect, I can assure the honourable Members that both Bulgaria and Romania will continue to report regularly on the steps taken to remedy the remaining shortcomings. They will, in particular, be looking to reinforce further the controls at their borders and to improve cross-border police cooperation as well as their systems for the issuing of visas.  When Parliament adopts the report prepared by Mr Coelho and the Council adopts the conclusions drafted by the Presidency, only the very last step – adopting the decision of the Council which, as we all know, requires unanimity – will be left. In this respect, I would like to underline that the Council may return to this issue very soon to reflect on how it can further the process, possibly in September this year.  The report prepared by the rapporteur touches upon the subject of access to classified documents – as was also mentioned by the rapporteur in his introductory remarks – which was an important question in dealing with this dossier. Parliament’s access to classified documents is one of the outstanding interinstitutional issues between the Council and Parliament that the Hungarian Presidency is aiming to resolve. While we have managed to agree on the way forward with Parliament’s delegations, the implementation of the solution found still requires some time.  However, the Hungarian Presidency looked, right at the beginning of its term, for an immediate solution in order not to delay the accession of Bulgaria and Romania to the Schengen area. In that context, it was at the proposal of the Hungarian Presidency that the Council gave its assent so that Parliament could have access to documents pertinent to the accession of the two Member States to the Schengen area.  All in all, the Hungarian Presidency is convinced that the enlargement of the Schengen area to include Bulgaria and Romania, now that they meet all the technical and legal criteria, would be beneficial for the entire Schengen cooperation and for Europe as a whole, where one could travel from the Black Sea to the Atlantic without being stopped to show a passport or identity card. We all know that this free movement is one of the fundamentals of our European Union – something which is really tangible for our citizens and something of value which we all have to safeguard. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cecilia Malmström,***Member of the Commission.*– Mr President, Schengen is indeed a fantastic achievement. It is one of the most tangible gifts that the European institutions have given to Europe’s citizens – the fact that, as the Presidency said, you can actually drive from Finland to Portugal without stopping at any border control. We must safeguard Schengen and the latest debate on reintroducing borders must be stopped. We have already discussed on many occasions how we should strengthen Schengen, and not weaken it. We need more Europe on this, and not less Europe. We need better evaluation, better tools and better guidelines and recommendations on how to interpret the Schengen acquis. This will be discussed with Member States in the Council this week, but also later at the European Council at the end of June.  I would like to congratulate Romania and Bulgaria on the considerable efforts they have made. I have seen with my own eyes that they have done a lot of hard work. One of the advantages of being late is that you can benefit from the latest technology. I have been impressed by the technology and the work that has been put in place by Romania and Bulgaria and I would like to congratulate them on these investments. The result is that they both now meet the technical criteria of Schengen and they are committed and deserve the trust of the European Union. The Commission welcomes this report on the work by Romania and Bulgaria and I would like also to thank Mr Coelho and the shadow rapporteurs for this report and this approach.  The Commission has always taken the line that there is no formal link between the CVM mechanism and Schengen accession. But, of course, we all know that access to Schengen is also based on trust, and trust, or lack of trust, has been very much debated in the last weeks. The decision to lift internal border controls with Romania and Bulgaria must not only be based on the technical evaluation but also on this trust, and unfortunately, that trust is not there today. That is why it was so important, as the Presidency outlined, to work with Member States to find a swift solution to this so that borders could be lifted as soon as possible.  This must remain a priority. The Council, which has the say on this, must define a clear framework with clear timetables related to border control so that Romania and Bulgaria can see a way forward. They have demonstrated that they are ready to join, that they have made the necessary progress, and hopefully there will very soon be a possibility to achieve a way forward and a decision by the Council. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Agustín Díaz de Mera García Consuegra,***on behalf of the PPE Group.* – *(ES)* Mr President, I should like to congratulate Mr Coelho, and I do this because his work is consistently rigorous. I now add that we must help Bulgaria and Romania. I trust Bulgaria and Romania. They have worked well and hard and they should receive what is theirs by right – this is no gift.  The Presidency-in-office of the Council and the Commissioner, Mrs Malmström, have both stated that these two countries comply with the technical and legal requirements, and I add my voice to theirs. I believe we should not consider any criteria other than the strictly technical and legal.  These criteria essentially number five. They comply with the following: they comply with the data protection requirements, they comply with the Schengen Information System (SIS), they comply with police cooperation, they comply with the issue of visas and they comply with the control of external borders by air, sea and land. Strictly speaking, they also comply with the SIS and with the Supplementary Information Request at the National Entry (SIRENE).  In view of all this, this House should send an unequivocally strong message to the Council and, notably, to the permanent representations of five countries that I shall refrain from mentioning but which are in the minds of all of us here today.  I do believe, ladies and gentlemen, that in including Romania and Bulgaria in the Schengen area, which comprises more than four hundred million human beings, we are adding, not subtracting; we are building a stronger Europe. Furthermore, we should avoid double standards. Nor should we set conditions for Romania and Bulgaria that we do not ask of the other Member States in order to form part of this area of freedom.  Thus, to end my speech, I fervently express my wish for a strong, majority-endorsed message to be sent from this House to the Council.  Congratulations once again, Mr Coelho, and congratulations to Romania and Bulgaria. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Ioan Enciu,***on behalf of the S&D Group.* – *(RO)* Mr President, I express my thanks to Mr Coelho for his effort, commitment and the particular expertise he has applied to this report. I also thank the Hungarian Presidency and Commissioner Malmström for the support they have given to this report.  The debate about Romania and Bulgaria joining the Schengen area has been hijacked so much for political purposes that we have almost forgotten what it is we are really debating. I want to remind everyone that we are actually talking about very clear, specific criteria which any candidate country has to meet to become a member of the Schengen area.  There is no moral or legal argument which will make us change the rules for joining now at the end. The rules can be improved when approving the new Schengen evaluation mechanism applicable to all Member States, without resorting to double standards.  It is time for us to be honest and acknowledge that Romania and Bulgaria are being held responsible for everything that is going wrong at EU level and internally in some Member States. This notion is completely unacceptable. It is not Romania and Bulgaria that are at fault because the European Union and certain Member States are unable to manage immigration and their borders, nor are they responsible for the extremist and populist deviations of a few governments, applying anti-immigration policies and regarding the mobility of European citizens, especially of Roma citizens, as a crime.  Last but not least, Romanian and Bulgarian citizens have to suffer because of the bad personal relations the national authorities have with certain influential leaders. The EU institutions must be the voice of reason and combat this distraction which some are attempting to create. The European Parliament and Council must comply with European legislation, while the Commission has to oversee this as Guardian of the Treaties. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Renate Weber,***on behalf of the ALDE Group.* – *(RO)* Mr President, we are debating a dossier today which has put on our agenda in recent months a number of issues of principle. I would like to thank the rapporteur, Carlos Coelho, for the extremely professional manner in which he has carried out his job in the Committee on Civil Liberties, Justice and Home Affairs, so as to ensure that these principles are respected. It has been a pleasure for me to work with Mr Coelho, whose constructive attitude has left its mark on the whole dossier.  On the one hand, we are dealing with an issue of principle when we examine whether two EU Member States fulfilling the criteria for joining the Schengen area should be admitted to this area. The answer according to the rules is ‘yes’. Both countries have been assessed regarding their technical preparation for this accession, with totally positive conclusions. Our rapporteur has gone even further and organised off his own bat working visits to the countries, also accompanied by the shadow rapporteurs, so that they can see how both the command centres and some border points look technically.  On the other hand, another issue of principle has been to do with the institutional relations between the European Parliament and Council when it came to MEPs accessing documents on the basis of which they had to vote. The Council’s viewpoint that only some MEPs could have access and vote on a fully informed basis, while the others ought to raise their hands to copy them, was sharply criticised by the Committee on Civil Liberties, Justice and Home Affairs. I am pleased that our viewpoint won the day.  Institutional cooperation must be fair, logical and democratic. I hope that tomorrow’s vote will send a clear, positive message to MEPs about the accession of Romania and Bulgaria to the Schengen area. