

Proposal for a Council Regulation amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

(2002/C 25 E/08)

COM(2001) 570 final — 2001/0231(CNS)

(Submitted by the Commission on 8 October 2001)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, particularly Article 62(2)(b)(i),

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) Regulation (EC) No 539/2001 includes Romania among the third countries whose nationals are exempted from visa requirements, but makes the application to Romanian nationals of the visa derogation conditional on a decision to be taken at a later stage by the Council. This decision is to be taken on the basis of a report which the Commission is to present to the Council by 30 June 2001 at the latest and which is to be accompanied by any recommendations which may be appropriate.
- (2) In its report of 29 June 2001, the Commission notes the undeniable progress made by Romania as regards illegal immigration from the country, its visa policy and the controls at its borders. It also sets out the commitments entered into by Romania in this field. It concludes by recommending to the Council that Romanian nationals be exempted from the visa requirement as of 1 January 2002.
- (3) To apply the visa exemption to Romanian nationals, the provisions of Regulation (EC) No 539/2001 which provisionally maintain the visa requirement should be deleted,

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EC) No 539/2001 is replaced by the following:

'This Regulation shall enter into force on the twentieth day after its publication in the *Official Journal of the European Communities*.'

Article 2

The following shall be deleted from Annex II of Regulation (EC) No 539/2001:

- the asterisk against Romania; and
- the footnote referring to Article 8(2).

Article 3

This Regulation shall enter into force on the twentieth day after its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States, in accordance with the Treaty establishing the European Community.
