

**Question for written answer E-002255/2023/rev.1
to the Commission**

Rule 138

Cristian Terheş (ECR)

Subject: Clarifications regarding the accession of Romania and Bulgaria to the Schengen area

Article 4(2) of the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union¹ states the following in relation to the countries' potential accession to the Schengen area:

'The Council shall take its decision [...] acting with the unanimity of its members representing the Governments of the Member States in respect of which the provisions referred to in this paragraph have already been put into effect and of the representative of the Government of the Member State in respect of which those provisions are to be put into effect.'

I request that the Commission offer its view of how Article 4(2) of the aforementioned protocol should be interpreted, specifically regarding the following aspects:

1. With regard to the accession of Romania and Bulgaria to the Schengen area, will the Council take a separate decision for each country?
2. Do Romania and Bulgaria also have to vote, alongside the Member States in which all relevant Schengen provisions have already been put into effect, on the Council decision regarding their own accession to the Schengen area?
3. At the present moment, when neither of the two countries is a full Schengen member, can Romania and Bulgaria respectively vote on the Council decision on each other's accession to the Schengen area?

Submitted: 19.7.2023

¹ OJ L 157, 21.6.2005, p. 29.