

Forum: Advisory Panel

Issue: Integrating Romania and Bulgaria further into European Frameworks

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Introduction

Romania and Bulgaria have been members of the European Union since January 1, 2007. This particular date marks the end of a thirty-year journey towards bringing these two Balkan States closer to European common space; on the other hand, the beginning of a new process, this time of real integration within the same. The inclusion of both nations marks a significant achievement in the progress towards a more united Europe. Bulgaria and Romania became members of the EU, but the application of certain policy areas of the European Union to Bulgaria and Romania was deferred to a later date such as, Schengen Area and Eurozone. Bulgaria and Romania have always shown a consistent dedication for protecting the borders of the European Union (EU) and ensuring safety within the Schengen Area. After a 13-year wait, Bulgaria and Romania have partially joined Europe's Schengen area of free movement. After years of negotiations to join the Schengen area, there is now free access for travelers arriving by air or sea from both countries. However, land border checks will remain in place due to opposition primarily from Austria which has long blocked their bid over illegal migration concerns. To date, the Schengen area covers all EU countries except Bulgaria, Cyprus, Ireland and Romania. In order to become a part of the border-free zone, any country that wants to join must make sure that they follow a specific set of rules. These rules cover things like controlling the borders on land, sea, and air, issuing visas, cooperating with the police, and protecting personal data. The country needs to keep a close eye on its borders and work together with other Schengen countries' law enforcement to make sure everyone stays safe within the territory.



Definition of Key Terms

The Cooperation Frameworks

According to the United Nations Sustainable Development Group (UNSDG), the definition of cooperation frameworks is the agreement between the UN and the host government. It also determines and reflects the UN development system's contributions in the country and shapes the configuration of UN assets required inside and outside the country.

Schengen Area

Over the years the Schengen area, representing movement and European unity has seen an increase in its member count. Bulgaria and Romania have been working hard to meet the standards set by the Schengen Agreement with the goal of abolishing borders and promoting travel among member states. Despite facing challenges and delays in their journey to join both countries have shown determination and dedication to meeting the criteria. One of the reasons for not applying Schengen regulations to Bulgaria and Romanians land borders is Austria's concerns about how Sofia and Bucharest handle migration through these borders. In October 2022, a fact finding mission was carried out confirming that Bulgaria and Romania have made progress in implementing the Schengen system as recognized by the European Commission. The Commission also praised their compliance with Schengen regulations. However despite these achievements Vienna remains unsure about Bucharest and Sofias ability to handle the increasing flow of migrants into the European Union. In 2011 Bulgaria and Romania met all requirements outlined in the Schengen acquis for membership approval. Nevertheless at that time France, Germany, Netherlands and Finland opposed their entry into Schengen due to concerns about corruption.



Eurozone

The eurozone, also referred to as the euro area, consists of a collective of 20 European Union member states that have selected the euro as their currency. These nations have fully embraced the Economic and Monetary Union (EMU) policies establishing the euro as their tender. Within the EU there are seven non-eurozone members; Bulgaria, the Czech Republic, Denmark, Hungary, Poland, Romania and Sweden. While these countries continue to use their currencies at present with the exception of Denmark they are expected to transition to using the euro once they meet specific conflict criteria. The adoption of a currency streamlines business transactions and investment activities within the euro area by reducing costs and risks. The standardization facilitated by the euro promotes trade and investment across borders by simplifying price comparisons, for both individuals and businesses.

The Association Agreements

An association agreement is a deal between the European Union member states and another country outside the EU. It's essential in helping countries join the EU smoothly by strengthening ties between the EU and participating nations on issues. These agreements require approval from the EU and ratification, from all EU member states as the concerned country.

The Copenhagen Criteria

The Copenhagen criteria refer to the guidelines determining a nation's qualification for EU membership. These criteria entail endorsing principles and human rights organizations maintaining a market economy and recognizing the EUs responsibilities and objectives. These membership standards were outlined during the June 1993 European Council meeting, in Copenhagen, Denmark, their name.



Maastricht Treaty

The Maastricht Treaty, also referred to as the Treaty on European Union serves as the cornerstone agreement of the EU. Its primary aim was to promote cooperation by introducing a citizenship that allows people to travel, reside and work across member states without restrictions. Furthermore it set up a shared framework, for policy and security policies. Member nations also committed to collaborating on security and legal matters.

