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

2013/0210(COD) - 15/05/2014 - Final act

PURPOSE: to authorise Bulgaria, Cyprus and Romania, like Croatia, unilaterally to recognise certain documents issued by Member States.

LEGISLATIVE ACT: Decision No 565/2014/EU of the European Parliament and of the Council introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Croatia, Cyprus and Romania of certain documents as equivalent to their national visas for transit through or intended stays on their territories not exceeding 90 days in any 180-day period and repealing Decisions No 895/2006/EC and No 582/2008/EC.

CONTENT: this Decision introduces a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Croatia, Cyprus and Romania of certain documents as equivalent to their national visas for transit through or intended stays on their territories not exceeding 90 days in any 180-day period.

Types of documents recognised unilaterally: the common rules should apply to:

- short-term uniform visas,
- long-stay visas,
- residence permits issued by Member States fully implementing the Schengen acquis,
- visas with limited territorial validity issued in accordance with Article 25 (3) first sentence of the Visa Code,
- **short-term visas, long-term visas and residence permits issued by Bulgaria, Croatia, Cyprus and Romania**.

The recognition of a document should be limited to the period of validity of the document.

The documents issued by Croatia, Cyprus, Romania and Bulgaria that should be recognised are listed in the annexes to the Decision.

Application: **the simplified scheme should be voluntary** and should not impose additional obligations on the new Member States compared to those laid down in the Acts of Accession of 2003 (Cyprus), in 2005 (Romania - Bulgaria) and 2011 (Croatia). These countries should notify the Commission within 20 working days from the entry into force of this Decision, their decision whether to apply it or not.

Those notifications shall, where relevant, specify the third countries with regard to which Bulgaria, Croatia, Cyprus and Romania do not, in the absence of diplomatic relations, apply this Decision.

Territorial provisions: Denmark, the United Kingdom and Ireland are not taking part in its adoption, bound by it or subject to its application.

This Decision is also applicable to non Member States of the EU associated with the implementation and application of the Schengen acquis (Iceland, Norway, Switzerland and Liechtenstein).

Repeal: Decisions No 895/2006/EC and No 582/2008/EC are repealed.

ENTRY INTO FORCE: 16.06.2014. The Decision is applicable for a limited duration depending on the date that the provisions of the Schengen acquis on common visa policy and movement of third-country nationals legally residing in the territory of the Member States apply to Cyprus, Croatia, Bulgaria and Romania respectively.

This Decision is addressed to Bulgaria, Croatia, Cyprus and Romania.