

**Question for written answer E-002742/2013
to the Commission**

Rule 117

Carlos Coelho (PPE) and Mário David (PPE)

Subject: Schengen Visas - refusal of entry

There have been numerous complaints made by third-country nationals who have been refused entry to the Schengen area, despite holding a visa valid for this purpose.

Despite holding a uniform visa (a visa valid for the entire Schengen area), issued by the Member State whose territory constitutes the main destination of the visit (after it has been confirmed that the applicant meets all of the entry requirements set out in the Schengen Borders Code and does not represent a risk of clandestine immigration or a threat to the security of the Member State and intends to leave the territory before the visa expires), these third-country nationals have been refused entry at an external border of a Member State other than that which issued the visa.

In the Commission's view, does this constitute a violation of the Schengen rules or is this not the case? Can it explain the legal rules used as the basis for a Member State refusing entry to a third-country national holding a uniform visa valid for a short-term stay (issued in accordance with the rules set out in the Visa Code)?

Should there be a legal basis for refusing entry in this way? Who holds the power of decision?