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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on the state of play of preparations for the full implementation of the VIS Regulation in
accordance with Article 11(3) of Regulation (EU) 2021/1134**

Executive summary

Article 11(3) of Regulation (EU) 2021/1134¹ amending *inter alia* Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation)² requires the Commission to submit an annual **report** to the European Parliament and to the Council on the state of play of preparations for the Regulation's full implementation. This is the **Commission's third report**.

Implementing the new IT architecture for migration, borders and security is the cornerstone of establishing one of the most modern border management systems in the world. The Visa Information System (VIS) is an integral part of this architecture. To achieve full and timely implementation, EU Member States and Schengen associated countries, EU agencies and the Commission should advance together. It is important that each party take responsibility for ensuring that the system can become operational at the same time, thus avoiding further delays and increasing costs.

Overall, the implementation of the revised VIS is on track. Following adoption of the amending Regulation (EU) 2021/1134 on 7 July 2021, the Commission immediately started to discuss in the relevant committee and expert group the 12 **implementing and delegated acts** necessary to develop the new functionalities of the revised VIS. Work continued in 2024, with the 12 implementing and delegated acts currently at various stages in the adoption procedure. Seven acts have been adopted, while five are being prepared by the Commission.

¹ Regulation (EU) 2021/1134 of the European Parliament and of the Council of 7 July 2021 amending Regulations (EC) No 767/2008, (EC) No 810/2009, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1860, (EU) 2018/1861, (EU) 2019/817 and (EU) 2019/1896 of the European Parliament and of the Council and repealing Council Decisions 2004/512/EC and 2008/633/JHA, for the purpose of reforming the Visa Information System (OJ L 248, 13.7.2021, p. 11, ELI: <http://data.europa.eu/eli/reg/2021/1134/2021-07-13>).

² Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60, ELI: <http://data.europa.eu/eli/reg/2008/767/2023-12-27>).

1. Introduction

The VIS was established by Council Decision 2004/512/EC³ to allow the exchange of visa data between Member States. Regulation (EC) No 767/2008 of the European Parliament and of the Council (VIS Regulation)⁴ laid down:

- the purpose and functionalities of the VIS and the associated responsibilities.
- the conditions and procedures for the exchange of short-stay visa data between Member States to facilitate the examination of applications for short-stay visas and related decisions.

The VIS started operating on 11 October 2011 and was gradually rolled out in all Member States' consulates between October 2011 and February 2016.

The purpose of the VIS is to improve implementation of the common visa policy and consular cooperation and consultation between central visa authorities by facilitating the exchange of data between Member States on applications and related decisions. The VIS aims *inter alia* to:

- facilitate the visa application procedure.
- prevent 'visa shopping'.
- facilitate the fight against identity fraud.
- assist in the identification of any person who does not or no longer fulfils the conditions for entry to, stay or residence in the territory of the Member States.
- facilitate the determination of the Member State responsible for examining an application for international protection under Regulation (EU) No 604/2013 of the European Parliament and of the Council.⁵

On 2 August 2021, Regulation (EU) 2021/1134 (revised VIS Regulation) entered into force amending *inter alia* the VIS Regulation. The revised VIS will provide visa-issuing authorities with key information on applicants for short-stay Schengen visas, while enabling border guards to detect travellers who may pose security risks. The new rules also expand the scope of the VIS – notably by adding applicants and holders of long-stay visas and residence permits – in full respect of the data protection requirements. This will ensure that the relevant authorities have the information they need, when they need it. The new rules will enable thorough background checks on applicants for short-stay visas, long-stay visas and residence permits, better information exchange between Member States on holders of such documents and full interoperability with other EU information systems.

³ Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) (OJ L 213, 15.6.2004, p. 5, ELI: <http://data.europa.eu/eli/dec/2004/512/2019-06-11>).

⁴ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60, ELI: <http://data.europa.eu/eli/reg/2008/767/2023-12-27>).

