EU/Tonga Agreement: short-stay visa waiver

2015/0196(NLE) - 20/09/2016 - Final act

PURPOSE: to conclude the Agreement between the European Union and the Kingdom of Tonga on the short-stay visa waiver.

NON-LEGISLATIVE ACT: Council Decision (EU) 2016/1742 on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Kingdom of Tonga on the short-stay visa waiver.

CONTENT: with this Decision, **the Agreement between the European Union and Tonga on the short-stay visa waiver** is approved on behalf of the Union.

To recall, the Commission negotiated on behalf of the European Union an Agreement with Tonga on the short-stay visa waiver. This Agreement was signed and is applied on a provisional basis since 21 November 2015.

The agreement provides for visa-free travel for the citizens of the European Union and for the citizens of Tonga when travelling to the territory of the other Contracting Party for a **maximum period of 90 days in any 180-day period**. A joint declaration on the interpretation of this period is attached to the agreement.

The visa waiver covers all categories of persons (holders of ordinary, diplomatic, service/official and special passports) travelling for all kinds of purposes, except for the purpose of **carrying out a paid activity**.

For this latter category, each Member State and Tonga remain free to impose the visa requirement on the citizens of the other Party in accordance with the applicable Union or national law. In order to ensure harmonised implementation, a joint declaration is attached to the agreement on the interpretation of the category of persons travelling for the purpose of carrying out a paid activity.

The Member States and Tonga reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.

The Agreement sets up a **Joint Committee** of experts for the management of the Agreement. The Union is to be represented within that Joint Committee by the Commission, which should be assisted by the representatives of the Member States.

This Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom and Ireland do not take part. Therefore, these two countries are not bound by it or subject to its application.

ENTRY INTO FORCE: 20.9.2016.