EC/China agreement: authorised destination status ADS for Chinese tourists, readmission obligation, visas

2003/0299(CNS) - 16/09/2004 - Implementing legislative act

LEGISLATIVE ACT : Commission Recommendation 2004/645/EC on the implementation by the consular offices of the Member States of the Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China on visa and related issues concerning tourist groups from the People's Republic of China.

CONTENT : The Memorandum of Understanding between the European Community and the National Tourism Administration of the People's Republic of China on visa and related issues concerning tourist groups from the People's Republic of China (PRC) provides a specific application process, derogating from the common rules on visas as established in the Common Consular Instructions (CCI), to facilitate issuing of short term visas to groups of Chinese citizens who wish to travel to the territory of the Community. The Memorandum of Understanding (ADS MoU) has entered into force on 1 May 2004 . With a view to ensure a high level of security, particularly as regards the prevention of clandestine immigration and avoid any risk of visa shopping between the Member States Consular offices in the PRC, a harmonised implementation by all Member States of the ADS MoU is appropriate. This Recommendation sets up common implementing procedures for the consular offices of the Member States in the PRC. The main points are as follows:

-Member States must follow a common approach for the accreditation of the travel agencies designated by the PRC and the establishment of the list of couriers appointed by the Chinese travel agencies;

-Member States must apply common harmonised sanctions in case of violation by the Chinese accredited travel agency of the Community rules, in compliance with the rules of the CCI on visa applications processed by private administrative agencies, travel agencies and package tour operators.

-Member States must apply a common list of supporting documents and information needed for lodging a visa application, clarifying where necessary the content of the required documentation. Additional information may be requested, based on a case-by-case verification of each individual visa application.

-Member States involved with the implementation of the ADS MoU should reinforce their cooperation in the PRC and develop exchange of information mechanisms for irregularities and other detected suspect behaviour committed by appointed couriers or accredited travel agencies and facilitate the processing of information.