⁵ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31, ELI: <http://data.europa.eu/eli/reg/2013/604/oj>).

Pursuant to Article 11(1) of Regulation (EU) 2021/1134 the Commission is to adopt a decision on setting the date for the start of operations of the revised VIS. That article also sets out the conditions that need to have been met for this decision to be adopted. These are:

- the necessary implementing and delegated acts referred to in this report have been adopted.
- the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) has notified the Commission that all testing activities have been successfully completed; and
- Member States have notified the Commission that they have made the necessary technical and legal arrangements.

The VIS will be part of the common interoperability framework established by Regulations (EU) 2019/817⁶ and (EU) 2019/818⁷ of the European Parliament and of the Council. The interoperability framework between EU information systems⁸ was set up in order for these systems and their data to supplement each other, with the overall objective of improving the effectiveness and efficiency of checks at the external borders. This will contribute to the prevention and combating of irregular immigration, as well as to ensuring a high level of security and improving the implementation of the common visa policy. To that end, the technical development of new VIS functionalities and processes should be fully consistent with those of the other EU information systems that are part of the framework.

Article 11(3) of Regulation (EU) 2021/1134 requires the Commission to submit an annual report to Parliament and the Council on the state of play of preparations for the Regulation's full implementation. This applies until the Commission adopts the decision setting the date for the start of operations of the VIS in accordance with Article 11(1) of that Regulation. The report is to include detailed information about the costs incurred and information as to any risks that may affect the overall costs.

The first Commission report on the state of play of preparations for full implementation of the VIS Regulation was adopted on 9 February 2023⁹, with the second report following on 18 January 2024¹⁰. Since the second report covers the period up to its preparation in November 2023, this third report covers the period from December 2023 to its preparation in November 2024.

⁶ Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA (OJ L 135, 22.5.2019, p. 27, ELI: <http://data.europa.eu/eli/reg/2019/817/2025-01-28>).

⁷ Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 (OJ L 135, 22.5.2019, p. 85, ELI: <http://data.europa.eu/eli/reg/2019/818/2025-01-28>).

⁸ The Entry/Exit System (EES), the Visa Information System (VIS), the European Travel Information and Authorisation System (ETIAS), Eurodac, the Schengen Information System (SIS), and the European Criminal Records Information System for Third-Country Nationals (ECRIS-TCN).

⁹ COM(2023) 66 final.

¹⁰ COM(2024) 13 final.

2. Implementing legislation of the VIS Regulation

Regulation (EU) 2021/1134 provides the Commission with several empowerments for the adoption of implementing and delegated acts, some of which are necessary to fully enable eu-LISA to start designing and developing the new functionalities in the context of the overall IT system architecture, especially as this requires the definition of technical specifications. Other acts are needed to lay down technical rules to facilitate the use of the VIS by the relevant Member State authorities and EU agencies.

Since the adoption of Regulation (EU) 2021/1134 in 2021, the Commission has organised 22 Committee meetings and 12 Expert Groups on the revised VIS, to discuss a series of draft implementing and delegated acts necessary for its development.

The 12 implementing and delegated acts are at various stages in the adoption procedure. Six implementing acts and one delegated act are already formally adopted, while three implementing acts and two delegated acts are being prepared for adoption. This is further illustrated in the table below:

Table 1. Required implementing and delegated acts – state of play as of November 2024

Regulation	Type of act	Adopted	Under formal adoption	In committee or group	Not yet started
VIS	Delegated	1		2	
	Implementing	6		3	

Table 2. Required implementing and delegated acts, by act – state of play as of November 2024

