



## Long-stay visa holders to have greater freedom to move around the EU

**A non-EU national staying in one of the Member States on a long-stay visa will be allowed to travel to most other Member States for three months in any six-month period under the same conditions as the holder of a residence permit, under a new regulation approved on Tuesday by Parliament.**

The regulation, which MEPs approved with 562 votes in favour, 29 against and 51 abstentions, is set to enter into force by 5 April 2010. The increased freedom of movement should not pose any extra security risk, thanks to a system of controls and alerts, but will in any case not apply to the UK, Ireland or Denmark as a result of their opt-outs.

### Reasons for the new rules

Under present Community law, long-stay visa holders - for example students or schoolchildren wanting to go on a study or field trip in another Member State, scientists, academics, family members of third-country nationals and EU citizens - are not allowed to travel to other Member States during their stay, nor pass through the other states when returning to their country of origin, as the Schengen Convention does not allow for this.

The fact that a student who is granted a visa to attend a course in Belgium cannot travel to a specialised library in the Netherlands to obtain information for the purposes of writing his thesis or to Barcelona for a weekend visit "is simply unacceptable", argues Carlos Coelho (EPP, PT), author of the report by the EP Civil Liberties Committee. "This is an example of how absurd situations can arise", he believes.

With the new legislation, a long-stay visa (for stays exceeding three months) will - as regards the Schengen area - have the same effect as a residence permit: a third-country national holding a "long-stay D visa" issued by a Member State could travel to the other Member States for three months in any half year, under the same conditions as the holder of a residence permit.

Long-stay visas will be valid for no more than one year. If a third-country national is allowed to stay for more than that time, the long-stay visa has to be replaced before it expires by a residence permit.

### No extra security risks

To meet any security concerns, the regulation states that non-EU citizens will be able to move freely "on the basis of that permit and a valid travel document", and only if they "are not on the national list of alerts of the Member State concerned". Most EU states will be able to use the Schengen Information System (SIS) to consult such lists but the UK and Ireland are not members of the Schengen area and will not be bound by or subject to the regulation. Denmark has a period of six months after the date of adoption of the regulation to decide whether it will enact it in its national law.

### N.B. :

**Ordinary legislative procedure, 1st reading agreement**

### Contact :

# Press release

**Isabel NADKARNI**

LIBE

BXL: (+32) 2 28 32198

STR: (+33) 3 881 76758

PORT: (+32) 498 98 33 36

EMAIL: [libe-press@europarl.europa.eu](mailto:libe-press@europarl.europa.eu)

**Simon DUFFIN**

London

STR: (+33) 3 881 74256

PORT: (+44) 7 786 060 531

EMAIL: [Press-en@europarl.europa.eu](mailto:Press-en@europarl.europa.eu)

EMAIL: [simon.duffin@europarl.europa.eu](mailto:simon.duffin@europarl.europa.eu)

ADDINFO: (+44) 207 227 43 35

**Eimear NÍ BHROIN**

Dublin

STR: (+33) 3 881 64122

PORT: (+353) 868 559 423

EMAIL: [Press-en@europarl.europa.eu](mailto:Press-en@europarl.europa.eu)

EMAIL: [eimear.nibhroin@europarl.europa.eu](mailto:eimear.nibhroin@europarl.europa.eu)

ADDINFO: (+353) 1 605 79 32