EC/Serbia agreement: issuance of short-stay visas

2007/0144(CNS) - 08/11/2007 - Final act

PURPOSE: to sign and conclude an Agreement between the Community and **Serbia** on the issuance of short-stay visas.

LEGISLATIVE ACT: Council Decision 2007/825/EC on the conclusion of the Agreement between the European Community and the Republic of Serbia on the facilitation of the issuance of visas.

CONTENT: the purpose of this Decision is the conclusion of an Agreement between the Community and the Republic of Serbia on facilitating the issuance of short-stay visas. For the purpose of the proposed Agreement "short-stay" visas will apply to issuing a visa for an intended stay of no more than 90 days per period of 180 days.

The main elements of the Agreement can be summarised as follows:

- in principle, a decision on whether or not to issue a visa will have to taken within 10 calendar days. This period may be extended by up to 30 calendar days. In urgent cases the period for taking a decision may be reduced to three working days or less;
- the visa fee will amount to EUR 35. It concerns both single and multiple-entry visas. Certain categories of persons may have their fee waved. For example, close relatives, officials participating in government activities, students, journalists, disabled persons etc.;
- provisions regarding the presentation of documents in the case of a journey have been simplified for certain categories of people including, *inter alia*: close relatives, business people, official delegates, students, drivers conducting international cargo, tourists on organised trips, etc.
- the criteria for issuing multiple-entry visas has been simplified for certain categories of peoples. For example, in the case of members of national and provincial/regional Governments and Parliaments, Constitutional and Supreme Court of Cassation, permanent members of official delegations and spouses and children visiting citizens of the Republic of Serbia legally residing in the Member States, then the visa will be valid for up to five years – or depending on the period of their mandate for legal residence. For participants in scientific, cultural, official exchange programmes and sport events, journalists, business people etc. visas will be valid for a minimum of two years and a maximum of five years. There are, however, conditions attached to this later point;
- holders of diplomatic passports are exempted from the short-stay visa requirements;
- for those citizens who already hold a service passport then the bilateral Agreements that have been signed before 1 January 2007 will continue to apply for a period of five years;
- a Protocol has been attached to the Agreement stating that those Member States who are yet to apply the Schengen *acquis* in full, may unilaterally recognise Schengen visas and residence permits that have been issued to citizens of Serbia for the purpose of transit through their territory in accordance with European Parliament and Council Decision 895/2006/EC. A reference to the future amendment of the Decision (EC) 895/2006 for covering Bulgaria and Romania is added;
- a European Community Declaration has been attached to the Agreement on the matter of allowing visa applicants access to information on issuing short-stay visas;
- in response to specific requests formulated by the Republic of Serbia, the European Community has attached Declarations to the Agreement regarding those family members who are not legally covered by the provisions of the Agreement as well as for *bona fide* applicants;
- in cases where certain issues are not covered by this Agreement, the normal Schengen rules apply or national law (such as refusing a visa, the recognition of travel documents, proof of sufficient means of subsistence etc).

Neither the United Kingdom nor Ireland is bound by the Agreement. Nor will Denmark be participating in the Agreement.

Since the Agreements on visa facilitation and readmission (see CNS/2007/0153) are linked, both Agreements will enter into force simultaneously.