

Basic information	
2007/0140(CNS) CNS - Consultation procedure Decision	Procedure completed
EC/Bosnia and Herzegovina agreement: issuance of short-stay visas Subject 6.40.03 Relations with South-East Europe and the Balkans 7.10.04 External borders crossing and controls, visas	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	 LIBE	Civil Liberties, Justice and Home Affairs	FAVA Claudio (PSE)	03/10/2007
	Committee for opinion		Rapporteur for opinion	Appointed
	 AFET	Foreign Affairs	PACK Doris (PPE-DE)	12/09/2007
Council of the European Union	Council configuration		Meetings	Date
	Justice and Home Affairs (JHA)		2827	2007-11-08
	Justice and Home Affairs (JHA)		2818	2007-09-18
European Commission	Commission DG		Commissioner	
	Justice and Consumers		FRATTINI Franco	

Key events			
Date	Event	Reference	Summary
18/07/2007	Legislative proposal published	COM(2007)0423 	Summary
24/09/2007	Committee referral announced in Parliament		
09/10/2007	Vote in committee		Summary
12/10/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0384/2007	
24/10/2007	Decision by Parliament	T6-0448/2007	Summary
24/10/2007	Results of vote in Parliament		

08/11/2007	Act adopted by Council after consultation of Parliament		
08/11/2007	End of procedure in Parliament		
19/12/2007	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0140(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1 EC Treaty (after Amsterdam) EC 062-p2-ab-i/ii
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/52247

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE394.021	20/09/2007	
Committee opinion	AFET	PE394.093	04/10/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0384/2007	12/10/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0448/2007	24/10/2007	Summary
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2007)0423 	18/07/2007	Summary	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

EC/Bosnia and Herzegovina agreement: issuance of short-stay visas

2007/0140(CNS) - 18/09/2007

The Council adopted a decision on the conclusion of agreements on facilitating the issue of visas to citizens of the EU and Bosnia and Herzegovina.

It also adopted a decision on the conclusion of an agreement between the EU and Bosnia and Herzegovina on the readmission of persons residing without authorisation.

The purpose of visa agreements is to facilitate, on the basis of reciprocity, the issuance of visas for an intended stay of no more than 90 days per period of 180 days to citizens of the EU and Bosnia and Herzegovina. The fee for processing visa applications from citizens of these countries will be EUR 35.

EC/Bosnia and Herzegovina agreement: issuance of short-stay visas

2007/0140(CNS) - 18/07/2007 - Legislative proposal

PURPOSE: to sign and conclude an Agreement between the Community and **Bosnia and Herzegovina** on the issuance of short-stay visas.

PROPOSED ACT: Council Decision.

BACKGROUND: the 2003 "Thessaloniki Agenda" recognised the need to integrate and accommodate the visa needs of the Western Balkan countries with those of the EU - a policy which is fully compatible, and in line with, the EU's Hague Programmes on the development of a common approach on visas. Indeed, the EU has already developed and signed Agreements on short-term visas with both the Russian Federation and with the Ukraine the purpose of which is to facilitate the processing of visas. Accordingly, in 2006 the Council authorised the Commission to begin negotiations with Bosnia and Herzegovina on the issuance of short-stay visas alongside negotiations for a Readmission Agreement. See [CNS/2007/0142](#). These negotiations were concluded in April 2007. Throughout the negotiations process both the Member States and Parliament were kept fully abreast of developments by the Commission.

CONTENT: the purpose of this proposal, therefore, is to request the Council to sign and conclude an Agreement between the Community and Bosnia-Herzegovina on facilitating the issuance of short-stay visas. For the purpose of the proposed Agreement "short-stay" visas will apply to issuing a visa for an intended stay of no more than 90 days per period of 180 days.

