Free movement of persons: right of third-country nationals to travel the Community

1995/0199(CNS) - 12/07/1995 - Legislative proposal

1) OBJECTIVE: To grant third-country nationals, who are legally present in the territory of a Member State, the right to cross the internal borders of the European Union and to travel or stay in the territory of a Member State for a short period of time. 2) SUBSTANCE: 1. Member States shall grant third-country nationals the right to travel within the European Union provided: * they hold a residence permit which has been issued by another Member State; * or have entered the territory of the Union for a stay of short duration: * and are subject to the need for a visa by all Member States (summary 4.6b); * or are exempted from the need for a visa by one, several or all Member States (summary 4.6b). 2. In addition, the right to travel is dependent on the possession of a valid travel document and sufficient means of subsistence. 3. Holders of resident permits: * holders of residence permits may travel in the territory of other Member States for a maximum uninterrupted period of 3 months; * procedure for the notification by each Member State of a list of the residence permits which it issues and on the basis of which the right to travel may be exercised. This list is published by the Commission in the Official Journal of the European Communities; * the Member State having issued a person with a residence permit is responsible for the presence of that person in the territory of the European Union. 4. Holders of visas which are valid throughout the European Union and are mutually recognized for the crossing of the EU's external borders: * holders of this type of visa may travel in the territory of Member States for the period of stay authorized by the visa; * holders of this same visa, which is only required by several Member States, may travel in the territory of all the Member States for the period of stay authorized by the visa; * any Member State can give authorization for the period of stay of a third-country national in its territory to be extended beyond the 3-month period. 5. Third-country nationals who are exempt from the need for a visa: * third-country nationals who are exempted from the need for a visa by all Member States are authorized to travel for a maximum duration of three months during a period of six months commencing on the date of first entry; * third-country nationals who are not subject to the need for a visa by certain Member States only have the right to travel for a maximum duration of three months, during a six-month period, in the territory of Member States which do not require them to hold a visa. 6. General provisions relating to the readmission and expulsion of third-country nationals. 7. Any Member State can require persons exercising the right to travel to report their presence on its territory. Source: European Commission - Info92 - 10/95