



Brussels, 18.6.2021
C(2021) 4302 final

COMMISSION IMPLEMENTING DECISION (EU) .../...

of 18.6.2021

determining the date on which Council Decision (EU) 2017/1908 on the putting into effect of certain provisions of the Schengen *acquis* relating to the Visa Information System in the Republic of Bulgaria and Romania shall start to apply

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determining the date on which Council Decision (EU) 2017/1908 on the putting into effect of certain provisions of the Schengen *acquis* relating to the Visa Information System in the Republic of Bulgaria and Romania shall start to apply

THE EUROPEAN COMMISSION,

Having regard to the Act of Accession of the Republic of Bulgaria and Romania,

Having regard to Council Decision (EU) 2017/1908 of 12 October 2017 on the putting into effect of certain provisions of the Schengen *acquis* relating to the Visa Information System in the Republic of Bulgaria and Romania¹, and in particular Article 2, second paragraph, thereof,

Whereas:

- (1) Pursuant to Decision (EU) 2017/1908 the provisions of the Schengen *acquis* relating to the Visa Information System referred to in the Annex to that Decision are to apply to Bulgaria and Romania following the successful completion of all related comprehensive tests carried out by the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), Bulgaria and Romania and the Commission being notified that those tests have been successfully completed.
- (2) Decision (EU) 2017/1908 is to apply from a date, to be determined by the Commission, when Bulgaria and Romania notify the Commission that the comprehensive tests have been successfully completed.
- (3) In accordance with Article 1(1) of Decision (EU) 2017/1908, eu-LISA has verified that, from a technical point of view, the Bulgarian and Romanian VIS national systems are ready to integrate into the Visa Information System.
- (4) By letter of 15 December 2020, Romania notified the Commission that the comprehensive tests referred to in Article 1(1) of Decision (EU) 2017/1908, with regard to the provisions listed in the Annex to that Decision, have been successfully completed.
- (5) By letter of 19 January 2021, Bulgaria notified the Commission that the comprehensive tests referred to in Article 1(1) of Decision (EU) 2017/1908, with regard to the provisions listed in the Annex to that Decision, have been successfully completed.

¹ OJ L 269, 19.10.2017, p. 39.

- (6) Bulgaria and Romania thus having completed the necessary technical arrangements and duly notified the Commission thereof, the date on which Decision (EU) 2017/1908 is to start to apply should be determined.
- (7) As regards Iceland and Norway, this Decision constitutes a development of the 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 two latter States' association with the implementation, application and development of the Schengen *acquis*² which fall within the area referred to in Article 1, points B and G of Council Decision 1999/437/EC³.
- (8) 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*⁴ which fall within the area referred to in Article 1, points B and G of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC⁵.
- (9) 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*⁶ which fall within the area referred to in Article 1, points B and G of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2011/350/EU⁷,

² OJ L 176, 10.7.1999, p. 36.

³ 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).

⁴ OJ L 53, 27.2.2008, p. 52.

⁵ 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).

⁶ OJ L 160, 18.6.2011, p. 21.

⁷ 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

Decision (EU) 2017/1908 shall apply from [two weeks after the date of entry into force of this Implementing Decision].

Article 2

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 18.6.2021

For the Commission
The President
Ursula VON DER LEYEN