

PROBLEMS FACED DIFFERENTIATED INTEGRATION OF BULGARIA INTO THE SCHENGEN AREA

*Silviya Todorova*¹

Summary

The paper discusses the Mechanism for Cooperation and Verification as a major instrument of differentiated integration of Bulgaria into the Schengen Agreement. It is an attempt to explore the creation, form and duration of differentiated integration pursued by the member states of the European Union to Bulgaria. The gist of author's argument that concerned about the country's ability to guard the external border of the Union, Member States implement the functional differentiation. The article concludes that the accession into the Schengen associated with convincing arguments to meet the standards of European societies governed by the rule of law.

Keywords: integration, Schengen area, international law.

Introduction

The development of the European Union is the deepest example of an integrated regional organization of independent states. Started at the beginning of the 50s of last century political process of integration between Europe seeks to promote their economic, social and legal developments. At the heart of European integration is the political belief that it should lead to convergence of Member States' interests and build a „United Europe“, which implies the same speed of development in all countries. Therefore, the political debate in 1975 adopted a skeptical idea of „differentiated integration“ laid down in the report of the Belgian Prime Minister Leo Tindemans

¹ Associate Prof. PhD., Varna Free University, Bulgaria.

to the European Commission.² Much later, with the entry into force of the Maastricht Treaty, differentiated integration becomes a key factor to describe the ongoing European integration, providing a legal basis individual Member States to retain the right to opt-out in certain policy area.

Contemporary theoretical science is replete with analogies, metaphors and synonyms for differentiated integration, including the terms „flexible integration“, graduated integration, „second path of integration” and others.³ Common to all of them is that they describe anticipative positions of a group of member states in a specific policy area, while another group of countries lagging behind. Among the most indicative examples of policies based on the principles of differentiated integration in the European Union are those of the Eurozone,⁴ European Security and Defence Policy, the Schengen area, Prüm Agreement, the Charter of Fundamental Rights.⁵

Alexander Stubb (1996) makes distinction between several types of differentiated integration.⁶ *Multi-speed integration* describes a condition in which a group of certain countries aim to implement a common policy or project more quickly than others, but will adhere to it at a later stage. *Variable-geometry integration* refers to a situation in which even at a later stage, one or more participating countries do not intend to join the project launched by a group of countries. The term *À la carte integration* describes countries that can choose which general policies or aspects of them want to accept.

One of the theoretical explanations for the widespread principles of differentiated integration in European policies are negotiations before EU enlargement, as each of the new Member States defends its national interests in the various policies and subsequently formed the so-called „Differentiated outsiders.“ Among the first group are countries that want to integrate into individual policies, but can not meet the necessary criteria. A second group

² Report by Mr Leo Tindemans, Prime Minister of Belgium, to the European Council. Bulletin of the European Communities Supplement 1/76, 29 December 1975.

³ Norberto Nuno Gomes de Andrade (2005) Enhanced Cooperation: the Ultimate Challenge of Managing Diversity in Europe New Perspectives on the European Integration Process. *Intereconomics*, July/August

⁴ Eurozone is a monetary union of 19 of the 28 European union member states which have adopted the euro as their common currency. The rest member states used their national currency. Britain, Sweden and Denmark choose to opt-out, while the others not fulfill the Maastricht criteria.

⁵ Britain, Poland and the Czech Republic opt-out of the Charter of Fundamental Rights in the Lisbon Treaty and Ireland do not participate in particular matters.

⁶ Stubb, Alexander C.-G. (1996). *A Categorization of Differentiated Integration*. „Journal of Common Market Studies” no 34 (2): 283-95.

of countries are those that meet the criteria of the policy, but their desire is not to participate. Therefore, various types of differentiated integration are applied depending on the particular policy area.

The choice of the so-called “refusers” integration countries based on their strong national autonomy and identity, and they are sufficiently wealthy and well-governed to be able to afford non-integration.⁷ The wealthier countries are, the better they are governed, and the stronger their national identity is, they have less incentive to further integration. The “refused” countries is characteristic that they are relatively poor, less democratic, and less well-governed. Further membership they may acquire through efforts to consolidate democratic European values and improve their governance.