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Timothy Kirkhope,***on behalf of the ECR Group.*– Mr President, I would like to say to the Commissioner that European citizens are losing confidence and trust in more and more European programmes. It is important that we do not push further forward at a speed and rate we are not fully prepared for. This is a feeling felt by many Member States with regard to the Schengen area and we should not rush with further expansion before all involved are fully and sufficiently ready and prepared.  Of course, I must stress that this debate should not be used as an excuse to criticise either Bulgaria or Romania, who we know have been working very hard to meet the technical criteria that the Commission has set. Although there may well be disagreement between us as to whether those criteria have been met, much has been done. But this is an opportunity to talk about renewing faith in the Schengen system and the integrity of the European Union itself, and an opportunity to improve a completely outdated and ineffective evaluation mechanism.  We are currently dealing with a system which is not able to deal with the current or future challenges Europe faces or the political views of its Member States. Now is the time to set criteria which not only deal with the technical aspects of the Schengen system, but assess the impact of organised crime and corruption, also within the assessment of existing Schengen Member States, and I would like to see Europol and Eurojust involved in those assessments. Perhaps such a new evaluation mechanism would help prevent some of the differences of opinion and lack of confidence in the current system which we are hearing not only in this Chamber but right across Europe at the present time. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Tatjana Ždanoka,***on behalf of the Verts/ALE Group.*– Mr President, the issue at stake is whether we grant assess to the Schengen area for Bulgaria and Romania. I myself come from a new Member State and I remember how it wanted to join the area. I therefore very much welcome the accession of Bulgaria and Romania to that area.  There were some shortcomings on the road to Schengen, but now the problems are resolved. Bulgaria and Romania are fully prepared to join the area of free travel in 2011. I understand the concerns about corruption and organised crime. That is why cooperation within the framework of the mechanism for cooperation and verification should be continued. However, we cannot invent new criteria for joining the Schengen area and we cannot undermine the certainty that a state is part of that area as soon as current criteria are met.  The debates in Parliament have revealed a clear need to avoid double standards when evaluating the implementation of the Schengen acquis in existing and acceding Schengen Member States. The file on that evaluation is thus crucial. We find it unacceptable that several Member States have suggested, in the Council, changing the legal bases for the proposal so as to exclude Parliament from the decision-making process.  I hope very much that our rapporteur, Mr Coelho, will defend Parliament’s prerogatives, as he always does very successfully, with our full support. I would like to thank him for his work and hope for further good cooperation in the future. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cornelia Ernst,***on behalf of the GUE/NGL Group.* – *(DE)* Mr President, ladies and gentlemen, it is time that Bulgaria and Romania were included in the full application of the Schengen acquis. Think about it – the abolition of controls on the internal borders and the creation of freedom of movement are some of the most important achievements and values of the European Union. For that reason, I find the blocking tactics of a number of Member States – including my home country of Germany – totally incomprehensible. The arguments used concern the fear of uncontrollable floods of refugees and how corruption must be countered. Given the opinions that have been presented, I cannot understand these arguments.  A dangerous game is being played with Bulgaria and Romania here. For that reason, we have also supported the rapporteur, Mr Coelho, from the start in his view that the same standards must apply to all Member States, including when it comes to Schengen.  Like the other Members on the Committee, we were extremely alienated by the Council’s impossible behaviour towards Parliament and by how, at the beginning, it even refused to allow us to review the documents. Overall, the opinion on the table is a positive one. We expect that Schengen area accession will become a reality and that we will not have to wait until September.  To close, I would like to quote the Bucharest-based journalist, Sabina Fati. She stated, ‘The Romanians are euphoric citizens. They look upon Western Europe as a place whose standards they absolutely want to achieve. To turn your backs on them now could lead many of them to become eurosceptics’. That is not something that we want in either Romania or Bulgaria. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mario Borghezio,***on behalf of the EFD Group.* – *(IT)*Mr President, Article 4(2) of the Act of Accession of Bulgaria and Romania to the European Union states that verification, in accordance with evaluation procedures, that the necessary conditions for the application of the Schengen acquis have been met by the new Member States is an essential requirement for the Council to decide to abolish internal border controls with those States.  Now, we believe that there would be an urgent need to establish regulatory and operational conditions preventing undesirable elements, who could undermine the security of Member States, from slipping into the EU unnoticed via Bulgaria and Romania, but our assessment is that those conditions do not exist today.  The reports being discussed in Parliament are not reassuring because of the grave deficiencies which still exist at air, land and sea borders, starting with the performance of border controls. It is not surprising that our police forces are faced with numerous cases of illegal immigrants coming from those two countries every day.  I suggest that we need to suspend the entry process to the Schengen scheme for Bulgaria and Romania as a precaution, not least in view of the foreseeably enormous pressure on the external borders of these two countries, which are becoming the holes in the Swiss cheese that is the European Union system regarding the entry of illegal immigrants. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Daniël van der Stoep (NI).** – *(NL)* Mr President, I will get straight to the point. Bulgaria and Romania, our corrupt eastern European nests of thieves, absolutely do not meet the conditions for accession to the Schengen area. I repeat: absolutely not. Commissioner Malmström may well idealistically muse how sacrosanct the Schengen acquis is, while the majority in Parliament may well drily consider how marvellous it would be if Bulgaria and Romania were to join the Schengen area, but it is just not realistic.  It is naive, in fact, it is childishly naive. The facts just do not back the idea up. Bulgaria and Romania themselves have long since demonstrated that they are not worthy of accession to the Schengen area at this point. According to Transparency International’s Corruption Perceptions Index, corruption is the order of the day in both countries. When it comes to trustworthiness, Bulgaria scores just 3.6 on a scale of 1 to 10, while Romania comes in at 3.7. In a school report, these figures would be interpreted as a fail, a downright fail. Yet we are supposed to allow these countries into Schengen? Of course we should not – never!  The facts just do not back this idea up, either. In January of this year, a few dozen Bulgarian customs officials were arrested due to corruption. In February of this year, nearly 200 Romanian customs officials were arrested, also due to corruption. Both countries also have worryingly high scores when it comes to human trafficking. Last year, dozens of victims of Bulgarian and Romanian human trafficking were discovered in the Netherlands alone. Yet we are supposed to allow these countries into Schengen? It would be an outrage, and completely irresponsible.  You can want something to happen – you can want something to happen very badly – but you need to see the reality. Take the blinkers off! Bulgaria and Romania are absolutely not ready for Schengen. They are not ready now, and they never will be. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Andrey Kovatchev (PPE).** – *(BG)* Mr President, I wish to thank Mr Coelho for the objective and fair assessment of what has been done by Bulgaria and Romania. I also thank the Presidency and Commission for their support on this report.  The process for evaluating these countries and their accession must be completed according to the same criteria with which it started. It was already established in 2007 that, once the technical criteria were fulfilled, Bulgaria and Romania would join the Schengen area in 2011. This is already done. The same evaluation has been reached by the Council’s experts: Bulgaria and Romania fulfil the membership criteria.  All the reservations which we have recently been hearing relate to the foreign policy debates of some Member States. Instead of looking at the short term, we need to take action in support of better protection for our external borders, of signing and complying with readmission agreements with our southern and eastern neighbours, and of solidarity with those Member States which are subject to the strongest immigration pressure in southern Europe.  This is particularly important at the moment when there are internal challenges from and fears among our citizens about illegal immigration, which may threaten security and social advantages in Europe. We need effective, workable plans for dealing with the crises which we had in Italy and Malta. We cannot allow double standards. If we are going to debate and adopt new rules, they must apply to all countries – both old and new.  Fellow Members, Bulgaria and Romania have completed their job and they are building on these security systems in cooperation with their Schengen partners. They have made and are making considerable efforts in the fight against corruption and organised crime. At present, I will feel less concerned if the Schengen area’s Mediterranean border is guarded as well as Bulgaria and Romania guard their Black Sea borders. The rapporteur and other fellow Members were there and they understand what I am talking about.  This is why the Council needs to decide to admit Bulgaria and Romania into the Schengen area this September, in order to strengthen security in this area. Fellow Members, I call on you to support Mr Coelho’s report, which will allow us to give the Council a clear, strong political signal that Bulgaria’s and Romania’s rightful place is in the Schengen area this very year, in order to make external borders more secure and give our citizens greater peace of mind. