EU/Belarus Agreement on facilitation of issuance of visas

2019/0182(NLE) - 30/08/2019 - Document attached to the procedure

PURPOSE: signature, on behalf of the European Union, of the Agreement between the European Union and the Republic of Belarus on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: in the context of the Eastern Partnership Summit Declaration of 7 May 2009, the Union and the partner countries expressed their political support towards liberalisation of the visa regime in a safe and secure environment and reaffirmed their intention to take gradual steps towards a visa free regime for their citizens in due course.

On 28 February 2011, the Council authorised the Commission to open negotiations with the Republic of Belarus on an Agreement between the European Union and the Republic of Belarus on the facilitation of the issuance of visas ('the Agreement'), in parallel with the negotiations of an Agreement on the readmission of persons residing without authorisation.

Negotiations with Belarus resulted in an agreement initialled on 17 June 2019. In the meantime, Belarus, the European Union and seven participating Member States (Bulgaria, Romania, Lithuania, Poland, Hungary, Finland and Latvia) signed a joint declaration on a mobility partnership on 13 October 2016. The European Parliament was informed about the conclusion of negotiations on both the Visa Facilitation and Readmission Agreements.

CONTENT: the Commission proposes that the Council decides that the Agreement be signed on behalf of the Union and authorises the Council Secretariat General to establish the respective instrument of full powers.

The purpose of the Agreement is to facilitate, on the basis of reciprocity, the issuance of visas to citizens of the Union and Belarus for intended stays of no more than 90 days in any 180-day period.

The Commission considers that the objectives set by the Council in its negotiating directives have been achieved and that the draft agreement is acceptable to the Union.

The main elements of the final agreement are as follows:

- for all visa applicants, a decision on whether or not to issue a visa must, in principle, be taken within 10 calendar days. This period may be extended to a maximum of 30 calendar days when further examination is required. In urgent cases, it may be reduced to two working days or less;

- the amount of fees charged for processing visa applications from citizens of the European Union and Belarus shall be EUR 35. These fees shall apply to all visa applicants. In addition, the following categories of persons shall be exempt from these visa fees: children under 12 years of age, persons with disabilities, close relatives, members of official delegations;

- the documents required to justify the purpose of the trip have been simplified for certain categories of applicants (e.g. close relatives, business people, members of official delegations, primary and secondary school pupils, students, persons participating in scientific, cultural and sporting events, journalists, etc.);

- simplified conditions are provided for the issue of multiple-entry visas valid from 1 to 5 years to certain categories of persons (e.g. members of governments, parliaments and courts, permanent members of official delegations, spouses and children visiting European Union citizens legally residing in the territory of Belarus, or citizens of the Republic of Belarus legally residing in a Member State, persons participating in official, scientific or cultural exchange programmes or cross-border programmes, international sports events);

- citizens of the European Union and citizens of Belarus holding a valid biometric diplomatic passport and holders of a valid EU laissez-passer are exempt from the visa requirement for short stays. However, the final assessment of Belarus' system of issuance will have to be made by the Commission, in consultation with the Member States, before the conclusion of the Agreement.

The importance of the fundamental principles governing the cooperation between the Parties as well as the obligations and responsibilities, including the respect of human rights and democratic principles, stemming from the relevant international instruments to which they are bound, is underlined in a preamble to the Agreement.

The Parties may suspend the Agreement in whole or in part for any reason, including grounds for suspension such as breach or abuse of a provision of the Agreement, human rights and democracy considerations.

The United Kingdom, Ireland and Denmark are not participating in the adoption of the decision.