The main elements of the proposal can be summarised as follows:

- in principle, a decision on whether or not to issue a visa will have to be taken within 10 calendar days. This period may be extended by up to 30 calendar days. In urgent cases the period for taking a decision may be reduced to three working days or less;
- the visa fee will amount to EUR 35. It concerns both single and multiple-entry visas. Certain categories of persons may have their fee waived. For example, close relatives, officials participating in government activities, students, journalists, disabled persons etc.;
- provisions regarding the presentation of documents in the case of a journey have been simplified for certain categories of people including, *inter alia*: close relatives, business people, official delegates, students, drivers conducting international cargo, tourists on organised trips, etc.
- the criteria for issuing multiple-entry visas has been simplified for certain categories of people. For example, in the case of members of the Court and the prosecutor office as well as for permanent members of official delegations and spouses and children visiting citizens of Bosnia and Herzegovina, who legally reside in an EU Member State then the visa will be valid for up to five years – or depending on the period of their mandate for legal residence. For participants in scientific, cultural, official exchange programmes and sport events, journalists, business people etc. visas will be valid for a minimum of two years and a maximum of five years. There are, however, conditions attached to this later point;
- holders of diplomatic passports are exempted from the short-stay visa requirements;
- for those citizens who already hold a service passport then the bilateral Agreements that have been signed before 1 January 2007 will continue to apply for a period of five years;
- a Protocol has been attached to the Agreement stating that those Member States who are yet to apply the Schengen *acquis* in full, may unilaterally recognise Schengen visas and residence permits that have been issued to citizens of Bosnia and Herzegovina for the purpose of transit through their territory;
- a European Community Declaration has been attached to the Agreement on the matter of allowing visa applicants access to information on issuing short-stay visas;

- in response to specific requests from Bosnia and Herzegovina, the European Community has attached Declarations to the Agreement regarding those family members who are not legally covered by the provisions of the Agreement as well as for *bona fide* applicants;
- in cases where certain issues are not covered by this Agreement, the normal Schengen rules apply or national law (such as refusing a visa, the recognition of travel documents, proof of sufficient means of subsistence etc).

Neither the United Kingdom nor Ireland are bound by the Agreement. Nor will Denmark be participating in the Agreement. Since the Agreements on visa facilitation and readmission are linked, both Agreements should be signed, concluded and entered into force simultaneously.

EC/Bosnia and Herzegovina agreement: issuance of short-stay visas

2007/0140(CNS) - 24/10/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Claudio **FAVA** (PES, IT) and approved the proposal for a Council decision on the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on the facilitation of issuance of short-stay visas.

EC/Bosnia and Herzegovina agreement: issuance of short-stay visas

2007/0140(CNS) - 08/11/2007 - Final act

PURPOSE: to conclude an Agreement with Bosnia and Herzegovina on the issuance of short-stay visas.

LEGISLATIVE ACT: Council Decision 2007/822/CE [on the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on the facilitation of the issuance of visas.](#)

CONTENT: the purpose of this Decision is to conclude an agreement between the Community and Bosnia and Herzegovina aimed at facilitating the issuance of short-stay visas.

The main elements of the proposal can be summarised as follows:

Objective of the agreement: to facilitate the issuance of visas to Bosnian citizens for an intended stay of no more than 90 days per period of 180 days in a Member State. At the same time, if Bosnia and Herzegovina were to reintroduce visa requirements for EU citizens (who are currently exempt from such requirements) or for certain categories of citizens, the measures in the agreement aimed at facilitating the issuance of visas to the benefit of Bosnian citizens would automatically apply in exactly the same way, based on the principle of reciprocity, to EU citizens.

Scope of application of the agreement and the precedence of its application over existing parallel measures: the agreement does not cover issues such as the refusal of a visa, recognition of travel documents, proof of sufficient means of subsistence and the refusal of entry and expulsion measures. These issues remain under Bosnian law, Community law, or that of Member States.

General measures for issuing a visa: the documents to be presented regarding the purpose of the journey have been simplified for some categories of persons: close relatives (including relatives who are the legal guardian of a child), business people, members of official delegations, students, participants in scientific, cultural and sporting events, journalists, persons visiting military and civil burials, representatives of the traditional religious communities, representatives of civil society, members of the professions, drivers conducting international cargo and passenger transportation services, persons visiting for medical reasons and tourists in organized trips. For these categories of persons, only the documents listed in the agreement can be requested for justifying the purpose of the journey. No other justification, invitation or validation provided for by the legislation of the Member States is required.

Citizens of Bosnia and Herzegovina who are holders of valid diplomatic passports are exempted from the visa requirement for short-stays.