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Monika Flašíková Beňová (S&D).**–*(SK)* Mr President, freedom of movement is one of the fundamental freedoms and achievements of the citizens of the EU Member States, and on behalf of our group, the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, I would like to support the accession of Romania and Bulgaria to the Schengen area.  I have to say that both the inspection report and the opinion of the rapporteur himself are positive, and that we should thank them, while, at the same time, also expressing our exasperation. Exasperation over the way that some MEPs from countries which themselves have problems with illegal immigration and corruption are looking at Romania and Bulgaria today. Bulgaria and Romania are fully-fledged Member States of the European Union and our approach to them must be the same as to any other EU Member State.  So, if you think about the accession of Bulgaria and Romania, and if we vote on it tomorrow, I would be delighted if you could view it in the same way as you view your own countries. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Stanimir Ilchev (ALDE).** – *(BG)* Mr President, we are concluding during this session our evaluation of Bulgaria’s and Romania’s readiness to join the Schengen area. We will successfully achieve this because Mr Coelho’s report is successful. The overwhelming expectation is that Parliament’s evaluation concurs with the positive position of the Committee on Civil Liberties, Justice and Home Affairs and that the citizens of both countries, Bulgaria and Romania, feel that their institutions have done what they need to do and that the light to proceed down ‘Schengen Road’ is already green.  The discussions were lengthy, but the good news is that we did not permit the attempts to make ad hoc changes to the Schengen membership criteria. The difficult times, of course, have not gone away. The governments of both countries need to explain now all the reasons to those who are sceptical and who changed before our very eyes from being former allies supporting Bulgarian and Romanian integration to instigators of the waiting game.  What underlies these reasons? Objective fears or prejudice, situational prudence or disappointment? I hope that the interior and justice ministers will be at least just as frank with each other as we have been during the process of drafting the Coelho report. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Paweł Robert Kowal (ECR).** – *(PL)* Mr President, I have the impression that in recent discussions in the European Parliament, we have been thinking increasingly in categories of defending ourselves along a Limes line – sometimes this runs along the European Union’s external border, but sometimes we want to erect and defend borders within the European Union.  I want to say firmly and emphatically: there are no substantive reasons, today, to delay Bulgaria and Romania’s joining the Schengen area. We should oppose all attempts at restricting contacts between citizens, and we should oppose all attempts at restricting freedom to travel and be active in the European Union. The discussion to which I am listening shows how very divided the European Union is today. Those who today are raising artificial arguments against Bulgaria and Romania joining the Schengen area will have on their conscience responsibility for the destruction of the political project which is the European Union, and they will never now escape that responsibility. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Gerard Batten (EFD).**– Mr President, it is odd, is it not, that as the Schengen area comes apart in its core countries, there are plans to extend it to include Bulgaria and Romania. There are over 900 000 gypsies in Romania and Bulgaria, many of whom would like to migrate. Once they can travel freely within the Schengen area, many of them will inevitably find their way to Britain in order to take advantage of our generous benefits and public housing system, like so many before them.  Perhaps some enterprising British citizens might like to meet the Roma as they disembark at Calais and Heathrow and give them the addresses and location maps so that they can find their way to the homes of our Prime Minister, his cabinet colleagues and all the MPs in favour of EU membership. Only when the Roma pitch their caravans on the front lawns of our out-of-touch political class might they change their views on the benefits of EU membership. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Philip Claeys (NI).** – *(NL)* Mr President, I fear that the European Parliament will once again be showing its most naive side by approving the accession of Bulgaria and Romania to the Schengen area. It is clear, in any case, that there are various Member States that will oppose this. They have good reasons for so doing.  There is a recent report from Europol about organised crime which stated that criminal groups from Albania, Turkey and the former Soviet Union will exploit the opportunities that the accession of Romania and Bulgaria to the Schengen area will bring. The report I mention also makes reference to the visa liberalisation for the Balkan States, which was also something of an imprudent measure.  There is the problem of illegal immigration via Turkey, which will occur in much greater numbers once Bulgaria is in the Schengen area. What guarantees is the Commission giving that this problem will be tackled effectively? It is giving none whatsoever. What steps is it taking to prevent additional problems in connection with the Roma gypsies and the nuisance and criminality associated with them? It is taking no steps whatsoever, either.  What is the situation when it comes to the judicial reform and anti-corruption measures that are still needed? Those citizens of Romania and Bulgaria who travel to Schengen countries with good intentions will, in any case – and I am convinced of this – understand that the inconvenience of border controls is outweighed by the necessity of protecting all other Europeans against organised crime and mass illegal immigration. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Marian-Jean Marinescu (PPE).** – *(RO)* Mr President, Romania’s accession to the Schengen area is a project which has involved major financial, institutional and human efforts, as it is one of Romania’s most important political objectives. Romania has invested more than EUR 1 billion and the results have definitely been positive in all the evaluation reports. All the Schengen acquis conditions have been met.  Romania manages one of the European Union’s longest external borders, as a result of which it has developed the most advanced, integrated security system, complying with the standards set by the Schengen acquis. Romania and the agency Frontex have strengthened their partnership. In the Frontex operations carried out in Greece, Romania was the second main contributor, after Germany, of equipment and human resources. In the event of a huge influx of immigrants at the border, specialist immigration and asylum mechanisms have been implemented in partnership with similar institutions in other Member States, Germany and the Netherlands. In terms of the efforts to combat illegal trafficking, every state-of-the-art method is used to investigate and collect information. A unique application has been developed in Europe which allows data to be processed in both SIS I and SIS II. The maritime border surveillance system has been presented as a model of good practice. At the same time, the authorities have focused particular attention on the fight against corruption. Constant cooperation as part of the special mechanism set up by the European Commission has produced the results showing that Romania has the necessary institutional capacity required and political will to achieve the justice objectives.  I think that accession to the Schengen area is not a gift being offered to Romania, but rather recognition of its merits and efforts, and will be an obvious asset to the security of the EU’s external borders. Mr Coelho, thank you and congratulations on the way you have handled this dossier. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Tanja Fajon (S&D).**– *(SL)* Mr President, Bulgaria and Romania have fulfilled the conditions set and are acceding to the Schengen area on their own merits. We cannot allow political arguments to delay the enlargement. I am greatly concerned by the populist and extreme right nationalist rhetoric which is, in a very dangerous way, leading the Union to intolerance, racism, discrimination and the thoughtless closing of doors.  With each enlargement of the Schengen area, we are expanding the area of ​​freedom, security and justice and I am confident that, as in the past, time will show possibilities for economic and other development. It is unacceptable that some Members States of the Union should call today for the restoration of internal borders. The mobility of European citizens within the Union, the freedom to travel, is one of the key European freedoms, and any restriction would undermine one of the most tangible benefits our citizens have obtained from closer European integration.  With the enlargement of the Schengen area to Bulgaria and Romania, we will prove that the idea of integration is alive and well, that Europe is heading forward, and that the countries which are knocking at its door have a clear future in the EU, including those of the Western Balkans. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **David Campbell Bannerman (ECR).**– Mr President, I may have changed my seat here to the ECR Group this week, but I have not changed my perspective on the European Union. When it comes to Schengen, it has been the ECR view that this is generally a matter for Schengen area members to decide, including Switzerland, of course, which is in Schengen, but not in the European Union. But the closure of the border by France to Italian trains, and Danish demands to mend Schengen shows it is in crisis.  Pragmatism dictates that the implications of Bulgaria and Romania joining are profound for those way beyond the Schengen area. A leaky border will mean that many illegal entrants destined for the UK can reach Calais without hindrance, for example, and Bulgaria has not complied with its obligations on organised crime. In summary, this proposal is simply a border too far. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mara Bizzotto (EFD).** – *(IT)*Mr President, while Europe pretends not to notice, the 2011 Europol report on organised crime affirms that, with the entry of Romania and Bulgaria into the Schengen area, the powerful criminal organisations of Turkey, Russia and Albania will be able to expand their activities across the whole of Europe.  