In this context, the rouse interest in differentiated integration is caused by the policy of Schengen, which is most sensitive for Bulgaria example. Since 2011, when the country was expected to join Schengen by now there are specified and analyzed many reasons which impede the process. They are indicated by corruption and political instability, to the lack of consensus among member states, due to the unanimous vote in the decision making. And while looking for an answer to the question, what should be changed – the internal situation in the country or to reform the functioning of the EU, it is clear that implementing a wide set of tools the so-called “differentiated integration”, which are hidden reasons for the postponement of Bulgaria’s accession into Schengen.

Models of differentiated integration in the Schengen area

By analysis of differentiated integration in Schengen it is possible to identify discrepancies between the criteria necessary for full participation in the integration processes in the lifting of internal border controls and the political ambitions of some Member States to preserve the powers of the management of immigration in their territory.

Various initiatives to create “free movement” of persons, guaranteed by the European Single Market, may traced back to the early 1970s. The plans for the gradual abolition of checks at their common borders, realized only five of the ten Member States of the European Community, by signing

⁷ Schimmelfennig F. (2014), *Circles and Hemispheres. Differentiated Integration in and beyond the European Union. The Development of a System of Graded European Union Membership.*

http://www.eup.ethz.ch/people/schimmelfennig/publications/Schimmelfennig_Hemispheres.pdf

the Schengen Agreement (1985).⁸ The agreement, known as the Schengen between the Netherlands, Belgium, Luxembourg, Germany and France was signed on June 15, 1985 outside the Community framework. As part of EU legislation, with the entry into force of the Amsterdam Treaty and to this day, it remains among the differentiated policies⁹, led to over 30% differentiation in EU treaties.¹⁰

The Schengen area includes 21 EU Member States except Bulgaria, Romania, Cyprus and Croatia, who have not met the criteria for membership, and Britain and Ireland, which with the provisions in the Amsterdam Treaty have a special status an opt-out in Schengen.¹¹ Meanwhile, countries that are not EU members (Iceland, Norway, Switzerland and Liechtenstein) have adopted the Schengen acquis and are part of the space. Based on this policy Schengen combines both *internal and external differentiation*.

Schengen is extremely functional policy, which in a short period of time achieved positive results with limited administrative effort, allowing it easy and successful incorporation into the framework of the European Union by the Treaty of Amsterdam. However, this policy highlighted several key aspects of integration that affect the process of accession of Bulgaria and Romania.

First, the strong opposition of Britain, Ireland and Denmark against the abolition of border control by enabling to add a protocol to the Treaty reserved for them to opt-out procedure and allows non-EU countries to join the Schengen area. In this context, Frank Schimmelfennig and Thomas Winzen (2014) considered the position of the United Kingdom, Ireland and Denmark in the Schengen area as a form of *constitutional differentiation* as it is contained in the provisions of the Treaties and in particular in the Amsterdam Treaty.¹²

Second, in the context of immigration policy, the Treaty of Amsterdam has a far-reaching effects on the development of European integration by transferring its powers to the supranational level. Thus it is much easier to

⁸ The UK, Ireland, Denmark and Greece rejected the idea of abolition of internal border controls. Italy was initially prevented from joining because it was not considered to control its external borders effectively.

⁹ With the Treaty of Amsterdam the Schengen Agreement is integrated into the EU, but spilled on top of pillars of the EU Justice and Home affairs and Title IV Visas, asylum, immigration and other policies related to free movement of persons

¹⁰ Schimmelfennig F., op. cit.

¹¹ Monaco, San Marino and Vatican are not part of Schengen, but between them and the Schengen countries are not conducted border checks.

¹² Schimmelfennig F., Winzen T. (2014), *Instrumental and Constitutional Differentiation in European Integration*, „Journal of Common Market Studies” no 52 (2): pp. 354–370.

assign responsibilities and obligations of the new Member States to solve immigration problems. For each new member states into the EU apply the special scheme by which they must comply with the provisions of the Schengen acquis, but must also meet the requirements to be part of area.¹³ Moreover, the accession treaties of Bulgaria and Romania to the EU, make a distinction between two categories in the Schengen acquis. They must comply with: 1) mandatory provisions applicable to EU accession and 2) provisions that apply after checking the conditions necessary for compliance with the acquis.¹⁴ In this sense, Frank Schimmelfennig and Thomas Winzen (2014) call situation of Bulgaria and Romania as *instrumental differentiation*, in which clear and explicit concerns of Member States in the expansion of area. The refusal of the Council reflects the instrumental logic of efficiency in carrying out the responsibilities of the Member States, which is based on confidence in their ability to control the external borders and control immigration flows. Therefore, the lack of trust between Member States is a factor that gives rise instrumental differentiation.

