



Brussels, 25.7.2019
C(2019) 5432 final

COMMISSION IMPLEMENTING DECISION

of 25.7.2019

amending Commission Implementing Decision C(2015) 6940 final, as regards the title and the list of supporting documents to be submitted by applicants for short stay visas in Morocco

(Only the Bulgarian, Czech, German, Spanish, Estonian, Greek, English, French, Croatian, Italian, Latvian, Lithuanian, Hungarian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Finnish and Swedish texts are authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)¹, and in particular Article 48(1) thereof,

Whereas:

- (1) Regulation (EC) No 810/2009 lays down procedures and conditions for issuing visas for transit through or intended stays on the territory of Member States that do not exceed 90 days in any 180-day period.
- (2) To ensure the harmonised application of the common visa policy, Regulation (EC) No 810/2009 provided that within local Schengen cooperation the need to complete and harmonise the lists of supporting documents should be assessed in each jurisdiction in order to take account of local circumstances.
- (3) Local Schengen cooperation in Morocco has confirmed the need to harmonise the list of supporting documents and has accordingly drawn up such a list, set out in Commission Implementing Decision C(2015)6940 final.²
- (4) Following a renewed assessment taking account of local circumstances, local Schengen cooperation has confirmed the need to revise the list of supporting documents to be submitted by visa applicants in Morocco. The revision should take account of the experience gained from applying the previous harmonise list, the need to restructure the list and to specify the documents to be submitted by additional categories of travellers and travel purposes and to delete documents that have become obsolete.
- (5) In the case of applicants known to consulates for their integrity and reliability, it should be possible for those consulates to waive the requirement to submit one or more of the supporting documents listed, in accordance with Article 14(6) of Regulation (EC) No 810/2009. It should also be possible, in justified cases, for

¹ OJ L 243, 15.9.2009, p. 1.

² Commission Implementing Decision of 16 October 2015 establishing the list of supporting documents to be submitted by visa applicants in Afghanistan, India, Morocco, Singapore and Trinidad and Tobago.

consulates to request additional documents during the examination of an application, in accordance with Article 21(8) of Regulation (EC) No 810/2009.

- (6) Given that Regulation (EC) No 810/2009 builds upon the Schengen *acquis*, Denmark, in accordance with Article 5 of Protocol (No 5) on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community and Article 4 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark notified the implementation of Regulation (EC) No 810/2009 in its national law. Denmark is therefore bound under international law to implement this Decision.
- (7) This Decision constitutes a development of provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC³; the United Kingdom is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (8) This Decision constitutes a development of provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC⁴; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (9) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*⁵, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC⁶.
- (10) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁷, the area referred to in Article 1, point B of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC⁸.
- (11) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the latter's accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss

³ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

⁴ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).
OJ L 176, 10.7.1999, p. 36.

⁵ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁶ OJ L 53, 27.2.2008, p. 52.

⁷ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*⁹, that fall within the area referred to in Article 1, point B of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2011/350/EU¹⁰.

- (12) This Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning of Article 3(2) of the 2003 Act of Accession, Article 4(2) of the 2005 Act of Accession and Article 4(2) of the 2011 Act of Accession.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex 3 to Commission Implementing Decision C(2015) 6940 final is replaced by the text in the Annex to this Decision.

⁹ OJ L 160, 18.6.2011, p. 21.

¹⁰ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.

Done at Brussels, 25.7.2019

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