Furthermore, and I quote: ‘Illegal immigration from Turkey will spread to the coasts of Bulgaria and the trafficking of drugs and humans by Turkish and Albanian criminal gangs will increase’. Moreover, regarding human trafficking, ‘Romania and Bulgaria’s entry into the Schengen area could give Bulgarian criminal groups and Roma communities new opportunities to increase their already significant trafficking to the rest of Europe’. In the final analysis, increased illegal immigration from Turkey and more drug and human trafficking mean less security for European citizens.  Europe wants to do organised crime an enormous favour. The *Lega Nord* party is, and always will be, against this kind of iniquitous choice. Whoever votes tomorrow in favour of this report will be responsible for having voted for the opening of a motorway bringing organised crime straight to the heart of Europe. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Kinga Gál (PPE)** . – *(HU)*Mr President, Mrs Győri, Commissioner, ladies and gentlemen, I am glad that by voting on the Coelho report tomorrow, the European Parliament will give a clear sign that it accepts Romania’s and Bulgaria’s readiness and supports the accession of these two countries to one of the most important acquis of the European Union, the Schengen area. This acquis means a lot to Eastern and Central European countries, also for historical reasons, because it provides the opportunity to travel freely without barriers.  The most important message of our debate today for Member States must be that Romania and Bulgaria meet the same accession criteria that the European Union expected from countries that have joined so far.  It must be emphasised that we cannot impose more requirements for Romania and Bulgaria than we have done in the case of the previous Schengen accession. Member States should not use the institution of double standard, as it erodes the very foundation upon which the Schengen acquis is built: the institution of mutual trust. It is exactly the events of recent months that prove that Europe’s most important acquis requires protection and support. I would also like to emphasise that under no circumstances should we bundle two matters here, that is, link the Schengen accession of the two Member States to the matter of the supervision of the Schengen verification mechanism. There is a great need for the latter, but the two cannot be connected right now.  And finally, allow me to congratulate Mr Coelho who prepared the report, whose constructive and consistent work has been truly important in this matter. I would also like to thank the Hungarian Presidency for its commitment and the concrete steps it took to facilitate the accession of the two Member States as soon as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Anna Hedh (S&D).** – *(SV)* Mr President, tomorrow, we will vote on whether to allow Bulgaria and Romania to join the Schengen area. For me as a Social Democrat, it goes without saying that all EU Member States that meet all of the stringent requirements for cooperation should be allowed to join. It is, of course, important for us to lay down stringent requirements for joining Schengen, but the same objective criteria must apply to everyone. Anything else is political hypocrisy.  Now that all of the experts deem that Romania and Bulgaria satisfy requirements, I think it is clear that they should be allowed to join. Some objections have been raised this evening with regard to corruption in both countries, but that is not something that can be combated via the Schengen system. Just recently, Commissioner Malmström presented a package for combating corruption that we can use as a basis for further work. This is a matter for the whole of the European Union, not just for Romania and Bulgaria. Likewise, the fight against organised crime requires more cooperation, not more closed doors.  *(Applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Salvatore Iacolino (PPE).** – *(IT)*Mr President, Commissioner, Schengen is certainly an heirloom of civilisation of the highest value.  Today, we must welcome an important result, which is that we consider the citizens of Bulgaria and Romania to be among those who can benefit from this fundamental instrument. The Schengen area should therefore be consolidated and strengthened further. If ever there were concrete evidence of European civilisation, this is it: the right to European citizenship finds concrete expression precisely within the Schengen area.  The Schengen acquis is, therefore, a fundamental instrument for the legal economy, and I am convinced that on 24 June this year, the Council will take important points for reflection from what is intended to be a strengthening of trust and collaboration between Member States.  Of course, the evaluation mechanisms must proceed from being intergovernmental systems to being Union systems, as recently announced by Mrs Malmström, just as the governance of Schengen certainly produces increased cooperation and dynamic reinforcement, as well as modernisation, transparency and dialogue.  The requirements have been met by Bulgaria and Romania and I congratulate Mr Coelho on having combined freedom of movement with the security of citizens in his balanced report, which has been adopted by the Committee on Civil Liberties, Justice and Home Affairs. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Iliana Malinova Iotova (S&D).** – *(BG)* Mr President, the SCH-EVAL Working Group described the one thousand three hundred kilometre Bulgarian border as a secure external border of the European Union, something which several Bulgarian governments worked for. The Committee on Civil Liberties, Justice and Home Affairs recommends that the Council should approve the two countries joining the Schengen area. I want to thank all fellow Members for the professional job they have done.  Some Member States are setting new political criteria which will delay the Schengen process. The accession of Bulgaria and Romania was even described as gambling with European citizens’ security due to crime and corruption.  The results in this area are clearly not impressive. However, this is why there are foreign policy criteria and possible resignations from Bulgarian ministers. These issues are the subject of other evaluations, such as the European Commission’s Cooperation and Verification Mechanism. I want to welcome also the suggestions made by Commissioner Malmström yesterday regarding a new package of anti-corruption measures.  However, at the moment, Bulgaria and Romania cannot be the scapegoats for unresolved problems relating to security in Europe: the wave of refugees from Africa, the forthcoming elections in some Member States, populist rhetoric and disappointment from the financial and economic crisis. No one is interested nowadays in a two-track Europe. This is why I call on you to support the Coelho report and urge the Council to take a positive decision. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Véronique Mathieu (PPE).** – *(FR)* Mr President, Commissioner, ladies and gentlemen, I should first like to congratulate my colleague, Carlos Coelho, who has done a masterly job on this report, and goodness knows it was complicated.  Bulgaria and Romania have done a considerable amount of work on strengthening their border controls and have succeeded. The latest assessments are very clear, in all areas from police and judicial cooperation to data protection and policies on visas and air, sea and land border controls. All the technical conditions have been met. We can accept this as an established fact. Bulgaria and Romania are now in a position to implement the Schengen acquis in terms of their technical capacity and human resources.  Whilst there is now nothing to prevent us from enlarging the Schengen area, it is worth noting the recommendations that have been made to these two countries. I hope these recommendations will be strictly monitored, especially as regards the borders between Bulgaria, Greece and Turkey, because as you know, mutual trust between the Schengen States relies on countries adhering fully to their reciprocal obligations. If any of the parties does not abide by its obligations, this breaks the closed circuit and the whole system falls down.  I sincerely hope that the Council reaches an agreement so that these two countries can become part of the privileged circle of Schengen States. All of us in this House are aware of the implications that decisions of this nature have for the citizens concerned. Well done again to Mr Coelho on his report. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Vasilica Viorica Dăncilă (S&D).** – *(RO)* Mr President, I think that the states which have expressed their reservations about Romania and Bulgaria joining the Schengen area must not forget that this process is a legal obligation stipulated by the Treaty of Accession to the European Union for Romania and Bulgaria, which all these countries have assumed by signing the Treaty.  At the same time, European Union countries must also be aware that it is in their interest for Romania and Bulgaria to join Schengen because they will be able to make their own contribution to the security of all Member States and extend the Schengen area, which is set to strengthen the integration process within the European Union and the common area of freedom, security and justice.  Acknowledgement from the European Union’s missions assessing the smooth operation and connection Romania and Bulgaria have to the Schengen Information System, which operates at the highest security standards, presents a strong argument in this respect. This connection will allow all Union countries to have access to online data about stowaways attempting to reach Europe and ensure more effective control at the European Union’s external borders. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Hubert Pirker (PPE).**– *(DE)*Mr President, Mrs Győri, Commissioner, we are all aware that both of these countries – Romania and Bulgaria – have invested a great deal in securing the external borders of the European Union. They meet the Schengen standards. Objective reviews have all come to the same conclusion, namely, that the prerequisites for accession to the Schengen area have been met. Our rapporteur also performed a review on the ground. He carried out an objective evaluation and reached the same conclusion. That is why we will not only be voting in favour of the report but we will also be giving our consent for both these countries to join the Schengen area.  