Acquis Communautaire

The term Acquis Communautaire in French refers to "that which has been acquired or obtained." The EU acquis, often referred to as acquis, encompasses the body of EU law established since 1993 and consists of a collection of legislation, legal measures and judicial rulings. During the expansion process the acquis was categorized into 31 sections to aid in discussions between the EU and member nations during the fifth expansion phase. This phase included ten countries that became members in 2004 along, with Romania and Bulgaria who joined in 2007.

Background Information

The European Union has expanded a number of times on several occasions over the course of its history through the addition of newer member states to the Union. In order to join the EU, a state needs to fulfill economic and political conditions called the Copenhagen criteria. According to the Maastricht Treaty, any enlargement must be approved by each current member state and the European Parliament. The process of enlargement is also known as European integration. As stated in the EU treaties, membership in the European Union is open to any European State that upholds the values outlined in Article 2 in the Treaty on



European Union and is dedicated to advancing them. Today, the accession process involves a sequence of formal procedures, starting with a pre-accession agreement and concluding with the ratification of the ultimate accession treaty. Before a country applies for membership, it typically signs an association agreement to help prepare the country for candidacy and eventual membership. When a country formally applies for membership, the Council requests the commission to assess the country's readiness for commencing negotiations. The council holds the authority to either accept or reject the opinion provided by the commission. If the council agrees to open negotiations the screening process starts. The commission and the candidate country analyze their respective laws as well as those of the EU to identify if any difference exists. Once the negotiations are complete, a Treaty of Accession will be signed, after being approved by all member states of the Union, along with the institutions of the Union, and the candidate country. Upon completion of this process, the candidate country will officially become a member of the Union on the specified date in the treaty.

Romania

Romania's journey to become a member of the European Union started when they signed the Association Agreement on February 1 1993. They applied for EU membership in June 1995. After that the European Commission evaluated their application and issued a progress report. In December 1999, the European Council decided to begin negotiations with Romania for accession. Throughout summits, such as Copenhagen in December 2002 and Thessaloniki in June 2003 support for Romania's EU membership goal was reiterated. After discussions and negotiations Romania officially signed the Accession Treaty on April 25 2005. The treaty was ratified by all EU member states including Germany. Finally on January 1 2007 Romania's accession to the EU was officially confirmed by the European Council after an integration process.



Bulgaria

Bulgaria's journey towards joining the European Union began with the signing of the Association Agreement in March 1993. This agreement was a possible way for economic ties between Bulgaria and the EU. Following Bulgaria's application to join the EU in December 1995 negotiations for accession commenced in July 1997 after an evaluation from the European Commission. The target year for Bulgaria's admission was set as 2007 when the Copenhagen European Council in December 2002 officially started the negotiation process in February 2000. Throughout this period Bulgaria implemented reforms under EU guidance and support. Key milestones, such as the June 2003 European Council meeting in Thessaloniki played a role in advancing Bulgaria's path to membership. The signing of the accession treaty, in April 2005 marked a milestone signaling the conclusion of discussions. Subsequently EU member states ratified the treaty leading to Bulgaria joining the EU on January 1 2007 after meeting all requirements and completing the integration process.

Major Countries and Organizations Involved

European Union (EU)

The EU is the primary organization involved in the integration process. The acceptance of Bulgaria and Romania into the European Union as member states was a long and multi-faced journey. Beginning with the formal accession of both countries in 2000, Bulgaria and Romania approached new comprehensive reforms in order to be qualified for the standards of the EU. The European Union closely observed the progress of their reform efforts. The EU offered financial assistance including pre-accession funds and technical support, aided in implementing necessary reform and enhancing institutional capacities. After the fulfillment of requirements and the approval of the current member states, the Accession Treaties



was signed. In 2007, Romania and Bulgaria officially joined the EU. In order to address concerns in specific policy areas, transitional measures were incorporated ensuring a smooth integration process while upholding EU values and standards.

Austria

Romania and Bulgaria have agreed with Austria to become part of Europe's Schengen travel zone by March 2024, as confirmed by Bucharest and Sofia. The Romanian interior ministry stated that the political agreement will enable Romania and Bulgaria to become part of the Schengen zone through air and sea routes exclusively. However, discussions regarding land borders will be held in the future. Austria had been preventing both countries from joining the Schengen area due to worries that it might result in a surge of undocumented migrants entering Europe through the Turkish and Western Balkan routes. "Schengen must become better and not bigger. I don't see much progress here yet, so I can't imagine any change now," said Gerhard Karner, Austria's federal minister of interior. The Schengen area consists of 27 countries, with 23 of them being part of the European Union, and it has a population of over 423 million citizens. Romania and Bulgaria have been trying to join for more than ten years. In 2022, the applications of Bulgaria and Romania to be freely moved in the Schengen area were vetoed by Austria, which has been complaining for years that it has to put up with a disproportionate amount of illegal immigration as a result of poorly protected external Schengen borders.

