Basic information

2004/0063(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Recommendation	Procedure completed
Scientific research: admission of third-country national researchers to the Community, uniform visas **Subject** 3.50.06 Research staff, researchers 7.10.04 External borders crossing and controls, visas	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	PEILLON Vincent (PSE)	05/10/2004

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	VAKALIS Nikolaos (PPE-DE)	07/10/2004

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2574	2004-03-30
Justice and Home Affairs (JHA)	2588	2004-06-08
Competitiveness (Internal Market, Industry, Research and Space)	2665	2005-06-06
Agriculture and Fisheries	2676	2005-07-18

European Commission

Commission DG	Commissioner
Justice and Consumers	

Key events

Date	Event	Reference	Summary
16/03/2004	Legislative proposal published	COM(2004)0178	Summary
30/03/2004	Debate in Council		
08/06/2004	Debate in Council		
15/09/2004	Committee referral announced in Parliament, 1st reading		

16/03/2005	Vote in committee, 1st reading		
16/03/2005	Additional information		Summary
18/03/2005	Committee report tabled for plenary, 1st reading		
01/04/2005	Committee report tabled for plenary, 1st reading	A6-0054/2005	
12/04/2005	Decision by Parliament, 1st reading	T6-0089/2005	Summary
12/04/2005	Results of vote in Parliament		
06/06/2005	Debate in Council		
18/07/2005	Act adopted by Council after Parliament's 1st reading		
28/09/2005	Final act signed		
28/09/2005	End of procedure in Parliament		
03/11/2005	Final act published in Official Journal		

Technical information

Procedure reference	2004/0063(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Recommendation
Legal basis	EC Treaty (after Amsterdam) EC 062-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/22005

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	ITRE	PE350.100	22/02/2005	
Committee opinion	ITRE	PE350.101	22/02/2005	
Committee report tabled for plenary, 1st reading/single reading		A6-0054/2005	01/04/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0089/2005 OJ C 033 09.02.2006, p. 0026-0154 E	12/04/2005	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03621/2/2005	28/09/2005	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0178	16/03/2004	Summary
Commission response to text adopted in plenary	SP(2005)2124	19/05/2005	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1434/2004 OJ C 120 20.05.2005, p. 0060-0063	27/10/2004	
CofR	Committee of the Regions: opinion	CDR0168/2004 OJ C 071 22.03.2005, p. 0006-0010	17/11/2004	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

EP/Council Recommendation 2005/0761
OJ L 289 03.11.2005, p. 0023-0025 Summary

Scientific research: admission of third-country national researchers to the Community, uniform visas

2004/0063(COD) - 16/03/2004 - Legislative proposal

PURPOSE : to facilite the issuing of uniform short-stay visas for third-country researchers travelling within the EU. PROPOSED ACT : Council Recommendation. CONTENT : this Recommendation addresses the question of short-term visas needed to meet the precise requirements of researchers who have to attend conferences or seminars in connection with their work. It is being proposed alongside a Directive on the specific procedures for admitting third-country nationals for purposes of scientific research (CNS/2004/0061) and a Recommendation on facilitating the admission of third-country researchers in the EU (CNS/2004/0062). It seeks to complete the general framework relating to this particular set of proposed legislation. It is a recognised fact that researchers need to travel extensively for the purposes of their work either to attend international conference or seminars. Visa restrictions hinder the free movement of these researchers within the EU. Such a situation aggravates the low up take of research posts in the European Union as a whole. The proposed Recommendation seeks to address this issue by proposing a set of measures, which would facilitate the movement of third-country researchers within Europe by issuing uniform short-stay visas. The Recommendation calls on the Member States to gradually adopt measures facilitating the entry and movement of non-member country researchers who are currently subject to EU regulated visa requirements. The exact procedures and conditions for issuing uniform short-stay visas are set out in the Common Consular Instructions. These procedures seek to facilitate the issuing of visas and are intended to apply to people acting in good faith. The Recommendation is based entirely on the assumption that third-country researchers are regarded by the Member States as bona fide applicants for whom it is legitimate to facilitate the issuing of uniform visas. Member States may set themselves the objective of taking the necessary steps in terms of material and administrative resources to ensure, in general terms, that they reduce the amount of time taken to issue visas requested by researchers. In addition, Member States are being asked to issue visas to researchers who can prove that their work necessitates frequent travel. This would allow them to make frequent return trips between the EU and their country of origin. Similarly, Member States should adapt their administrative provisions so that the length of time a visa is valid is equal to the length of time needed to conduct the research. Researchers would then not have to apply for several successive visas during their period of work in the EU. Member States are also urged to consider reducing the amount of evidence required to support the application for research work. The immigration authorities, together with appointed research organisations, should seek to harmonise their approach towards the processing of researchers' visa applications. Member States may also wish to reduce or waive the fees for processing

researchers' individual applications. Lastly, to promote the exchange of best practice, it is recommended that Member States share information on administrative measures used to facilitate the processing of researcher visa applications. One year following the adoption of the Recommendation, the Commission will present a first assessment of the measures taken by the Member States to implement the proposed measures.

Scientific research: admission of third-country national researchers to the Community, uniform visas

2004/0063(COD) - 28/09/2005 - Final act

PURPOSE : to contribute to the achievement of the Lisbon objectives by making it easier for researchers easier to enter and move within the Community for short periods, in order to increase the attractiveness of the Community for researchers throughout the world.

LEGISLATIVE ACT : Recommendation of the European Parliament and of the Council to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research

CONTENT : This Recommendation is intended to facilitate the admission of third-country nationals to carry out scientific research in the EU. The Recommendation will be completed by two other texts : a Directive establishing procedure for admitting third-country nationals for purposes of scientific research and a Recommendation to facilitate the issue by Member States of uniform short stay visas for researchers from third countries.

Member States are recommended to:

-to facilitate the issue of visas by expediting the examination of visa applications from researchers from third countries subject to a visa requirement under Regulation 539/2001/EC;

-to promote the international mobility of researchers from third countries needing to travel frequently within the EU by issuing them with multiple entry visas. When determining the period of validity of the visas, Member States should take into account the duration of the research programmes in which the researchers are taking part;

-to facilitate the adoption of a harmonised approach to the supporting evidence that researchers are required to enclose with their visa application, consulting the approved research organisations on this matter;

-to encourage the issue of visas without administrative fees for researchers;

-to take account of the goal of facilitating the issue of visas to researchers from third countries when engaging in local consular cooperation, in order to promote the exchange of best practices;

-to supply the Commission by 28 September 2006 with information about best practices adopted to facilitate the issue of uniform visas for researchers, so as to enable it to evaluate the progress made. Having regard to whether or not the directive on a specific procedure for admitting third-country nationals for the purposes of scientific research is adopted, and to the outcome of the evaluation, the possibility of incorporating the provisions of this Recommendation in an appropriate legally binding instrument should be examined.

Scientific research: admission of third-country national researchers to the Community, uniform visas

2004/0063(COD) - 12/04/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Vincent PEILLON (PES, FR) broadly approving the proposal with a few amendments. (Please see the summary of 16/03/05).

A new recital states that the recommendation is also intended to provide a flexible formula for researchers who wish to maintain a professional link with an organisation of their country of origin (e.g. by spending periods of up to three months every semester in a European host research organisation located in the common area while continuing to work the rest of the time in the research organisation of origin).