



Brussels, 23.2.2016
C(2016) 966 final

COMMISSION IMPLEMENTING DECISION

of 23.2.2016

amending Implementing Decision C(2013) 4914 establishing the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa

(Only the Bulgarian, Spanish, Czech, German, Estonian, Greek, 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 Decision No 1105/2011/EU of the European Parliament and of the Council of 25 October 2011 on the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list¹ and in particular Article 5(3) thereof,

Whereas:

- (1) Commission Implementing Decision C (2013) 4914² established the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa. Decision No 1105/2011/EU requires updating that list on the basis of the notifications and information received from Member States.
- (2) As Member States introduced new travel documents and withdrew from circulation some travel documents, the current list of travel documents should be amended.
- (3) Furthermore it is necessary to ensure the accuracy of the titles of the travel documents listed in order to guarantee unambiguous identification of the travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa.
- (4) Likewise it is essential that all footnotes contained in the list of travel documents are unequivocal so as to allow for its correct interpretation.
- (5) In light of its accession to the Union on 1 July 2013, Croatia should be transferred from Part I of the list of travel documents (travel documents issued by third countries and territorial entities) to Part II of the list of travel documents, where only travel documents issued by Member States and Associated Countries are listed.
- (6) Given that Decision No 1105/2011/EU builds upon the Schengen *acquis*, in accordance with Article 4 of Protocol No 22 on the position of Denmark, annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark notified the implementation of Decision No 1105/2011/EU in its national law. It is therefore bound under international law to implement this Decision.

¹ OJ L 287, 4.11.2011, p. 9.

² Commission Implementing Decision C(2013) 4914 of 2.8.2013 establishing the list of travel documents which entitle the holder to cross the external borders and which may be endorsed with a visa.

- (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 A, B and C 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, which fall within the area referred to in Article 1, point A, B and C of Council Decision 1999/437/EC⁸ read in conjunction with Article 3 of Council Decision 2008/146/EC⁹.
- (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*¹⁰, which fall within the area referred to in Article

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).

⁵ OJ L 176, 10.7.1999, p. 36.

⁶ 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).

⁷ OJ L 53, 27.2.2008, p. 52.

⁸ 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).

⁹ 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).

¹⁰ OJ L 160, 18.6.2011, p. 21.

1, point A, B and C of Council Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU¹¹.

- (12) 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, 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 Travel Document Committee.

¹¹ 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).

HAS ADOPTED THIS DECISION:

Article 1

Annex to Implementing Decision C(2013) 4914 is replaced by the text in the Annex to this Decision.

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, 23.2.2016

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