Netherlands

The arguments made by Austria and the Netherlands are quite similar and revolve around the issue of illegal migration. If Bulgaria and Romania were to be accepted into the Schengen area, it would potentially create a direct and borderless route for refugees who manage to enter Greece from North Africa or Turkey, which are



commonly used routes by asylum seekers, to reach Western Europe. However, it's important to note that many Schengen member states have temporarily reinstated border controls, which slightly alters the situation on the ground. Additionally, there is a counterproductive aspect to this argument, particularly from the Bulgarian perspective, as they believe that the veto hinders Schengen security. Currently, Bulgaria has to allocate resources, both financial and personnel, to patrol over 1000 km of border with Greece and Romania. If these resources were redirected to the much shorter border with Turkey, it would significantly enhance security for the entire European Union. This viewpoint has been expressed by politicians from both Bulgaria and Romania. The Netherlands previously opposed granting access to the Eastern European country over concerns about corruption and migration, but the ministry said on December 15, 2023 Bulgaria meets conditions to join Schengen.

Timeline of Events

Date	Description of Event
1 February 1993	Romania signed the Association Agreements.
8 March 1993	Bulgaria signed the Association Agreements.
July 1997	The European Commission issued an initial negative opinion on the accession applications submitted by Bulgaria and Romania.



December 2002	The European Council in Copenhagen expresses support for the objective of Romania's EU accession
June 2003	The European Council in Thessaloniki expresses support for the close of Romania's accession negotiations
April 2005	A Treaty of Accession signed by Bulgaria and Romania to become members of the EU.
1 January 2007	Romania and Bulgaria became members but the application of certain policy areas of the European Union to Bulgaria and Romania was deferred to a later date.
2022	The applications of Bulgaria and Romania to be freely moved in the Schengen area were vetoed by Austria
30 December 2023	According to the Council Decision, any person, irrespective of their nationality, will as of that date be able to cross the internal air and maritime borders between Romania and Bulgaria and the



	other Schengen Member States, and between themselves, without being subjected to border checks.
31 March 2024	Bulgaria and Romania fully apply the Schengen acquis and checks on persons at internal air and sea borders have been lifted.

Relevant UN Resolutions and Other Documents

- [Treaty on European Union - Maastricht Treaty](#)

The purpose of the Treaty on European Union aims to create an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizens. According to the treaty, the Union shall maintain in full the acquis communautaire and build on it with a view to considering, through the procedure referred to in Article N(2), to what extent the policies and forms of cooperation introduced by this Treaty with the aim of ensuring the effectiveness of the mechanisms and the institutions of the Community.

- [Treaty of Accession of the Republic of Bulgaria and Romania \(2005\)](#)

The Treaty of Accession 2005 is an agreement between the member states of EU and Bulgaria and Romania. It entered the force on January 1, 2007. The treaty outlined the terms and conditions under which Bulgaria and Romania would join the EU. Overall, this treaty provided a legal framework for the accession of Bulgaria and Romania to the EU, implementing in the enlargement of the EU.



Previous Attempts to Solve the Issue

The Romanian interior ministry announced that a "political understanding" had been achieved among the three nations to expand the zone "to include the airspace and maritime borders" of Romania and Bulgaria "starting from March 2024".

Austria, which vetoed the entry of the two countries, put forward the idea of what it called "Air Schengen" at the beginning of December. It said it was prepared to relax the rules governing air traffic for Bulgaria and Romania if Brussels strengthened the EU's external borders.

Possible Solutions

In order to solve the issue of the Schengen Area, the requirements of being a member in the Schengen area must be taken into consideration. Strengthening internal borders via using advanced technology and providing more training for personnel could be a solution. Cooperation between the member states of the EU and non-EU member states is crucial for effective border control and harmonization of immigration process. Taking into consideration the immigration process, both humanitarian concerns and security issues are essential. Rearranging the requirements for being a member in the Schengen Area can be a way to solve the relevant issue but attention should be paid for the relationships between Bulgaria and Romania and other relevant countries.

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