The Schengen area is also an area of confidence, however. That means that not everything is completed with a single, one-off action but that confidence must be built over the long run; investment in security must be ensured over the long term. The same applies to all States, I would point out, and not just to Romania and Bulgaria. I hope that this confidence remains secure over the long term so that we are able to maintain this freedom of travel, this freedom of movement within the European Union as a major public good over the long term.  I am distressed by something that I heard today, however, although it is something that I am unable to verify, namely, that police wages in Romania are to be cut by around a third. We all know that it is a prerequisite for incorruptibility, for reputable work by the police, that they must be well paid. I therefore hope that my information is inaccurate and that the police, who are performing a service in the interests of these countries and of the security of the entire European Union, will continue to be well paid in the future, too, so that they are not susceptible to bribery. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Antigoni Papadopoulou (S&D).** – *(EL)*Mr President, Commissioner, according to the Coelho report, Romania and Bulgaria are, based on the evaluation reports, sufficiently prepared to apply the provisions of the Schengen acquis to their land, sea and air borders. They satisfy the basic requirements and the same criteria as other Member States for full integration into the Schengen area. In supporting the full integration of these countries, we are demonstrating our Community solidarity and supporting the European idea and the fundamental right of the freedom of movement of citizens within the European Union, thereby creating a stronger Europe.  As regards the concerns raised in the report about increasing migration pressure in the sensitive area of Bulgaria, Turkey and Greece, these are today’s challenges for the European Union and the Member States, which need to find global, pan-European solutions to effectively strengthen their external borders, to strengthen Frontex, to demonstrate due Community solidarity and to support the Member States in the south of Europe where immigrants land. The topical dialogue on updating the Schengen Agreement must take account of the above challenges. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Ivailo Kalfin (S&D).** – *(BG)* Mr President, Commissioner, involvement in the Schengen area means assuming responsibility. Bulgaria and Romania must be admitted so that they can assume their share of the responsibility, along with the other Member States, for protecting Europe’s borders.  I know that Schengen is a sensitive topic nowadays in many Member States and gives rise to numerous public debates. It has taken on new significance in recent months with the influx of emigrants from North Africa. In actual fact, even old and large Member States have been finding it difficult coping with the flow of emigrants.  However, these problems will not be resolved by not admitting Bulgaria and Romania. Quite the reverse. The correct response ought to be to strengthen the principle of solidarity regarding emigration policy and to get all Member States to commit to applying it. We not only need to offer the opportunity, but also require Bulgaria and Romania to assume their responsibilities and fulfil their duties at the Europe Union’s external borders.  Commissioner Malmström mentioned trust. This is the nub of it. The governments of both countries must be given the opportunity to respond to the challenge and prove that they can successfully guard Europe’s borders. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Rovana Plumb (S&D).**– Mr President, dear colleagues, one month ago, I came to Brussels by car and at the Hungarian border, I saw a huge queue of trucks. I recall counting 87. They were from Germany, Italy, Denmark and Hungary, loaded with goods which people were waiting for. They were delayed by a procedure which no longer applies in the rest of the European Union.  I would like to underline the importance of the accession of Romania and Bulgaria to this important space. It is important for the interests of the whole of Europe because we have to rebuild the trust of our European citizens in the European Union and its institutions. You said, Commissioner, that Schengen is an important gift for all European citizens, but it is also an important tool for not ‘less’ but for ‘more’ Europe.  I strongly believe that the European Parliament will adopt this report tomorrow and that the Council will act accordingly as soon as possible.  *(Applause)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Csaba Sógor (PPE).***(HU)*– Mr President, the Coelho report determines that both Romania and Bulgaria have proven that they have prepared properly for the appropriate application of the provisions of the Schengen acquis. However, the date of their accession to the Schengen area is still uncertain, as some Member States believe that despite the repeated assessments by various European Union institutions, their accession could cause problems in the Schengen system. While acknowledging the deficiencies of the Romanian justice system, I would like to call to the attention of my fellow Members and the Council the fact that the decision they are making directly influences the everyday lives of 30 million EU citizens. The abolition of internal border controls is an enormous success of European integration. Romanian and Bulgarian citizens rightly expect to be able to enjoy the benefits of the Schengen acquis as full European Union citizens. I strongly believe that all of Europe would be stronger if Bulgaria and Romania were to join the Schengen area this year. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Katarína Neveďalová (S&D).**–*(SK)* Mr President, I stand here today in order to give unambiguous support to the accession of Romania and Bulgaria to the Schengen area.  In my opinion, Mr Coelho’s report very much proves the opinion that these two countries are fully prepared and have fulfilled all of the conditions. Bulgaria and Romania have been Member States of the EU for four years, but some fellow Members appear not to have noticed that, and some of their questions and racist remarks about these countries really concern me as an EU citizen, because if we talk about illegal immigrants from these countries somehow invading our territory, we are actually referring to members and citizens of the EU, and they surely cannot be illegal immigrants.  In my opinion, whoever meets the conditions should have the chance of becoming a member of the Schengen area. This is a fundamental principle of equality on which the EU is built, and whoever doubts this doubts the fundamental principles of the EU. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Filiz Hakaeva Hyusmenova (ALDE).** – *(BG)* Mr President, Commissioner, ladies and gentlemen, following Bulgaria’s accession to the European Union, admission to the Schengen area is the next greatly awaited event. It is justice which we are waiting for.  After Bulgaria and Romania have made great efforts and coped admirably with the Schengen technical criteria, delaying both countries’ admission would run counter to the rules stipulated in the European Union. The conditions set in the Union are the same for everyone. The same criteria which have also applied to the other Member States must apply to our countries. Otherwise, this is discrimination.  Problems with corruption feature in many Member States. Europe must combat this as a whole because four out of every five European citizens consider that corruption is a fundamental problem in their country. Europe has problems with the rising number of emigrants. We need to find common solutions to these issues, but while adhering to our values and upholding our principles. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Lena Kolarska-Bobińska (PPE).** – *(PL)* Mr President, much is being said in the European Union about the crisis. Up till now, we have been talking mainly about the economic crisis. Now, what is happening with the Schengen area is making people say that it is not just the economy which is under threat, but also the fundamental rights of the citizens. Therefore, following the events related to the Schengen area in Italy, France and then in Denmark, I think we have to send a very clear signal which says that no, the Schengen area is not under threat, we do not want it to be suspended, we want it to be strengthened and enlarged, and that we very much want Europe to be open.  We have to show that we know how to overcome crises. I would like to express my thanks to the Commissioner that when Denmark wanted to bring in border controls, a communication on common asylum and immigration policy was released very quickly. However, a further step now has to be taken. It is not just a matter of voting to accept the entry of Romania and Bulgaria to the Schengen area. It is a matter of doing this as quickly as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Ioan Mircea Paşcu (S&D).**– Mr President, today, the Schengen arrangements are coming under strong pressure. On the one hand, given the current wave of immigrants from North Africa, where the EU is encouraging democratic change, some states have asked for, and obtained, a temporary suspension of those arrangements. On the other hand, other states have decided, for reasons which would seem to reflect their own narrow interests towards the applicants, to exploit the fact that Romania and Bulgaria are not yet part of the area and to try to keep them out, once again.  Consequently, the rules of the game have been modified during the match, to the disadvantage of the two players. I personally support the positive conclusions of the report and praise the author for them but, although I can understand the political reasons for amending the recommendation – the basis of politics is, after all, compromise – I cannot ignore the fact that the new conditionality suggested might facilitate a subjective interpretation of it. I pray to God that I am wrong. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cristian Silviu Buşoi (ALDE)** . – *(RO)* Mr President, the report we have before us today is objective and fair, highlighting that Romania and Bulgaria are fully prepared technically to join the Schengen area. On top of this, in certain aspects, Romania can be used as a model of good practice, as indicated in the assessment documents.  It is my firm belief that the accession of Romania and Bulgaria to this area will not have an adverse impact on the borders’ security. Quite the opposite. It will boost Europeans’ confidence in the Schengen area. There is often talk about mutual trust, just as has been mentioned in this debate, too. However, how can we talk about mutual trust when some Member States are changing the rules of the game midway by introducing new criteria for joining Schengen?  