Basic information

1997/0922(CNS) CNS - Consultation procedure Regulation	Procedure completed
Visas: third countries whose nationals must be in possession of a visa when the are crossing EC external borders Repealed by 2000/0030(CNS) **Subject** 7.10.04 External borders crossing and controls, visas	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	LEHNE Klaus-Heiner (PPE)	27/01/1998

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs, Security and Defense Policy	AELVOET Magda G.H. (V)	03/06/1998
JURI Legal Affairs, Citizens' Rights	LINDHOLM MaLou (V)	22/01/1998

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2166	1999-03-12

Key events

Date	Event	Reference	Summary
10/12/1993	Legislative proposal published	COM(1993)0684	Summary
18/12/1997	Committee referral announced in Parliament		
20/01/1999	Vote in committee		Summary
20/01/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0043/1999	
09/02/1999	Debate in Parliament		
12/03/1999	Act adopted by Council after consultation of Parliament		
12/03/1999	End of procedure in Parliament		

18/03/1999	Final act published in Official Journal		

Technical information

Procedure reference	1997/0922(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2000/0030(CNS)
Legal basis	EC Treaty (before Amsterdam) E 100C
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/09400

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0043/1999 OJ C 150 28.05.1999, p. 0005	20/01/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0097/1999 OJ C 150 28.05.1999, p. 0155-0202	10/02/1999	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	11323/1997	13/10/1997	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1993)0684	10/12/1993	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1999/0574
OJ L 072 18.03.1999, p. 0002

Visas: third countries whose nationals must be in possession of a visa when the are crossing EC external borders

1997/0922(CNS) - 10/12/1993 - Legislative proposal

OBJECTIVE: to draw up a list of third countries, common to all the Member States, whose nationals are required to obtain a visa to enter the territory of the Union. SUBSTANCE: this proposal should not be considered in isolation, but together with the revised draft convention on the crossing of the external frontiers of the Community (see CNS0947). The objective of the proposal is to determine, pursuant to Article 100C of the TEU, the third countries whose nationals must be in possession of a visa when crossing the external borders of the Community. Its annex lists 127 third countries, drawn up on the basis of work already carried out by nine countries in the context of the Schengen Agreement, whose nationals are required to obtain a visa to enter the territory of the Union. It is planned that at a later stage the Council will complete harmonization in this area by drawing up an exhaustive and binding list of countries whose nationals are exempt from the visa requirement. The proposal also establishes the principle of mutual recognition by the Member States of visas granted by each of them and provides, with a view to ensuring transparency and public information, that measures taken pursuant to the derogation regime (people who are exempted from the visa requirement) must be notified to the other Member States and to the Commission.

Visas: third countries whose nationals must be in possession of a visa when the are crossing EC external borders

1997/0922(CNS) - 12/03/1999 - Final act

PURPOSE : to determine those third countries whose nationals must have a visa at the time of crossing Member States' external borders. COMMUNITY MEASURE : Council Regulation 574/1999/EC. CONTENT : the Regulation establishes a list of 100 third countries (including Taiwan) whose nationals must have a visa when crossing the external borders of the Member States. Within the Directive, the word "visa" is defined as an authorisation issued by a Member State, requested in order to enter its territory in view of: a stay in one or several Member States for a period not exceeding three months; a transit across the territory of one or more of the Member States, excluding transit through the international airport zone and of tranfers between airports in the Member States. Some measures allow Member States to decide whether to impose a visa: for third country nationals who are not mentioned on the common list; for stateless persons and statutory refugees; for people showing a passport or a document issued by a body or a territorial authority not recognised as a state by all the Member States and not present on the list. A Member State may allow exceptions to the obligation to have a visa for certain categories of people (air crews or ship crews, crew and members of flight assistance or safety teams, emergency workers in case of disasters or accidents, holders of diplomatic passports, service passports or other official passports). In the first semester of the year 2001, the Commission will prepare a report on the state of policy harmonisation of visas regarding third countries not mentioned on the common list, and will present, if the case arises, other necessary measures in order to harmonise the objectives. ENTRY INTO FORCE : 19/03 /1999.

Visas: third countries whose nationals must be in possession of a visa when the are crossing EC external borders

1997/0922(CNS) - 13/10/1997 - Document attached to the procedure

OBJECTIVE: to draw up a list of third countries, common to all the Member States, whose nationals must be in possession of a visa to enter the territory of the Union. SUBSTANCE: this draft Council Regulation follows the Court of Justice judgment of 10 June 1997 in case C-392/95 European Parliament v Council annulling the previous regulation adopted on 25 September 1995 (see CNS0938: Council Regulation 2317/95/EC determining the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States. This judgment explicitly required a new text on the same subject with appropriate consultation of Parliament. With regard to the substance, the new draft regulation includes all the provisions of the annulled regulation, i.e.: - a list of 100 third countries and one territorial entity not recognized as a State by all the Member States (Taiwan), common to all 15 Member States, whose nationals are required to be in possession of a visa when crossing the external borders of the Union; - an exception to the principle of the visa requirement: there are provisions allowing Member States to decide whether or not to impose a visa requirement for nationals of third countries from States or territorial entities not recognized as States by all the Member States and not on the common list. This derogation is also applicable to stateless persons and recognized refugees in the Member States and for certain categories of people such as civilian air and sea crew, flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident and holders of diplomatic passports, official duty passports and other official passports; - with a view to ensuring that the system is administered openly and that the persons concerned are informed, derogation measures must be notified to the other Member States and the Commission and published in the Official Journal of the European Communities; The draft states that the

Visas: third countries whose nationals must be in possession of a visa when the are crossing EC external borders

1997/0922(CNS) - 10/02/1999 - Text adopted by Parliament, 1st reading/single reading

Under consultation procedure, the European Parliament approved the proposal for a Council Regulation, based on Article 100c of the Treaty establishing the European Community, determining the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States and Draft Council Regulation determining the third countries whose nationals must be in possession of visas when crossing the external borders of the Member States. The report by Klaus-Heiner Lehne (PPE,DE) makes a number of amendments to the proposal relating to the following areas: - defining "visa" for the purposes of the proposed regulation; - allowing Member States to decide whether to require visas of nationals of third countries not listed in the proposed regulation's Annex until 30/06/99; - requiring regular updating of the list of third countries in the Annex; - requiring submission to the European Parliament of the reports on the situation in Bulgaria and Romania with a view to visa requirements; - clarifying the requirements as regards the scope of the validity and recognition from one Member State to another of uniform visas; - requiring stateless persons and refugees resident in certain States to possess a valid visa before crossing the external frontiers; - establishing common conditions and criteria for the issuing of uniform visas and requiring that they be issued by the diplomatic and consular authorities of the Member State; - providing for a right of appeal against a refusal to grant a uniform visa; - requiring the Commission, in the first half of 1999, to draw up a report on progress made and measures still needed in harmonising Member States' visa policies with regard to third countries not included in the Community list; - detailing the process for the Commission to propose the necessary implementing provisions; - requiring that the proposed "provisional" regulation be replaced within one year following the entry into force of the Amsterdam Treaty.