



Brussels, 14.7.2023
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COMMISSION IMPLEMENTING DECISION

of 14.7.2023

establishing adapted rules on the issuing of multiple-entry visas to Bahraini, Saudi, Kuwaiti, Omani, and Qatari nationals residing in Bahrain and applying in Bahrain for short stay visas

(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 Visas (Visa Code)¹, and in particular Article 24 (2d) thereof,

Whereas:

- (1) On the basis of the assessment conducted within the local Schengen cooperation in accordance with Article 24(2b) of Regulation (EC) No 810/2009, the rules on issuing multiple-entry visas set out in Article 24(2) of that Regulation (EC) No 810/2009 need to be adapted for certain visa applications lodged with Member States' consulates in Bahrain, to take account of the local circumstances and of migratory risks.
- (2) The conclusion of that assessment was that, in light of their stable socio-economic situation and low unemployment rate, and given the Union's excellent overall relations with Bahrain, Bahraini nationals residing in Bahrain present low migratory risk, which is evidenced by the low visa refusal rates in recent years, and that it is necessary that more favourable rules than those provided for by Article 24(2) of Regulation (EC) No 810/2009 apply in respect of those applicants. On the basis of the assessment, it was also concluded that Saudi, Kuwaiti, Omani and Qatari nationals residing in Bahrain should be considered as presenting the same low migratory risk as Bahraini nationals residing in Bahrain, in light of their similarly stable socio-economic situation. The Commission agrees with this assessment.
- (3) By contrast, the conclusion of the assessment conducted within the local Schengen cooperation was that nationals of other visa-required countries residing in Bahrain may be affected by socio-economic instability and unpredictable job security. Furthermore, some of these nationals reside in Bahrain on the basis of residence by investment schemes, which have been declared as high risk by the OECD. It was therefore concluded that, in respect of those applicants, it is necessary that the rules provided for by Article 24(2) of Regulation (EC) No 810/2009 should continue to apply. The Commission agrees with that assessment.
- (4) 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 should not affect the

¹ OJ L 243, 15.09.2009, p. 1.

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, or to issue multiple-entry visas valid for up to five years, in justified cases, in accordance with Article 24(2c) of that Regulation.

- (5) 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.
- (6) 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/EC; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (7) For 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 association of those two States with the implementation, application and development of the Schengen *acquis*², which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC³. For 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*⁴, 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 2008/146/EC⁵.
- (8) For 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*⁶, 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/EU⁷.

² OJ L 176, 10.7.1999, p. 36.

³ 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).

⁴ OJ L 53, 27.2.2008, p. 52.

⁵ 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).

⁶ OJ L 160, 18.6.2011, p. 21.

⁷ 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

- (9) This Decision constitutes an act building upon, or otherwise relating to, the Schengen *acquis* within, respectively, the meaning of Article 3(2) of the 2003 Act of Accession and Article 4(2) of the 2005 Act of Accession.
- (10) In accordance with Article 24(2d) of Regulation (EC) No 810/2009, rules on the issuance of multiple-entry visas in Bahrain derogating from those set out in Article 24(2) of that Regulation should therefore be adopted.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee,

HAS ADOPTED THIS DECISION:

Article 1

- (1) This Decision applies to applications for short-stay visas lodged with Member States' consulates in Bahrain by Bahraini, Saudi, Kuwaiti, Omani, and Qatari nationals residing in Bahrain.
- (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) 2016/399⁸, a multiple-entry visa shall be issued under the following conditions and for the following validity periods:
 - (a) for a validity period of one year for all applicants except those covered by points (b) or (c) of this paragraph;
 - (b) for a validity period of three years, provided that the applicant has obtained and lawfully used a previous multiple-entry visa valid for one year within the previous two years;
 - (c) for a validity period of five years, provided that the applicant has obtained and lawfully used a previous multiple-entry visa valid for three years within the previous four 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.

acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

⁸ 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).

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, 14.7.2023

For the Commission
Ylva JOHANSSON
Member of the Commission