The arguments being used today against Romania and Bulgaria joining the Schengen area were not taken into account for any other state which has joined Schengen in the past. The only thing that Romanians and Bulgarians expect is fair treatment in relation to the other countries and an objective assessment based on the same criteria. Parliament must send the Council a clear message in this respect and insist on a definite date for accession. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Petru Constantin Luhan (PPE).** – *(RO)* Mr President, I wish to thank the rapporteur who, in this case, has drafted an extremely important report, but also extremely difficult at the same time, due to the fact that we have conflicting views on this matter regarding the accession of Romania and Bulgaria to the Schengen area.  Fellow Members, I also want to thank all those who have realised that the European Union expands on the basis of values. Last but not least, the accession of Bulgaria and Romania to the Schengen area is part of assuming responsibility, which both states did in 2004, to meet the conditions which have subsequently turned out to be fulfilled according to the European Commission’s evaluation reports.  Today, I asked a fellow MEP from a country which has a conflicting position on our accession to the Schengen area what reason he would have for opposing this. The technical conditions seem to be met, but the reason would be because it is a controversial policy domestically. This situation is unacceptable. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Nikolaos Salavrakos (EFD).** – *(EL)*Mr President, I consider that the credibility of the European Union rests on the uniform application of the rules. I consider it obvious that the integration of Romania and Bulgaria into the Schengen Agreement must be accepted by complying with the same rules that were complied with when other States became parties to the agreement.  I welcome Mr Coelho’s report and his proposal on the need for Bulgaria to take additional measures, by preparing a special action plan with Greece and Turkey, due to the problem of illegal immigration on the Greco-Bulgarian border. I repeat my firm position that Dublin II needs to be revised and the Frontex operational office in Greece needs to operate on a permanent basis. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Andreas Mölzer (NI).** – *(DE)* Mr President, Commissioner, the Schengen Agreement, as we know, must not promote mass immigration into the social systems and the freedom of travel must not lead to an increase in crime and illegal immigration. The fight against organised crime and the improvement of border protection must finally be more valued in the European Union.  If Italy and its border police’s security system reportedly lags far behind the ordinary Schengen standard, it is to be feared that newcomers like Romania and Bulgaria could soon also slacken in their efforts.  The overhasty accession to Schengen for these countries should therefore be rejected, as the main beneficiaries of this could be organised crime from eastern Europe and even from the Caucasus region. I believe that, in combating asylum problems, Denmark has set itself up as a trailblazer for EU-wide rules. That is probably why the Commission has reacted so strongly to the announcement of stronger border controls to fight rising criminality. We should make clear that, although Schengen requires open internal borders, that is only the case where the external borders are truly secure. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Wim van de Camp (PPE).** – *(NL)* Mr President, everyone who has followed this dossier knows that admitting Bulgaria and Romania to the Schengen area is an extraordinarily difficult dossier in the Netherlands. We also have a European responsibility, however. That being the case, I have one question for the Commissioner: how does enforcement of the Schengen criteria fit in with general control under corruption policy? Just recently, we heard about border control between Bulgaria and Ukraine, where Bulgarian border officials had been bribed to allow people through the external borders of the European Union that have no business being here.  I have a second question, which Mr Pirker also asked, namely, what do the substantial police cuts in Romania mean for the enforcement of the Schengen criteria? There has been no consultation about this with the unions. What is the current state of affairs? |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Monika Smolková (S&D).**–*(SK)* Mr President, Bulgaria and Romania have, in three years, taken all the measures necessary to be able to join the Schengen area. The criteria and the measures for securing the external borders are not simple. Both states have fulfilled these and are entitled to be members of the common Schengen area, regardless of the fact that Europe is now facing a flood of immigrants from Africa.  It is important that the evaluation committee, members of which have visited both states in person, has stated that both Romania and Bulgaria meet the Schengen requirements.  I firmly believe that MEPs will approve this report and that it will then be clearly approved by the Council. I wish the citizens of Romania and Bulgaria the rapture that I personally experienced in chopping down the border gate on 22 December 2007, when Slovakia became part of the Schengen area. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Anneli Jäätteenmäki (ALDE).**– *(FI)*Mr President, the expansion of the Schengen area entails the fulfilment of standards, but it is also about trust. The applications from Bulgaria and Romania have come at an interesting time, when the EU has begun to question the principle of free movement.  Formerly, internal border checks were obviously carried out, but the reason for these at the time was the holding of certain events, like sporting events, the European Football Championship, world championships, or certain summit conferences. Now, too, many Schengen countries conduct police inspections within the framework of national legislation, on flights inside the Schengen area, for example.  Now, however, the debate has changed. Now, checks should no longer be carried out because of special events, but because of a phenomenon. It is a sensitive issue, because it questions the notion of free movement and …  *(The President cut off the speaker)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Mariya Nedelcheva (PPE).** – *(BG)* Mr President, I congratulate Mr Coelho for his well-balanced, objective report. The text not only reflects the findings made by the rapporteur when he visited Bulgaria and Romania, but also expresses the European Parliament’s desire to remain true to the spirit of Europe. In other words, readiness for Schengen membership is based solely on fulfilling technical criteria. This is the case.  Technical readiness, as a result of the good work carried out by Bulgaria and Romania, is a positive finding, which is also being made by us today. Now it is important for us to send a two-fold message tomorrow during the vote with a convincing majority.  First and foremost, there is a message for the Council of Ministers. By providing access to the relevant information, establishing a constructive dialogue and taking into account the view of Parliament, the Council will not only show its goodwill in terms of cooperating with us, but it will also send a powerful message about one of the guardians of European values, as well as about transparent cooperation and partnership.  A strong message will also be sent to Bulgarian and Romanian citizens. What the European Union is saying to them is: ‘Yes’ to equal treatment for all Member States, ‘Yes’ to identical rules and ‘Yes’ to the same consideration for the results achieved. I am confident that the Council can heed positive efforts. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Nadezhda Neynsky (PPE).** – *(BG)* Mr President, I would first of all like to thank Mr Coelho for the comprehensive report. I am taking the floor because I am annoyed by the blatant attempts to use the case of Bulgaria and Romania to resolve internal problems and to respond to internal fears.  The lifting of visa requirements for Bulgaria and Romania more than 10 years ago was met with the same fears. However, the European leaders at that time demonstrated courage and farsightedness even when Bulgaria and Romania were not members of the European Union. Indeed, they were not wrong.  This is why we must remember today that the current debate is about rules which must be the same for everyone, about equality between Member States enshrined in the Treaty of the European Union and, last but not least, about Europe’s so widely acclaimed solidarity.  Europe is definitely more different nowadays to the Europe of 20 years ago. This should not come as a surprise to anyone. However, if there is a crisis in the Schengen area, this is a subject for another debate. If this leads to a change in conditions, they must be changed for everyone. Let us remember therefore that huge groups of illegal immigrants are crossing …  *(The President cut off the speaker)* |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Metin Kazak (ALDE).** – *(BG)* Mr President, I would like to congratulate the rapporteur, Mr Coelho, on an exceptionally balanced, positive report. This is the result of the general attitude and vision which the majority of fellow Members present in this Chamber have, which is that Bulgaria and Romania deserve to and must be part of the Schengen area.  Obviously, problems should not be shifted to areas where there are none. Corruption and crime are prevalent in all European Union Member States. However, success in tackling these problems will only be achieved when all 27 countries combine their efforts. Responsibilities and burdens should not be shifted just on to one group of European countries.  Bulgaria and Romania proved that they can work for a united Europe. I think that they will be worthy members of the Schengen area as well. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Traian Ungureanu (PPE).**– Mr President, Bulgaria and Romania proved that they can guarantee the safety of the EU borders and this is fully – I repeat, fully – documented. By the way, the officers arrested in Romania and Bulgaria were arrested for corruption. Can anyone in this House claim that, for instance, a Dutch officer, a corrupt Dutch officer, would not be arrested for corruption in the Netherlands?  Secondly, Romania and Bulgaria did not compete to win the top prize of Transparency International. They entered the judicial contract and fulfilled all its criteria. Now, if somebody is trying to change the rules of the game during the game, I think this might be illegal according to EU law and is, anyway, unfair according to common sense. