



Brussels, 22.4.2024
C(2024) 2689 final

COMMISSION IMPLEMENTING DECISION

of 22.4.2024

establishing adapted rules on the issuing of multiple-entry visas to Saudi nationals residing in Saudi Arabia and applying in Saudi Arabia for short-stay visas and repealing Commission Implementing Decision C(2022) 8007

(Only the Bulgarian, Croatian, Czech, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish 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 Visas¹, and in particular Article 24(2d) thereof,

Whereas,

- (1) Regulation (EC) No 810/2009 lays down the procedures and conditions for the issuing of visas for intended stays on the territory of Member States not exceeding 90 days in any 180-day period. It also enables the Commission to adopt, where necessary, more favourable or more restrictive rules for the issuance of multiple-entry visas in a given third country, where, in accordance with Article 24(2b) of that Regulation, by way of derogation from its Article 24(2), Member States' consulates have assessed within local Schengen cooperation that the rules set out in that Article need to be adapted to take account of local circumstances, and of migratory and security risks.
- (2) Following an assessment conducted in 2022 within local Schengen cooperation in Saudi Arabia, Implementing Decision C(2022) 8007² established more favourable rules on the issuing of multiple-entry visas to Saudi, Bahraini, Kuwaiti, Omani, and Qatari nationals residing in Saudi Arabia and applying in Saudi Arabia for short-stay visas than those provided for by Article 24(2) of Regulation (EC) No 810/2009.
- (3) Following a renewed assessment taking into account local circumstances, migratory and security risks, and on the basis of experience gained with the application of Implementing Decision C(2022) 8007, the local Schengen cooperation has reached the conclusion that the rules on the issuing of multiple-entry visas to Saudi nationals residing in Saudi Arabia and applying in Saudi Arabia for short-stay visas should be revised. Saudi nationals residing in Saudi Arabia present a very low migratory risk. The security risks would not be affected by the length of validity of a visa, as the maximum authorised duration of stay would remain identical (i.e., maximum of 90 days in any 180-day period). The security risk depends on whether and to whom a visa is issued rather than its duration. Furthermore, updated rules on issuing multiple-entry

¹ OJ L 243, 15.9.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/810/oj>.

² Commission Implementing Decision of 24 November 2022 establishing adapted rules on the issuing of multiple-entry visas to Saudi, Bahraini, Kuwaiti, Omani, and Qatari nationals residing in Saudi Arabia and applying in Saudi Arabia for short-stay visas (C(2022) 8007 final).

visas do not prevent security checks on applicants and consultative procedures to continue to take place regularly.

- (4) It is therefore justified to apply, in respect of these applicants, more favourable rules than those provided for by Implementing Decision C(2022) 8007. In particular, it is justified to issue a visa valid for five years to all Saudi nationals residing in Saudi Arabia who qualify for a visa.
- (5) In respect of all the nationals of other visa-required countries residing in Saudi Arabia, the rules provided for by Article 24(2) of Regulation (EC) No 810/2009 should apply. For reasons of regional coherence, this includes Bahraini, Kuwaiti, Omani and Qatari nationals residing in Saudi Arabia who were subject to Implementing Decision C(2022) 8007. It does not affect the possibility for Member States to issue multiple-entry visas valid for up to five years to such applicants, in justified cases, in accordance with Article 24(2c) of that Regulation.
- (6) Whilst the objective of the adapted rules set out in this Decision is to ensure a harmonised application of those rules by Member States, they do not affect the possibility for Member States, in individual cases, to shorten the validity period of the visa, in accordance with Article 24(2a) of Regulation (EC) No 810/2009.
- (7) Given that Denmark decided to implement Regulation (EC) No 810/2009, which builds on the Schengen *acquis*, in its national law, in accordance with Article 4 of Protocol No 22, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is bound under international law to implement this Decision.
- (8) This Decision does not constitute a development of the provisions of the Schengen *acquis* in which Ireland takes part, in accordance with Council Decision 2002/192/EC³; 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 the 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*⁴, which fall within the area referred to in Article 1, point B, of Council Decision 1999/437/EC⁵.
- (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*⁶, which fall within the area referred to in Article 1, point B, of

³ 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, ELI: <http://data.europa.eu/eli/dec/2002/192/oj>).

⁴ OJ L 176, 10.7.1999, p. 36, ELI: [http://data.europa.eu/eli/agree_internation/1999/439\(1\)/oj](http://data.europa.eu/eli/agree_internation/1999/439(1)/oj).

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) , ELI: <http://data.europa.eu/eli/dec/1999/437/oj>.

⁶ OJ L 53, 27.2.2008, p. 52.

Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC⁷.

- (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 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*⁸, which 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/EU⁹.
- (12) As regards Cyprus, this decision constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of Article 3(2) of the 2003 Act of Accession.
- (13) Implementing Decision C(2022) 8007 should therefore be repealed.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee established under Article 52(1) of Regulation (EC) No 810/2009,

HAS ADOPTED THIS DECISION:

Article 1

- (1) This Article applies to visa applications for short-stay visas lodged with Member States' consulates in Saudi Arabia by Saudi nationals residing in Saudi Arabia.
- (2) By way of derogation from Article 24(2), points (a), (b) and (c), of Regulation (EC) No 810/2009, where the applicant fulfils the entry conditions set out in Article 6(1), points (a), (c), (d) and (e) of Regulation (EU) 2016/399 of the European Parliament and of the Council¹⁰, a multiple-entry visa shall be issued for a validity period of five years.
- (3) Where the validity of the visa would exceed that of the travel document, a multiple-entry visa shall be issued with a period of validity ending three months before the end of validity of the applicant's travel document.

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, ELI: <http://data.europa.eu/eli/dec/2008/146/oj>).

⁸ OJ L 160, 18.6.2011, p. 21.

⁹ 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, ELI: <http://data.europa.eu/eli/dec/2011/350/oj>).

¹⁰ Regulation (EU) 2016/399 of 9 March 2016 of the European Parliament and of the Council establishing a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 77, 23.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/399/oj>).

Article 2

Implementing Decision C(2022) 8007 is repealed.

Article 3

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, 22.4.2024

For the Commission

Ylva JOHANSSON

Member of the Commission

