

Updating and Implementing the Schengen Action Plan – 2005

The crucial point of the final negotiations with Romania consisted in two safeguard clauses, one of them being focused on Chapter 24 – JHA. This specific safety clause can be activated, on the basis of the vote given by the European Council qualified majority, by the non-fulfillment of any of the seven requests, and it may delay Romania's adhesion to the EU by one year.

Among these seven requests, there is also the implementation of the Schengen Action Plan. At the same time, it is stipulated that the application of this plan must be significantly accelerated and the delays of the detailed deadlines must be avoided.

The revision of the Schengen Action Plan 2005 was a priority measure, implying the following actions:

- revising and updating the communitary acquis elements
- revising and updating, depending on each case, the border integrated management strategies, the state border security strategy, the logistical strategy, in accordance with the PHARE Planning 2002, 2003 and the multi-annual one 2004 – 2006, including the financing elements for the EADS Contract and the budgetary estimations for 2006
- assessing and validating the previously planned and accomplished measures with the view to remove them from the updated version, at the level of 2005
- drawing up the annual report regarding the progress accomplished in the implementation of the updated Schengen Action Plan 2004
- updating the relevant section of the Schengen Action Plan 2004

The Schengen Action Plan 2005 was a revised version of the Schengen Action Plan, being presented as an annex to the Complementary Position Document II by the Romanian authorities in 2004. The revision was carried out in order to update the information regarding the stage of acquis implementation and it was the result of the legislative, institutional and operative progress in the fields mentioned by the Schengen Action Plan.

At the same time, the Annex 1 of the SAP 2005 contained detailed information regarding the SAP 2004 progress accomplished.