External borders: simplified regime for the control of persons based on the unilateral recognition by Bulgaria, Cyprus and Romania of certain documents as equivalent to their national visas for the purposes of transit through their territories

2007/0185(COD) - 31/01/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the report drafted by Michael CASHMAN (PES, UK) by 558 votes for, 22 against, and 19 abstentions, and amended the proposal introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, the Czech Republic, Cyprus, Latvia, Hungary, Malta, Poland, Romania, Slovenia and Slovakia of certain documents as equivalent to their national visas for the purposes of transit through their territories. Parliament adopted a series of technical amendments aiming to take into account the new situation in the Schengen zone and also the fact that, as of 21 December 2007, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia are members of the Schengen zone.

The new system will enable Bulgaria and Romania to recognise unilaterally certain documents issued by Schengen zone countries for individuals making visits of less than five days. The report states that Bulgaria and Romania are required to issue national visas for entry or transit through their territory to third country nationals holding a uniform visa or long stay visa or residence permit issued by a Member State fully implementing the Schengen acquis or similar document issued by the Member State not yet fully implementing the Schengen acquis (Cyprus). Cyprus may also recognise the national short-term visas, long-stay visas and residence permits issued by Bulgaria and Romania listed in the Annex as equivalent to its national visas for the purpose of transit.

Parliament specified that the implementation of the Decision shall not affect the checks to be carried out on persons at the external borders in compliance with Articles 5 to 13 and Articles 18 to 19 of Regulation (EC) No 562/2006.

It also specified that the Decision will apply to Bulgaria, Cyprus and Romania until the date determined by the respective Council decisions adopted pursuant to Article 3(2) of the 2003 Act of Accession and to Article 4(2) of the 2005 Act of Accession, on which all the provisions of the Schengen acquis in the field of the common visa policy and the movement of third-country nationals legally residing within the territory of the Member States will apply to that Member State. After the date determined by the relevant Council decision in relation to a Member State, that Member State shall recognise, during their period of validity, national short-term visas issued before that date until the last day of the sixth month from that date, for the purpose of transit through its territory, provided that that Member State has notified the Commission. During that period, the conditions set out in the Decision shall apply. Lastly, amendments have been made to the annexes to take account of a certain number of changes in Romanian and Bulgarian national legislation as regards visas.