EU/Brazil Agreement: short-stay visa waiver for holders of ordinary passports

2010/0228(NLE) - 08/11/2010

In the sixth visa reciprocity report presented by the Commission, the Commission welcomes the short-stay visa waiver agreements (one for holders of ordinary passports and the other for holders of diplomatic, service or official passports) which were concluded with Brazil.

These two agreements were signed in the margins of the Council session.

To recall, these two agreements mark the end of negotiations started in April 2008. They do not replace, but supplement existing bilateral agreements between several EU Member States and Brazil. The United Kingdom and Ireland are not bound by the agreements. For citizens from these two countries, the respective bilateral agreements continue to apply.

A considerable improvement - mainly for four EU countries: the agreements constitute a considerable improvement for EU citizens - in particular those of Estonia, Cyprus, Malta and Latvia. While Brazilian nationals were able to travel to all EU member states without requiring a visa for short stays (in accordance with Council Regulation (EC) No 539/2001), the nationals from these four EU countries still required, up to now, a visa to enter or transit Brazil. This was also true for holders of diplomatic, service or official passports. With the two new agreements this right has now been reciprocated.

Most ordinary travellers covered: the European Commission estimates that the agreement on holders of ordinary passports covers 90-95 percent of all travelers since a wide range of activities are included: tourist travels, visiting relatives, prospection of commercial opportunities, attending meetings, conferences and seminars as well as the participation in sports competitions and artistic contests, provided that the participants do not receive any remuneration.

Some exceptions: citizens who wish to engage in research, traineeships, studies and social work, as well as undertake technical assistance, missionary, religious or artistic activities, are not covered by the agreement. For these categories of travellers existing bilateral visa waiver agreements between EU member states and Brazil apply.

Travellers who wish to carry out a paid activity or be employed are also excluded from the agreement. Each Member State and also Brazil remains free to impose a visa requirement in accordance with the applicable Union or national law or in accordance with bilateral agreements which cover this category of travellers.

Other provisions: in order to safeguard equal treatment of all EU citizens, a provision has been included in the agreements stating that Brazil may suspend or terminate them only in respect of all the EU Member States. Reciprocally, the Union may also suspend or terminate the agreements only in respect of all of its Member States.

The Agreement sets up a Committee of experts for the management of the agreements and provides for the exchange of specimen of the different passports. Lastly, a joint declaration has been made to inform citizens concerned so as to assure a smooth implementation of the agreements.