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Cecilia Malmström,***Member of the Commission.*– Mr President, thank you for this very useful debate. There is indeed a clear need to strengthen the trust and faith in Schengen by strengthening governance and by strengthening the evaluation mechanism – as the Commission proposed long before Christmas – with more involvement of independent experts and the Commission, and also increased transparency involving Parliament in all the steps that are taken there. We also need to become much better in immediately assisting Member States which are in difficulties for one or other reason, and we need to clarify under what circumstances border controls might be reintroduced.  All this needs to be done. We also need to fight against corruption and to increase the fight. Yes, there is corruption in Bulgaria and Romania, but there is corruption in every Member State, and the Commission proposed only yesterday a report on how we want to enforce the struggle against corruption. Some of you were kind enough to refer to this.  But, in the meantime, we must recognise the enormous efforts that have been made by Bulgaria and Romania in order to comply with the technical requirements of Schengen. They are very clear, they are very transparent. That is why these countries must be given a clear perspective, a clear framework on what is expected of them, so that Member States will feel ready to welcome them into the Schengen community. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Enikő Győri** , *President-in-Office of the Council*. – *(HU)* Mr President, Commissioner, ladies and gentlemen, first of all, I would like to thank those who commented positively on the efforts of the Hungarian Presidency. It was very important for us to feel your support throughout the entire past five months. Today’s debate has also shown clearly that there is a strong majority in the European Parliament supporting Romania’s and Bulgaria’s accession to the Schengen area because they have done their homework.  During the past five months, and for the remaining time ahead of us, we will fight to express this, and for the Council to determine that as far as the technical standards are concerned, Romania and Bulgaria are ready to join the Schengen area. Both countries have worked very hard and deserve the maximum amount of appreciation for their efforts. Many have voiced their opinion during the debate – those who are for, as well as those who are against or for postponing the accession – that mutual trust is the key word in this issue. I also agree strongly with this, and the Hungarian Presidency has aimed to build trust throughout the entire time.  How did we try to achieve this? On the one hand, we were engaged in continuous dialogue with both countries, watching their efforts and attempting to help them find ways to get a better recognition of their efforts. On the other hand, we were continuously in touch with countries that expressed doubts about the accession of Romania and Bulgaria. We then made efforts to encourage these countries to contact the candidate countries as well. As a result, I can tell you that there was a continuous dialogue behind the scenes in order for the parties to better understand and trust one another. This is the mutual trust upon which the majority of our policies are built in the European Union; without it, Member States are unable to make this political decision that requires unanimity. This is a time-consuming process.  We had six months to achieve this. I trust that during these six months, we will reach the point where, in exactly two days, the Member States will say ‘yes, the homework has been done’. What can help create mutual trust? On the one hand, the series of consultations, which I have mentioned. On the other hand, that both candidate countries continue their efforts and keep proving that they are capable of defending the external borders of the European Union. The conduct exhibited by these two countries, coupled with their enormous growth, pace and rhythm, must be continued in the near future as well.  On the other hand, I am convinced that the cooperation and verification mechanism – the famous CVM on which the Commission will release a report in July, dealing with the exact same issues that were voiced in this debate – could be helpful, even if officially, it is not part of the conditions for Schengen accession. The Commission will issue a certificate concerning the fight against organised crime and corruption. We have fought all along for this not to be laid down as a condition, but it will definitely support the building of mutual trust. As such, I am convinced that a positive CVM will promote a positive political decision regarding the Schengen expansion as well.  If you ask me about the general mood regarding any type of admission into the Schengen area, then we all know that it would be difficult to say that the European Union is currently in a particularly welcoming mood. Several comments have been made in this debate that aptly demonstrate this. For instance, some are saying that with the Romanian-Bulgarian accession, the Roma population will begin to move from these two countries. I would like to be very clear: freedom of movement is a basic principle of the European Union, it is effective and valid, it is what our policies are built upon; this freedom is currently enjoyed by the Romanian and Bulgarian Roma population, just as by everyone else in every corner of the European Union. Everyone can move freely, there are no visa requirements, and if anyone wanted to leave now, they could.  However, I am very proud of the fact that a Roma strategy was devised during the Hungarian Presidency which determines clearly the obligations of every Member State in connection with the community of this difficult fate. The problem must be treated at its roots: by providing better employment and education opportunities for them, this internal migration pressure will also decrease within the European Union. And allow me one more comment: if anyone were to deny one of our most basic freedom rights from the weakest, then these rights would be in jeopardy for all of us.  And finally, since the ongoing evaluation of the Schengen system has been discussed at length as well, I would like to say that the Hungarian Presidency has already stated this very clearly from the first moment, and this is something we continue to believe in. The issue of the Schengen expansion must be clearly separated from the type of evaluation to which we will subject the Schengen system. Let us not confuse the two. We must preserve the acquis regarding the freedom of movement, and we must utilise our available means better, for instance, to ensure a better mutual control of our external borders. This is why we are working on the Frontex Regulation; this is why we are working on reducing the migratory pressure from North Africa by addressing its local causes; this is why there is a new neighbourhood policy; this is why we are working on increasing the lending capacity of the European Investment Bank. We are in the final hour. There is only one legal problem standing in the way of reaching an agreement with you: the usual ‘delegated act’ problem. It is only after this that we review the Schengen system and look at how it can be adjusted or improved, because we can see that there are indeed problems with it, but let us stick to this order of things.  Mr President, ladies and gentlemen, I trust that the forthcoming session of the Justice and Home Affairs Council to be held in two days’ time will make important decisions concerning both the expansion and the verification aspects of the Schengen issue, but in a way that guarantees the freedom of movement of our citizens. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **Carlos Coelho,***rapporteur.* – *(PT)* During the debate, one of our fellow Members said that letting Romania and Bulgaria join Schengen would be a childish decision. I totally disagree. I believe that when we become adults, we appreciate rational arguments, and if we have been well educated, we recognise when rational arguments are fair. In order to act fairly, we cannot compromise ourselves with double standards.  We have to ask whether Bulgaria and Romania do or do not meet the conditions for entry into Schengen. If they do meet them, then they should enter. It is perfectly legitimate for their citizens to be seen as full European citizens. The people of Bulgaria and Romania should not become hostage to populist rhetoric.  We know that not everything is as it should be with regard to Schengen. We are therefore advocating a new system of evaluation for Schengen in order to be able to identify problems, respond accordingly, and make decisions if the problems persist. However, debates on the new evaluation system for Schengen cannot hold the people of Bulgaria and Romania hostage to this legislative process. These are different processes, and each has its own pace.  Finally, Mrs Gyõri, thank you very much for your kind mention of Portugal and the Schengen Information System (SIS) one-for-all scheme, which has facilitated the entry of several countries, including yours, into the Schengen area. Thank you for reminding us of that and for making that nice mention. I would like the Council to be given a summary of this debate and, I hope, an outline of our votes tomorrow, which I believe will be very enlightening. I hope that Council will recognise that when the assembly representing European citizens says yes with a large majority to Bulgaria and Romania, as I hope it will, the Council should follow suit as soon as possible. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto |  |  | | --- | |  | |  | **President.**– Dear colleagues, I believe that on the basis of the overwhelming majority of positive comments and evaluations in this Chamber today by Members of Parliament, as well as the evaluations of the Commission and of Council, warm congratulations are due to Bulgaria and Romania.  The debate is closed.  The vote will take place on 8 June 2011. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | |  | |  | **Written statements (Rule 149)** |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Elena Oana Antonescu (PPE),***in writing.*– *(RO)* Romania and Bulgaria have proved once again, if there was ever any need for them to, that they are capable of adopting all the measures required to guarantee a significant level of security at the European Union’s eastern border. Given the financial, technical, institutional and administrative efforts made by Romania to join the Schengen area, I think that the positive assessment of this dossier must be shown in the period ahead by setting a definite deadline for joining this area.  