Territorial differentiation

One of the key questions that differential integration seek answers is that all countries should participate in all sectors of European policies.¹⁵ In this regard, an important feature of integration in Schengen is *territorial differentiation*, since geography is crucial for participation in Schengen policy.¹⁶

Galina Cornelisse (2014) describes the substantial geographical differences between Member States, namely the size of internal and external borders, and with it important responsibilities for the protection of the Schengen area in the context of immigration problems, creates *structural inequalities* between Member States.¹⁷ They in turn determine the so-called „*asymmet-*

¹³ This regime was applied for the ten countries joined the EU in 2004 and successfully joined the Schengen area in 2007.

¹⁴ Bertozzi S. (2008), *Schengen: achievements and challenges in managing an area encompassing 3.6 million km²*, „CEPS Working Document” no. 284/February.

¹⁵ Andersen S., Sitter N. (2006), *Differentiated Integration*, Centre for European Studies, University of Oslo, “Working Paper” No. 5, February.

¹⁶ Holzinger K., Schimmelfennig F. (2012), *Differentiated Integration in the European Union: Many Concepts, Sparse Theory, Few Data*; „Journal of European Public Policy”, 19:2, pp. 292-305.

¹⁷ Cornelisse G. (2014), *What’s wrong with Schengen? Border Disputes and the Nature of Integration in the Area without Internal Borders*, „Common Market Law Review”, vol. 51, no. 3,

ric shocks“, i.e. those states experiencing increasingly external borders of the European Union. It is logical to assume that increasing the structural *inequalities* between Member States increases asymmetric shocks.¹⁸

In fact, due its geographical location, the southern European countries – external borders of the Union experience the largest immigration problems. Looking back at the development of Schengen precisely this argument is opposing the opening of the borders of the “old” member states to the Mediterranean countries – Spain, Portugal, Italy and Greece. After the events of the Arab Spring (2011), namely Italy took a huge immigration pressure on Europa, the war in Syria (2013) causes immigration pressure on Bulgaria and in 2015 in the Mediterranean continue to land ships with illegal immigrants.

Due to these circumstances, it is assumed that Schengen formed a dividing line between Member States in the process of seeking mechanisms for limiting immigration. The result is differentiated integration as a means of dealing with immigration problems between Member States.

The political debates on responsibility for the management of migration flows and the external borders of the EU accentuate the link between Schengen and immigration. In a statement, Carlos Coelho, stated that the Schengen needs a „strong refugee and migration policy“.¹⁹ In support of this position in the scientific literature there are two basic assumptions made conditional immigration and Schengen.²⁰ First, according to the Schengen Borders Code, the control for entry and exit from the EU carried out at the external borders. Secondly, the free movement of people due to the lack of internal border checks. Therefore, assuming that the abolition of internal borders is accompanied by implementing a common policy towards citizens of third country nationals²¹, including measures to regulate immigration, particularly against asylum seekers.

Therefore, the integration of Bulgaria is carried out in two main areas: 1) the elimination of internal border controls between Member States and 2) protection of the external borders of space. The criteria, which our country must fulfill for Schengen membership include:

¹⁸ In May 2015 the European Commission adopted the European agenda on migration on Migration, in which proposed scheme to regulate immigration large influx external borders. See: COM (2015) 240 final, Brussels, 05.13.2015.

¹⁹ The Schengen rapporteur of the European Parliament. The future of the Schengen area – High-level policy debate, 14 June 12.00-15.00, European Parliament

²⁰ Huysmans J. (2000), *The European Union and the Securitization of Migration JCMS*, „Journal of Common Market Studies”, vol 38, issue 5, pp. 751–777, December 2000.

²¹ COM (85) 310 final, *Completing the Internal Market*, White Paper from the Commission to the European Council (Milan 28-29 June 1985), Brussels 14 June 1985.

