

# External borders: simplified regime for the control of persons, based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein, for the purpose of transit through their territory

2007/0186(COD) - 17/06/2008 - Final act

**PURPOSE:** to enable Bulgaria and Romania unilaterally to recognise certain residence permits issued by Switzerland and Liechtenstein as equivalent to their transit visas.

**LEGISLATIVE ACT:** Decision No 586/2008/EC of the European Parliament and of the Council amending Decision No 896/2006/EC establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory.

**BACKGROUND:** on June 14, 2006, the European Parliament and the Council adopted two Decisions establishing a simplified regime for the control at the external borders of the Union of third country nationals who are subject to a visa obligation according to [Council Regulation \(EC\) 539/2001](#)

- Decision N° 895/2006/EC introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia of certain documents as equivalent to their national visas for the purposes of transit through their territories (see [COD/2005/0158](#));
- Decision N° 896/2006/EC establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory (see [COD/2005/0159](#)).

This was the first time that basic common rules on unilateral recognition of visas and residence permits were introduced into the Community acquis on visas. More specifically, Decision N° 895/2006/EC takes into consideration the specific needs in the area of visa policy of Member States that acceded to the European Union in 2004, in particular their visa requirements during the transitory period till their full integration into the Schengen area. This unilateral recognition regime is limited to the purpose of transit.

**Decision N° 896/2006/EC** introduces common rules for the unilateral recognition by Member States of certain residence permits issued by **Switzerland** and **Liechtenstein** as equivalent to their transit visas. The new rules are mandatory for Member States fully participating in the common area without internal borders and optional for Member States that joined the Union in 2004.

Based on the successful experience with these two decisions, the EU should extend the simplified regime to Bulgaria and Romania who joined the European Union on January 1st, 2007, and are not yet covered by the current common rules. Indeed, the reasons underlying the two Decisions mentioned above are equally valid for Bulgaria and Romania.

**CONTENT:** the main purpose of the two Decisions is the introduction of common rules in order to simplify the transit of certain categories of persons and to thereby eliminate any unjustified administrative burdens on consular offices. The scope of both Decisions is limited to “transit” purposes only. They will cease to apply once the new Member States participate fully in the area without internal borders.

This Decision amends Decision No 896/2006/EC and is linked to the Decision to extend a simplified regime to Bulgaria and Romania (see [COD/2007/0185](#)). Should Bulgaria and Romania wish, they may unilaterally recognise certain residence permits issued by Switzerland and Liechtenstein as equivalent to their transit visas. Should Bulgaria and Romania wish to apply the Decision they will have to notify the Commission within 10 working days of the Decision’s entry into force, which it will in turn publish in the Official Journal.

**ENTRY INTO FORCE:** 11/07/2008.