



**COUNCIL OF
THE EUROPEAN UNION**

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COMIX 33**

COVER NOTE

from: Mircea Dan Geoană, President of the Romanian Senate
date of receipt: 19 January 2011
to: Viktor Orbán, President of the Council of the European Union

Subject: Proposal for a Regulation of the European Parliament and of the Council on the establishment of an evaluation mechanism to verify application of the Schengen acquis
[doc. 16664/10 SCHEVAL 139 SCHENGEN 62 COMIX 771 - COM(2010) 624 final]
- Opinion ¹ on the application of the Principles of Subsidiarity and Proportionality

Delegations will find attached a copy of the above opinion.

¹ For other available language versions of the opinion, reference is made to the Interparliamentary EU information exchange Internet site (IPEX) at the following address: <http://www.ipex.eu/ipex/cms/home/Documents/pid/10>.



Parlamentul României
Senat

Bucharest, 22 December, 2010
Courtesy translation

OPINION

**of the ROMANIAN SENATE, on the
Proposal for a Regulation of the European Parliament and of the Council on the
establishment of an evaluation mechanism to verify application of the Schengen
acquis**

COM (2010) 624 final

The Senate of Romania has checked the compliance with the subsidiarity and proportionality principles of the Proposal for a Regulation of the European Parliament and of the Council on the establishment of an evaluation mechanism to verify application of the Schengen *acquis* - COM (2010) 624 final, according to the provisions of the Treaty of Lisbon (protocol no.2).

Taking into account the report of our permanent Committee on Defence, Public Order and National Security, the Plenum of the Senate, during its session of the 22-nd of December 2010, has found that the mentioned proposal, elaborated according to Article 77(2)(e) of the Treaty on the Functioning of the European Union (TFEU), is compliant with the subsidiarity and proportionality principles, taking into consideration that the objective of evaluation mechanism is designed to maintain mutual trust between Member States in their capacity to apply, effectively and efficiently, the accompanying measures making it possible to maintain an area without internal borders, cannot be reasonable reached by the Member States by themselves and does not exceed what is necessary to achieve this objective.

President
Mircea Dan GEOANĂ

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