- Ability to guard the external borders on behalf of all other countries including the issuing of Schengen visas (uniform short-stay visas).
- Effective co-operation with Member States to maintain a high level of security in the absence of internal border controls.
- Effective implementation of the compensatory measures provided for in The Convention implementing the Schengen agreement and connection and use of existing database in Schengen – the Schengen Information System (SIS), the Visa Information System (VIS) and EURODAC, which are used for border management and immigration building capacity Europe

In the context of the current immigration situation in the EU, Bulgaria is a critical external border of the European Union, seen as risky for the security of Member States. In accordance with the Schengen acquis state structures in Bulgaria have developed mechanisms to control immigration in all its aspects, to ensure the stability of all member states. But the main challenge remains the largest count of illegal immigrants crossed the Bulgarian-Turkish border, much of which has already passed in other Member States. There is increase in potential threats from entering the extremists associated with the Islamic State. It is noticed a trend of increase in cases of immigrant smuggling, a practice that other countries have long known.

Immigration problems in Bulgaria in the past three years have impacted the process of accession to the Schengen area, as European migration policy is an important consequence of the abolition of border controls between these countries. Here we add that Romania is also seen as a risk migration because of increased conflict in Ukraine and eventual immigration from Moldova.

Bulgaria and differentiated integration

Member states of the EU/Schengen are not remain indifferent to the threats of external borders.^{22, 23, 24} The accession process of Bulgaria and Romania to the EU / Schengen and immigration issues are scrutinized. Although the European institutions repeatedly confirmed that the country has met Schengen criteria for membership, the need for unanimous decision

²² *Migration in the Black Sea Region: An Overview*, International Organization for Migration, Geneva, November 2008.

²³ *EU Organised crime – Threat assessment*, OCTA 2011, Europol Public Information 2011.

²⁴ *Conclusions from the Expert Meeting on the Follow-up of the Joint Frontex Europol Report on the High Risk Routes of Illegal Migration in the Western Balkan Countries within the Frontex Risk Analysis Network*, Brussels, 15 February 2008.

allows several Member States of the so-called. „Core Europe“ – the Netherlands, Finland and Germany for years to oppose the accession of Bulgaria and Romania to Schengen. It became clear that their unified position is not unfounded, but is based on successive negative reports from Brussels under the *Cooperation and Verification Mechanism* (CVM), whose results are „tacitly“ tied to the integration into the Schengen area.

This analysis is not intended to examine in detail the development of CVM in the last eight years, but the author's opinion that it is implement for differentiated integration in the EU, which influences the process of integration into Schengen and reveals out the possibilities for effective border control.

In 2007 many Member States were aware that Bulgaria has unresolved internal problems such as corruption, organized crime, as well as a number of organizational problems.²⁵ In an attempt to provoke reforms, the European Commission introduced a tool (implement) CVM, as an accompanying measure to the Act of Accession only Bulgaria and Romania to the EU for the „accountability and efficiency of the judiciary and law enforcement authorities where necessary further progress in to ensure their ability to implement and enforce measures adopted for the establishment of the internal market and the area of freedom, security and justice“.²⁶ Therefore, the assumption of responsibility for management of the area of free movement is based on the safeguard clause introduced by the EU prior to accession, although the results from the CVM are not part of the formal requirements for Schengen membership.

The specific benchmarks introduced for Bulgaria²⁷ are added by the European Commission through a annex to the decision for the creation of CVM, namely:

1. Adopt constitutional amendments removing any ambiguity regarding the independence and accountability of the judicial system.
2. Ensure a more transparent and efficient judicial process by adopting and implementing a new judicial system act and the new civilprocedure code. Report on the impact of these new laws and of the penal and administrative procedure codes, notably on the pre-trial phase.

²⁵ Noutcheva G. (2006), *Bulgaria and Romania's Accession to the EU: Postponement, Safeguards and the Rule of Law*, Centre for European Policy Studies, „Policy Brief“ no 102/ May.

²⁶ *Five years mechanism for cooperation and verification – time for reflection*, Investigation of the Institute „Open Society“, Sofia 2012.

