

# GMS Flash Alert

## Immigration

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## Romania – Becoming Part of the Schengen Area Starting 1 April

With effect from 1 April 2024, Romania will partially join the Schengen Area with air and sea border controls lifted, according to a decision by the Council of the European Union issued on 30 December 2023.<sup>1</sup> Bulgaria will also partially join Schengen under the same conditions, i.e., for air and sea travel.

### WHY THIS MATTERS

The lifting of air and sea border checks for travel between Romania, Bulgaria and other Schengen Area countries will have an immediate impact, making air and sea travel between Romania and Bulgaria and the Schengen Area countries simpler, faster, and more convenient.

Global-mobility managers, immigration counsels, and others charged with the cross-border travel affairs of mobile employees (as well as other non-business travellers), will have new procedures to follow and may wish to communicate what is changing to their employee population travelling from/to Romania and Schengen Area countries.

### Context

The Schengen Area became operational in 1995, to reduce – even eliminate – border checks at border-crossing points and facilitate smooth and easy cross-border movement in the European Union (and including EFTA and EEA countries), although not all EU member states are (full) members. Schengen now comprises 27 countries, with Croatia being the last country to join in 2023.<sup>2</sup>

### More Details

According to recent guidance from EU officials announced at the beginning of January 2024, it has been clarified that Romania and Bulgaria are expected to start issuing uniform Schengen C type visas from 1 April 2024.<sup>3</sup> EU authorities have confirmed that the days spent in Bulgaria and Romania will count towards the

Schengen allowance of a maximum 90 days in any 180-day period (or less for visa nationals) as from 1 April 2024. The Romanian authorities have already confirmed they will take this approach.<sup>4</sup>

### **National Visas/Schengen C Visas**

Currently, Romania issues national entry visas. This is expected to change as from 1 April 2024, when Romania is expected to start issuing uniform Schengen C visas, as well as other types of visas, as follows:

- Uniform (Schengen) visas, symbol C;
- Limited territorial validity visas, symbol C;
- Airport transit visas, symbol A, valid for transit through international transit areas in one or more airports of Schengen member states;
- Long-stay visas, symbol D.

Schengen visas will allow holders to travel to the Schengen area for stays not exceeding 90 days in any 180-day period. Long-stay visas, symbol D, will become national visas and the applicable legislation for submitting and processing this type of visa continues to be Government Emergency Ordinance no. 194/2002 on the regime of foreigners in Romania, republished, with subsequent changes and amendments.

The Romanian e-Visa platform [e-Visa](#) will be unavailable between 1 March and 31 March 2024 for the submission of short-stay visa applications. Applicants will only be able to apply for visas in emergency situations by contacting a Romanian consular office directly.

Land border checks will continue to apply for any land-based travel between Romania and Bulgaria themselves, as well as between Romania and Bulgaria and other Schengen Area countries. Consequently, Romania will continue to issue national entry visas for land travel.

### **KPMG INSIGHTS**

Discussions on a further decision to lift controls at land borders will continue throughout 2024. However, no specific date has yet been set for this to happen.

Based on the most recent confirmation from the authorities, visa-exempt nationals and Schengen C visa holders and their employers should keep close track of their stay in Romania to avoid non-compliance violations for overstays. These employers and individuals should consult with their qualified immigration/employment law adviser, or a member of the People Services team in Romania (see the Contacts section).

## FOOTNOTES:

1 See Directorate-General for Migration and Home Affairs (3 January 2024), "[Schengen area: Controls at air and sea borders with Bulgaria and Romania will be lifted](#)" on the EU Commission's website.

See European Commission Press Release "Bulgaria and Romania to join Schengen area starting with air and sea borders: Commission welcomes landmark Council decision" (30 December 2023) at: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_6861](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6861) .

See Directorate-General for Migration and Home Affairs, Schengen Area webpage (updated to 21 March 2024) at: [https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-area\\_en](https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-area_en) .

2 See [GMS Flash Alert 2023-033](#), 10 February 2023.

3 See footnote 1.

4 See (in Romanian): *Ordonanță de urgență 25/2024 pentru modificarea și completarea unor acte normative în domeniul străinilor și al frontierei publicat în Monitorul Oficial cu numărul 250 din data de 22 martie 2024.*

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## Contact us

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**The information contained in this newsletter was submitted by the KPMG International member firm in Romania.**

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