

Visas: third countries whose nationals must be in possession of a visa when they are crossing EC external borders

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The Committee has unanimously adopted the report by Klaus-Heiner LEHNE (EPP, D) on the proposal for a Council regulation determining the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States. The aim of the regulation is to help bring about freedom of movement for people within the single market, as provided for in Article 7a of the Treaty, something which will require harmonisation of the Member States' visa policies. The Committee believes that Member States should not be allowed to impose visa requirements on countries which are not on the "negative list" annexed to the regulation (i.e. the list of countries whose nationals are obliged to obtain visas under this Regulation). Moreover, no third country whose nationals do not at present require a visa for entry to a Member State should be on the negative list. However, the committee argues that the proposed regulation does not fully meet the need for a greater degree of harmonisation of visa policy and therefore believes that a new regulation will have to be introduced after the Treaty of Amsterdam comes into force. The report also maintains that more precise definitions need to be given of the terms "visa", "stay" and "transit" as used in the regulation. A uniform visa should, says the report, be issued by the diplomatic and consular authorities of the Member States on the basis of the following common conditions and criteria: - travel documents presented upon application for a visa must be checked to ensure that they are in order and authentic; - the expiry date of the travel document must be at least three months later than the final date for stays stated on the visa, account being taken of the time within which the visa must be used; - the travel document must be recognized by all Member States; - the travel document must be valid in all Member States; - the travel document must allow for the return of the traveller to his country of origin or his entry into a third country; - the existence and validity of an authorization or a re-entry visa for the traveller to return to the country of departure must be checked if such formalities are required by the authorities of that country; the same shall apply to any authorization required for entry to a third country. The committee says there should be a right of appeal to the competent authorities of the Member State concerned against a refusal to grant a uniform visa. Lastly, the committee wants to have Bulgaria and Romania removed from the negative list annexed to the regulation.