Airport transit arrangements

1998/0915(CNS) - 16/07/1998 - Legislative proposal

OBJECTIVE: Joint action on airport transit arrangements SUBSTANCE: The draft joint action (TEU Article K.3) aims to harmonise arrangements for airport transit in the Member States and exceptions to the requirement for an airport transit visa. In response to the need to control illegal immigration into the EU (the air route is a convenient way in for third country nationals wishing to take up residence illegally within the territory of the Member States), the draft joint action provides for some third country nationals to be issued with an airport transit visa (ATV) when passing through the international areas of Member States' airports. The countries whose nationals will be affected by these measures are listed in an annex to the draft joint action (Afghanistan, Bangladesh, Ethiopia, Eritrea, Ghana, Iraq, Iran, Pakistan, Nigeria, Somalia, Sri Lanka and the Democratic Republic of The Congo). The proposal for joint action allows the Member States to require an ATV also from nationals of countries other than those listed. The ATV is issued by the Member States under conditions determined by them. There is provision for exceptions to the requirement for an ATV for crew members of aircraft and ships, holders of diplomatic, official or service passports and holders of visas issued by a Member State or an EEA State. An ATV will not be required for holders of a residence permit issued by a Member State or an EEA State or issued by Canada, the USA, Monaco, San Marino, the Swiss Confederation, Vatican City State or Japan which guarantees an unqualified right of return. If a Member State decides to suspend these derogations, it must inform the Council immediately. It may also suspend the ATV requirement for nationals of the countries listed in the annex, but only for important reasons of national policy and for a period not exceeding six months. There are provisions to enable some Member States which wish to do so to enter into closer airport transit harmonisation than is proposed in the joint action. The Council is to draw up an annual report on progress in the harmonisation of airport transit arrangements.