



Brussels, 26.6.2024
C(2024) 4319 final

COMMISSION IMPLEMENTING DECISION

of 26.6.2024

amending Decision C(2010) 1620 final as regards the replacement of the Handbook for the processing of visa applications and the modification of issued visas (Visa Code Handbook I)

(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 51 thereof,

Whereas:

- (1) The Handbook for the processing of visa applications and the modification of issued visas was last revised and replaced and provided with the short title 'Visa Code Handbook I' for reasons of clarity in 2020². It should now be updated to take account of recent developments, ensuring that it remains a useful tool for the staff of Member States that examine and take decisions on visa applications and modify issued visas.
- (2) Among the developments that need to be reflected in the Handbook are the full application of the Schengen *acquis* by Croatia since 1 January 2023 and by Bulgaria and Romania since 31 March 2024, the full suspension of the visa facilitation agreement between the European Union and the Russian Federation, as decided by the Council in its Decision (EU) 2022/1500³, the implementation of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and the Guidance on the right of free movement of EU citizens and their families, adopted by the Commission⁴.
- (3) The Handbook should also be modified in light of the amendments to Regulation (EC) No 810/2009 that were introduced by Regulation (EU) 2023/2667 of the European Parliament and of the Council⁵ and that apply in accordance with Article 8(3) of that

¹ OJ L 243, 15.09.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/810/oj>.

² Commission Implementing Decision C(2020) 395 final.

³ Council Decision (EU) 2022/1500 of 9 September 2022 on the suspension in whole of the application of the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation (OJ L 234I, 9.9.2022, p. 1, ELI: <http://data.europa.eu/eli/dec/2022/1500/oj>).

⁴ Commission Notice, Guidance on the right of free movement of EU citizens and their families (C(2023)8500 final) (OJ C, C/2023/1392, 22.12.2023, ELI: <http://data.europa.eu/eli/C/2023/1392/oj>).

⁵ Regulation (EU) 2023/2667 of the European Parliament and of the Council of 22 November 2023 amending Regulations (EC) No 767/2008, (EC) No 810/2009 and (EU) 2017/2226 of the European Parliament and of the Council, Council Regulations (EC) No 693/2003 and (EC) No 694/2003 and

Regulation from 28 June 2024. These concern the rights defined in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, the exemption of United Kingdom residence permit holders from the airport transit visa requirement, and the replacement of the visa application form.

- (4) Additional examples and recommended best practices regarding the use of the flexibilities provided by the Visa Code should be included in the Handbook to promote Member States' harmonised implementation of the common legal provisions of Regulation (EC) No 810/2009. Further guidance should be established regarding the processing of visa applications submitted by dissidents and human rights defenders, and to address deficiencies encountered in Schengen evaluations.
- (5) The Handbook should therefore be amended accordingly and replaced in its entirety in the interests of clarity, as an amendment of individual chapters and sections would reduce the readability of the Handbook as a practical tool.
- (6) Given that Denmark decided to implement Regulation (EC) No 810/2009, which builds upon 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.
- (7) This Decision does not constitute a development of provisions of the Schengen *acquis* in which Ireland takes part, in accordance with Council Decision 2002/192/EC⁶. Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (8) 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*⁷, which fall within the area referred to in Article 1, point B, of Council Decision 1999/437/EC⁸.
- (9) 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*⁹, 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/EC¹⁰.

Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure (OJ L, 2023/2667, 07.12.2023, ELI: <http://data.europa.eu/eli/reg/2023/2667/oj>).

⁶ 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>).

⁷ 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)).

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

⁹ OJ L 53, 27.2.2008, p. 52 (ELI: [http://data.europa.eu/eli/agree_internation/2008/178\(1\)/oj](http://data.europa.eu/eli/agree_internation/2008/178(1)/oj)).

¹⁰ 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

- (10) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning 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*¹¹, 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/EU¹².
- (11) 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.
- (12) 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.
- (13) This Decision should apply from 28 June 2024 to coincide with the application of the amendments to Regulation (EC) No 810/2009 that were introduced by Regulation (EU) 2023/2667,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision C(2010) 1620 final is replaced by the text in the Annex to this Decision.

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>).

¹¹ OJ L 160, 18.6.2011, p. 21 (, ELI: <http://data.europa.eu/eli/prot/2011/349/oj>).

¹² 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>).

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.

This Decision shall apply from 28 June 2024.

Done at Brussels, 26.6.2024

For the Commission
Ylva JOHANSSON
Member of the Commission