For citizens of Bosnia and Herzegovina who are holders of valid service passports the bilateral Agreements signed before 1 January 2007 continue to apply for a period of 5 years. A Declaration attached to the Agreement provides the assessment of the service passports system at the latest 4 years after the entry into force of the Agreement.

A further European Community Declaration is attached to the Agreement on access of visa applicants to information and harmonisation of information procedures for issuance of short-stay visas. Finally, in response to the specific requests formulated by Bosnia and Herzegovina, European Community Declarations are attached to the Agreement on facilitations for family members (not covered by the legally binding provisions of the Agreement) and for *bona fide* applicants.

Simplified criteria for the issuance of multiple-entry visas: there are simplified criteria for issuing multiple-entry visas for the following categories of persons:

- for members of the Court and the prosecutor office, permanent members of official delegations and spouses and children visiting citizens of Bosnia and Herzegovina legally residing in the Member States: visa valid **up to five years** (or shorter, limited to the period of the validity of their mandate or authorisation for legal residence);
- participants in scientific, cultural, official exchange programmes and sport events, journalists, business people, representatives of the religious communities, representatives of civil society, members of the professions, professional drivers and train crews, students and persons visiting for medical treatment, provided that during the previous two years they have made good use of a 1 year multiple-entry visa and the reasons for requesting a multiple-entry visa are still valid: visas valid for **a minimum of 2 years and a maximum of 5 years** are issued.

The total period of stay of persons referred to above shall not exceed 90 days per period of 180 days in the territory of the Member States.

Fees for visas: the fee charged for processing visa applications by Bosnian citizens is set at €35 (i.e. the fee currently charged for Schengen visas). This fee will be applied to all Bosnian applicants, both for single-entry and multiple-entry visas. However, fees are waived for close relatives (according to the definition in the agreement), civil servants participating in public activities, members of the Court of Bosnia and Herzegovina and the prosecutor office, students, disabled persons, journalists, representatives of the traditional religious communities, representatives of civil society, members of the professions, members of train, refrigerator and locomotive crews in international trains, children under the age of six, humanitarian workers and participants in cultural exchange or educational programmes or in sporting or cultural activities.

Length of procedures for processing visa applications: a decision on the request to issue a visa should, in principle, be made within 10 calendar days of the date of the receipt of the application. This period may be extended to up to 30 calendar days, when further scrutiny of the application is needed. In urgent cases, the period of time may be reduced to 3 working days, or less if necessary.

A lost or stolen visa: Citizens of the European Union and of Bosnia and Herzegovina who have lost their identity documents, or from whom these documents have been stolen while staying in the territory of Bosnia and Herzegovina or the Member States, may leave that territory on the basis of valid identity documents entitling them to cross the border issued by diplomatic missions or consular posts of the Member States or of Bosnia and Herzegovina without any visa or other authorization.

Territorial validity of visas: visas granted to Bosnian citizens will be valid within the entire territory of the European Union. These citizens shall, therefore, be entitled to travel within the territory of the Member States on an equal basis with European Union citizens.

Final clauses: the agreement takes into account the particular situation of Denmark, the United Kingdom and Ireland, who do not apply the Schengen acquis and are there for not bound to comply with the measures set out in this agreement. The same can be said for Norway and Iceland's association to the Schengen acquis. For all of these countries, a Community Declaration anticipates the swift signing of bilateral agreements to facilitate the issuance of short-stay visas under similar conditions to those in the agreement.

Other territorial measures bearing in mind the situation of Switzerland and Lichtenstein are also planned.

It is worth noting that the agreement is complemented by a protocol for Member States that do not fully apply the Schengen acquis: these Member States may unilaterally recognise Schengen visas and residence permits for the transit through their territory, in accordance with European Parliament and Council [Decision No 895/2006/EC](#) of 14 June 2006. This decision will be amended to include Romania and Bulgaria.

ENTRY INTO FORCE: the agreement will enter into force when all of the necessary procedures have been carried out. It is expected that the agreement will enter into force on the same day as the parallel readmission agreement concluded with this country, which contains a similar arrangement (see [CNS/2007/0142](#)).