²⁷ EC monitor the progress of Romania in four benchmarks set for judiciary reform and the fight against corruption while in the case of Bulgaria added two more indicators on organized crime

3. Continue the reform of the judiciary in order to enhance professionalism, accountability and efficiency. Evaluate the impact of this reform and publish the results annually.
4. Conduct and report on professional, non-partisan investigations into allegations of high-level corruption. Report on internal inspections of public institutions and on the publication of assets of high-level officials.
5. Take further measures to prevent and fight corruption, in particular at the borders and within local government.
6. Implement a strategy to fight organised crime, focussing on serious crime, money laundering as well as on the systematic confiscation of assets of criminals. Report on new and ongoing investigations, indictments and convictions in these areas.

Specified by the European Commission benchmarks characterize two important characteristics of differentiated integration. First, be their nature, criteria defined are political set of objectives, which represents CVM as “political tool for differentiation”, administered and implemented by the European Commission. European Council has a major role in its implementation, following the report by the Commission, draws up its conclusions on the findings. In this way the Council (the Union legislator) gives formal approval to the findings of the Commission (the executive body of the EU) and enhances their effect monitoring by Member States.²⁸

In turn, the role of Member States in the implementation of CVM stands by the Council conclusions that are based on their positions. At the same time, the voting procedure of the Council, the practice allows individual Member States to exert strong influence on the adoption of decisions. Therefore, progress on CVMs is assessed on the basis of a political decision of the Commission and the Member States, taking into account the interests of each of them.

Second, the Commission monitors progress in Romania under the four benchmarks set for judiciary reform and the fight against corruption while in the case of Bulgaria there are added two more indicators on organized crime. Created individual criteria for removal of weaknesses in the effectiveness of the judicial system to both countries highlight the opportunities of the European Commission to identify specific problem areas in the Member States, including to monitor, evaluate and supervise the various aspects of Schengen. This is particularly important for Member States’ external borders of the Union.

²⁸ Markov D. (2010), *The Cooperation and Verification Mechanism Three Years Later: What Has Been Done and What Is Yet to Come*, Friedrich Ebert Foundation, Office Bulgaria, no 1.

In terms of government immigration in Bulgaria, essential acquire one of the criteria becomes of critical importance and it is connected with that directly border management, while for Romania this indicator is missing.

It reflects the key role that the Commission attaches to the effective management of the external borders of the EU, in the context of future membership in Schengen. More concerned about the ability to meet the policy requirements of the Schengen Member States implement mechanisms to „temporarily“ out of it, which we describe as “functional differentiation”.

Proceeding from the logic that any differentiation has a beginning and (likely) end,²⁹ the main question is how long differentiated integration of Bulgaria will last.

Monitoring of performance indicators of progress

There is no set procedure for assessing CVM. It is assumed that it should be abandoned in the implementation of those criteria. In the scientific literature, the consensus is that the terms of the Facility have lost their effectiveness after the date of accession.³⁰ The reason is that the importance of the mechanism is to make the candidate countries to adopt Union acquis, but which also means that the EU sets conditions which, if met, will provide a „reward“.³¹ This management model based approach has so far not given the expected results. The main challenge for Bulgaria to prove that it applies effective legislation, which is largely harmonized with EU law.

In the recent years, CVM has been criticized by the Bulgarian and Rumanian institutions, with the main reasons that the mechanism has not come for the progress of countries due to a number of shortcomings in its creation. It is clear that the reports are not based on specific quantitative and qualitative indicators, but on „flexible goals“. Reason for this is that the format of the reports varies over time and over the years there have been produced both a general, technical and thematic report. They do not use the same indicators to assess the current situation do not evaluate the

²⁹ Schimmelfennig F., Winzen T. (2014), *Instrumental and Constitutional Differentiation in the European Union*, „Journal of Common Market Studies” no 52: 2, 2014, pp. 354-370.

³⁰ Trauner F. (2009), *Post-accession compliance with EU law in Bulgaria and Romania: a comparative perspective* [in:] Schimmelfennig F., Trauner F. (eds.): *Post-accession compliance in the EU's new member states*, „European Integration Online Papers”, Special Issue 2, Vol. 13, Art. 21, <http://eiop.or.at/eiop/texte/2009-021a.htm>.

