



Council of the  
European Union

Brussels, 16 February 2015  
(OR. en)

5461/15

LIMITE

VISA 21  
CULT 2  
CODEC 75  
COMIX 33

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Interinstitutional File:  
2014/0095 (COD)

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### OUTCOME OF PROCEEDINGS

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From: Visa Working Party/Mixed Committee  
EU-Iceland/Liechtenstein/Norway/Switzerland)

On: 22 and 23 January 2015

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Subject: Draft Regulation of the European Parliament and of the Council  
establishing a touring visa and amending the Convention implementing the  
Schengen Agreement and Regulations (EC) No 562/2006 and (EC) No  
767/2008

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At its meeting of 22-23 January 2015, the Working Party examined Article 1 of the abovementioned draft Regulation as set out in 8406/14.

Delegations made the following comments.

**DE, FI, LT, NL, CZ, HU, NO, PL** entered a scrutiny reservation on the whole proposal, mainly for security reasons, as it is impossible to check that the beneficiaries do not stay more than 90 days in each Member State. **BE, AT** and **CH** said they shared the same concerns. Moreover, **BE, CH, PL, RO** proposed that the scope of the T-visa be limited to certain categories of persons, such as artists.

**NL** stated that the Convention Implementing the Schengen Agreement (CISA) should not be modified, while **DE, CZ, HU** were not in favour of phasing - out the existing bilateral visa waiver agreements concluded before the entry into force of the CISA

**LT** and **AT** said there was no need for a new regulation since amendments to the existing regulations (like the Visa Code) would be sufficient. **AT** regretted that a broader discussion on the difficulties of the Schengen area could not take place.

COM was of the opinion that even today, Member States are unable to check properly whether the nationals of some third countries have overstayed either in the Schengen area as a whole or even on their own territory. COM stated that such checks would be easier on the basis of the draft Regulation since those third-country nationals, when applying for a T-visa, would have to state their itinerary precisely in advance. COM conceded that stricter requirements than those already provided for in the draft Regulation could be included in it. Moreover, concerning third-country nationals who currently benefit from a longer stay on the basis of bilateral visa waiver agreements concluded before the entry into force of the CISA COM stressed that the proposed provisions (T-visa) would allow Member States to check their destination and verify that they had sufficient means ahead of their journey, which is not currently possible.

Finally, COM explained that the text of the proposal on the Touring visa should logically have been included in the proposal on the recast of the Visa Code<sup>1</sup> but that the Commission had finally decided to table two different proposals, so that they could be adopted independently of each other, on their own pace of adoption.

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<sup>1</sup> See 8401/14