	Legal basis	Type of act	Status
1	Art. 5a	Implementing	Adopted
2	Art. 6(5)	Implementing	Adopted
3	Art. 9	Delegated	Adopted
4	Art. 9h & 22b	Delegated	Work ongoing
5	Art. 9j(2)	Delegated	Work ongoing
6	Art. 9j(3)	Implementing	Work ongoing
7	Art. 29 & 29a	Implementing	Adopted
8	Art. 45(1)	Implementing	Work ongoing
9	Art. 45(2)	Implementing	Work ongoing
10	Art. 45(3)	Implementing	Adopted
11	Art. 45c & 45d	Implementing	Adopted
12	Art. 50(4)	Implementing	Adopted

3. Monitoring of Member States' and EU agencies' implementation

The importance of timely implementation of the revised VIS is well recognised at EU and Member State level. All stakeholders also well understand the interdependencies between the

VIS and the development of other EU information systems and of the interoperability components. To achieve full and timely implementation, the Commission is monitoring the implementation of the revised VIS Regulation through various measures, including Committee's, Expert Group's and Advisory Group's meetings, as well as regular meetings with EU agencies.

4. Costs and risks

Costs for EU agencies

According to the information they provided, the relevant EU agencies incurred the following costs relating to implementing the revised VIS between November 2023 and November 2024:

- eu-LISA had a total implementation cost of EUR 12.7 million.
- Europol's consultancy and software costs amounted to EUR 0.6 million.
- the European Border and Coast Guard Agency did not incur any costs.

eu-LISA's additional costs

During the implementation of the revised VIS, new needs were identified as the project progressed, requiring eu-LISA to request changes from its contractors concerning the revised VIS. This led to unforeseen costs. Additionally, the Agency's current contractual set-up includes costs linked to project governance and transversal activities proportional to the contract's duration. Therefore, extending the timeline for the revised VIS, as referred to in the section 'revised VIS timeline' of this report, generates additional costs.

Member States' costs

The indicative allocation planned in the Member States' BMVI programmes for the 2021-2027 period for the setting up, operation and maintenance of VIS, including its interoperability with other large-scale IT systems, is EUR 103.4 million (EU contribution¹¹).

According to the data on programme implementation sent by the Member States' authorities, the EU contribution to the selected operations (projects, actions or group of projects under the programmes concerned) is EUR 58.4 million.¹² This amount represents the contribution to Member State authorities' commitments for those operations. It does not correspond to expenditure already incurred.

Revised VIS timeline

Implementing the revised VIS within the common interoperability framework and adapting it to interact with the other IT systems (e.g. the Entry/Exit System (EES)) involves changes to the system that result each time in a new version of it. These different versions of VIS must be implemented in a sequence. The interdependence of the various EU information systems may

¹¹ Source: Member States' programmes, expenditure planned under specific objective 2, Common Visa Policy, Intervention code 006. Large-scale IT system, Visa Information System (VIS), November 2024.

¹² Source: Data sent by Member States in accordance with Article 42 of Regulation (EU) 2021/1060, 30 November 2024.

affect the duration of some parts of the project to implement the new architecture for EU information systems for borders, migration and security.

The renewed Schengen Information System entered into operation in March 2023. On 19-20 October 2023, the Justice and Home Affairs Council endorsed a timeline for the remaining systems. According to this roadmap, the EES was scheduled to enter into operation in autumn 2024, the European Travel Information and Authorisation System (ETIAS) in spring 2025 and the revised VIS in autumn 2026, along with the interoperability architecture.

However, subsequent to the period covered by this report, the roadmap for the roll-out of the interoperability architecture was revised due to the postponement of the entry into operations of the EES, affecting the timeline for the revised VIS. In particular, the Justice and Home Affairs Council approved the revised roadmap on 5 March 2025, according to which, the EES is scheduled to start operations in a progressive manner in October 2025, ETIAS in the last quarter of 2026 and the revised VIS in 2027.

5. Conclusion

Member States, Schengen associated countries and EU agencies share a general commitment to ensuring full implementation of the revised VIS, also as part of the wider interoperability framework for EU information systems.

The Commission continues to coordinate and closely monitor the progress of all parties involved to ensure a timely availability of the revised VIS.