³¹ Papadimitriou D., Gateva E. (2009), *Between Enlargement-led Europeanisation and Balkan Exceptionalism: an appraisal of Bulgaria's and Romania's entry into the European Union*, „GreeSE Paper” no 25.

progress of the recommendations made in previous reports, etc. All this creates prerequisites to believe that CVM cannot stimulate the implementation of reforms in individual indicators, but even those that could be achieved have not been evaluated

It should be borne in mind that in 2010 the Commission stated that the mechanism is „appropriate means“ and that Bulgaria and Romania will operate it until achieving results.³² Therefore, despite the promise of the President of the European Commission – Jean-Claude Juncker that the operation on the Mechanism will be completed by the end of the Commission’s mandate in 2019,³³ the issue of its removal is not on the agenda, but the issue is improve his effectiveness. Moreover, at present, CVM is applied to each chapter of the acquis of the EU in the process of negotiating a new candidate.

For the first time since the introduction of CVM in April 2015 a discussion on the its efficiency was held. This is done on the initiative of the Committee on Budgetary Control of the European Parliament, whose powers are combating fraud, the protection of EU financial interests and the monitoring of the financing and implementation of EU policies.³⁴ The debate revealed different approach perception of the Mechanism of the two countries for which it was created. Responsibility and commitment of the Romanian authorities led to results achieved, while the Bulgarian side stands the political misunderstanding design of mechanisms and consequences of its results. It can be assessed differently depending on the degree of confidence of the Member States to overcome the challenges of maintaining the Schengen area, including effective management of immigration issues from the countries involved. In this context, it can be evaluated and the likelihood of the enlargement process of the European area without borders and Bulgaria be separated from Romania in assessing progress in the field of justice and home affairs.

Furthermore, another challenge for Bulgaria related to accession to the Schengen is that in the first six months of 2015 we have seen a rise in terrorist attacks in France,³⁵ which raised a number of questions about the existence and functioning of the Schengen area. In this situation the Member States

³² European Commission, *Report from the Commission to the European Parliament and the Council on Progress in Bulgaria under the Co-operation and Verification Mechanism*, COM (2009) 402 final, Brussels.

³³ <http://www.euinside.eu/bg/news/bulgaria-in-a-bitter-fight-for-a-reform-of-the-judiciary>

³⁴ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=%2f%2fEP%2f%2fTEXT%2b-COMPARL%2bCONT-OJ-20150413-1%2b01%2bDOC%2bXML%2bV0%2f%2fBG&language=BG>

³⁵ Attacks in Paris, France – January 7 2015, over the wording of the magazine “Charlie ebd0”. On June 26, 2015 in Lyon, France had stormed a US factory for industrial gases.

do not only revised its decisions on stricter border control, but remove from the agenda the issues of expansion of space of free movement.³⁶

Conclusions

It is obvious desire of member states to require implementation of specific conditions of the present and future candidate countries for accession to the EU / Schengen. The continuing validity of the principle of differentiated integration of the EU, in the context of the geostrategic situation of Bulgaria, generate discussions about the existence of new forms of membership in the EU, where certain countries may be excluded from certain aspects of the EU acquis.

Moreover, that transfer of general competence to build an immigration and refugee policy of the European Commission, urgently seeks new mechanisms for solving common problems at the external borders. For the first time an efficient policy is based on institutional support from the European Commission, by creating the post of EU commissioner for immigration in the new composition of the European Commission (2014-2019). This is a clear signal that the country should not underestimate the role of CVM in the context of accession to Schengen

Under these circumstances, determining the dynamics of the managing the area of free movement and the need to strengthen security at external borders, the question of the accession of Bulgaria into the Schengen area is far for solved. It is a political priority for Bulgaria that will allow a real European integration. This will be a sign of confidence in the country for effective management of the external borders on behalf of all Member States and to overcome the challenges not only to immigration, but also weaknesses pointed in the annual reports on CVM. In this context, the country must give more convincing arguments to meet the standards of European societies governed by the rule of law before joining Schengen.

References

- Andersen S., Sitter N.: *Differentiated Integration*, Centre for European Studies, University of Oslo, "Working Paper" no 5, February 2006.
- Vachudova A., Spendzharova A.: *The EU's Cooperation and Verification Mechanism: Fighting Corruption in Bulgaria and Romania after EU Accession*, European Policy Analysis 2012.