The situation should not be unsettled by changing the rules during the game, stepping up the Eurosceptic rhetoric and bringing up a separate issue relating to the need to control illegal immigration. Technically, Romania is more prepared than ever to police the European Union’s eastern border.  Yet, applying double standards in evaluating certain parameters is not a worthy and characteristic aspect of the United Europe project. I firmly believe that once Romania has been integrated into the Schengen area, it will demonstrate to all Member States the serious and rigorous way in which it can guarantee the eastern border’s security. Moreover, the results achieved will convince the whole of Europe that it has successfully enhanced the security of the entire Union. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Vilija Blinkevičiūtė (S&D),***in writing.*– *(LT)* Freedom of movement is one of the most important European Union values for all EU citizens and the Schengen area is characterised by the absence of controls at shared borders between participating countries and the introduction of freedom of movement within this area. Therefore, we must respect the right of all European Union citizens without exception to move freely. If Bulgaria and Romania are subject to more criteria than other EU Member States in order to join the Schengen area, then we will be creating double standards. We must avoid a system based on double standards, which is very strict towards candidate countries and very soft on countries that are already members of the Schengen area. The rules of the Schengen acquis must be the same for all countries and the assessment system must be based on the provision that rules should be met continuously, not only during accession. Countries joining the Schengen area must continue to comply with all security requirements because the security of the Schengen area really depends on the rigour and effectiveness with which each Member State carries out controls at its external borders, as well as on the quality and speed with which information is exchanged through the Schengen Information Service. Therefore, in order to remove controls at internal borders, it is necessary for the Member States to cooperate as much as possible and take the necessary action, particularly when increasing migration flows, because the security of the Schengen area depends on the rigour and effectiveness with which each Member State carries out controls at its external borders. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kinga Göncz (S&D)** , *in writing.*– *(HU)*According to the assessment of the European Commission, Romania and Bulgaria are prepared for Schengen accession, and therefore the Council must make a decision without delay to admit the two Member States. We can neither apply a double standard, as it would undermine the authenticity of the European Union, nor can we lay down new conditions. Joining the Schengen Agreement and dismantling borders is the step that citizens appreciate the most of the European Union’s acquis; in addition to the euro, this is also the symbol of the European Union. Freedom of movement is one of the keys to the success of the common market. It is, of course, necessary to safely protect the external borders of the European Union, yet this objective is achieved not by keeping out Member States that are prepared but by introducing a continuous and transparent Schengen verification system, which – along with the common European migration policy and the refugee policy based on internal solidarity – represents a solution to many open questions. Therefore, I am asking the Council to move forward as soon as possible in these areas. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Iosif Matula (PPE),***in writing.*– *(RO)* Romania is prepared to remove its internal controls at its land, air and sea borders. Following the visits made on the ground and the technical evaluations which were carried out, not only the rapporteur appointed by the European Parliament but the group of experts, too, concluded that Romania fulfils all the criteria for joining the Schengen area, which were provisions assumed through the Treaty of Accession in 2005. All the shortcomings identified in the past have been rectified. Furthermore, my country has set an example of good practice in some areas. With regard to the objections raised by some MEPs, I want to point out that they relate to topics which have no direct link with the Schengen acquis, which means that they cannot be used as reasons for blocking Romania’s access to this area. I understand the concerns of certain fellow Members about making the EU’s external borders secure, especially as some states can be regarded as favourite destinations for the flows of emigrants. However, I should remind you that European rules must be the same for all Member States and cannot be changed during the game as this would amount to discrimination against Romanian citizens. In view of the positive technical evaluation, the Justice and Home Affairs Council must give the green light to Romania’s integration into Schengen, from this autumn on. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Franz Obermayr (NI),***in writing.* – *(DE)* If you believe this report, everything is shipshape and Bristol fashion and Romania and Bulgaria have demonstrated that they are sufficiently prepared to implement all of the Schengen rules. However, those of us who are familiar with the Europol report OCTA 2011 on the subject of organised crime will be asking ourselves whether the Committee on Civil Liberties, Justice and Home Affairs is deaf and blind, and why on earth we indulge ourselves in Europol at all if we simply ignore its warnings. Europol reports that Romania and Bulgaria are transit routes for drug smuggling, gun running and human trafficking. Organised criminal gangs, increasingly multi-ethnic, act with extreme violence. Many have a paramilitary background. These groups, and I quote verbatim from the Europol report ‘are seeking to expand their interests in the EU, and may exploit opportunities in the possible accession of Bulgaria and Romania to the Schengen Zone’. Europol Director, Rob Wainwright, stated in an interview that ‘The possible accession into Schengen of Bulgaria and Romania and visa liberalisation for Ukraine – one would see these as potential new opportunities for organised crime’. We have a duty to our citizens to take Europol’s warnings seriously. The Schengen Agreement is already opening all the doors to Europe to organised crime and illegal immigration. It therefore needs urgent repair before it is extended. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Debora Serracchiani (S&D),***in writing.* – *(IT)*I thank the rapporteur, Mr Coelho, for his excellent report, which fits in with the recent debate on the implementation of the Schengen Agreement. The existence of effective controls along our external borders must be an important factor inasmuch as the security of the Schengen area depends on the efficiency with which each Member State controls its external borders. Although some problems remain unresolved, Romania and Bulgaria have proved to be sufficiently prepared to apply all the requirements of the Schengen acquis. We have discussed at length the practical efficacy of the state machinery of these two countries, as well as their levels of corruption; nevertheless, I believe that the application of Schengen should leave this out of consideration, given that – just as happened with the other Member States – it is sufficient to base a decision only on the efficiency of border controls and the preparation of police forces. Adding further requirements would create a precedent of discrimination which has not existed before, not even after the great enlargement in 2007. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Adrian Severin (NI),***in writing.*– The real question is whether all EU citizens, irrespective of their national origin, are to be treated equally and granted equal access to EU fundamental rights. Against the background of the global economic crisis, the EU is experiencing a crisis of democracy and solidarity. We are seeing the renationalisation of Europe. In this context, the debate on Romania’s and Bulgaria’s accession to the Schengen area has provoked stark reactions motivated by pseudo-arguments and double standards.  This is not about technical aspects, nor about the security of the EU’s external borders, nor yet about migration or efficiency of the judiciary. It is a European political problem of a strategic character. It is about EU cohesion. To speak about a lack of preparation at our eastern borders when seeing the permeability of our southern borders is simply hilarious. To promote national political agendas at the expense of the aspirations of EU citizens of Bulgarian and Romanian origin is outrageous. Indeed, we need better defended borders, a better migration policy, better administrative capacity and honest public servants. But this requires more and not less Europe. One right step in this direction is the immediate enlargement of the Schengen area to include Romania and Bulgaria. |  | |  |  |  | |  | | --- | |  | |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | |  | | --- | | MPphoto | |  | **Kristian Vigenin (S&D),***in writing.*– *(BG)* We can categorically say that Bulgaria itself, or Bulgaria’s citizens to be more exact, do not pose a threat, either directly or potentially, to security, order and peace within the Schengen area. Our country has fulfilled, albeit late, all the technical requirements relating to external border controls.  However, there is a large degree of distrust suggesting that serious disruption may be caused when the control measures are implemented. This distrust features in the reports from the European Commission on the Cooperation and Verification Mechanism, in the reports from Europol and in a series of statements made by senior representatives of various Member States. With the unprecedented growth in smuggling activity and the informal economy, with the prevalence of corruption and the inability to cope with organised crime, there is no good reason for us to get angry at the fact that our membership is being blocked by additional obstacles.  The European Parliament must adopt a position on principle, which is that the rules of the game cannot be changed midway. According to the formal requirements, Bulgaria and Romania are ready for membership of the Schengen area and the European Council must decide in favour of this as soon as possible. I am counting on Mr Coelho’s report being approved by a large majority to give a clear political signal to Member States. |  | |  |  |  | |  | | --- | |  | |      |  |  |  | | --- | --- | --- | |  |  | *(The sitting was suspended for a few moments)* | |

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