³⁶ <https://euobserver.com/beyond-brussels/127337>

- Bertozi S.: *Schengen: achievements and challenges in managing an area encompassing 3.6 million km²*, „CEPS Working Document” no 284/February 2008.
- Conclusions from the Expert Meeting on the Follow-up of the Joint Frontex Europol Report on the High Risk Routes of Illegal Migration in the Western Balkan Countries within the Frontex Risk Analysis Network*, Brussels, 15 February 2008.
- Cornelisse G.: *What's wrong with Schengen? Border Disputes and the Nature of Integration in the Area without Internal Borders*, „Common Market Law Review” vol. 51, no 3, 2014.
- Dyson K., Sepos A.: *Which Europe? The Politics of Differentiated Integration*, Palgrave Studies in European Union Politics, 2010.
- EU Organised crime – Threat assessment*, OCTA 2011, Europol Public Information 2011.
- European Commission, *Completing the Internal Market*, White Paper from the Commission to the European Council, COM(85) 310 final, Brussels 14 June 1985 .
- European Commission, *Communication, A European agenda on migration*, COM (2015) 240 final, Brussels, 05.13.2015.
- European Commission, *Report from the Commission to the European Parliament and the Council on Progress in Bulgaria under the Co-operation and Verification Mechanism*, COM (2009) 402 final, Brussels 2009.
- Five years mechanism for cooperation and verification – time for reflection*. Investigation of the Institute „Open Society“, Sofia 2012.
- Holzinger K., Schimmelfennig F., *Differentiated Integration in the European Union: Many Concepts, Sparse Theory, Few Data*, „Journal of European Public Policy” 19:2, 2012.
<http://www.euinside.eu/bg/news/bulgaria-in-a-bitter-fight-for-a-reform-of-the-judiciary>
http://www.eup.ethz.ch/people/schimmelfennig/publications/Schimmelfennig_Hemispheres.pdf
<http://www.europarl.europa.eu>
<https://euobserver.com/beyond-brussels/127337>
- Huysmans J., *The European Union and the Securitization of Migration*, „Journal of Common Market Studies”, vol. 38, issue 5, December 2000.
- Markov D.: *The Cooperation and Verification Mechanism Three Years Later: What Has Been Done and What Is Yet to Come*, Friedrich Ebert Foundation, Office Bulgaria, 1/2010.
- Migration in the Black Sea Region: An Overview*, International Organization for Migration, Geneva, November 2008.
- Norberto Nuno Gomes de Andrade: *Enhanced Cooperation: the Ultimate Challenge of Managing Diversity in Europe New Perspectives on the European Integration Process*, „Intereconomics”, July/August 2005.
- Noutcheva G.: *Bulgaria and Romania's Accession to the EU: Postponement, Safeguards and the Rule of Law*, Centre for European Policy Studies, „Policy Brief” no 102/May, 2006.
- Papadimitriou D., Gateva E.: *Between Enlargement-led Europeanisation and Balkan Exceptionalism: an appraisal of Bulgaria's and Romania's entry into the European Union*, „GreeSE Paper” no 25, 2009.
- Report by Mr Leo Tindemans, Prime Minister of Belgium, to the European Council. Bulletin of the European Communities Supplement 1/76, 29 December 1975.
- Schimmelfennig F.: *Circles and Hemispheres. Differentiated Integration in and beyond the European Union. The Development of a System of Graded European Union Membership*, 2014.

- Schimmelfennig F., Winzen T.: *Instrumental and Constitutional Differentiation in the European Union*, „*Journal of Common Market Studies*” 52: 2, 2014.
- Stubb A. C.: *A Categorization of Differentiated Integration*, „*Journal of Common Market Studies*” 34, 1996.
- Trauner F.: *Post-accession compliance with EU law in Bulgaria and Romania: a comparative perspective* [in:] Schimmelfennig F., Trauner F. (eds.): *Post-accession compliance in the EU's new member states*, „*European Integration Online Papers*”, Special Issue 2, vol. 13, Art. 21, <http://eiop.or.at/eiop/texte/2009-021a.htm>.