Basic information

2010/0106(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Georgia Agreement: facilitation of the issuance of visas **Subject** 6.40.04.04 Relations with Caucasus countries 7.10.04 External borders crossing and controls, visas **Geographical area** Georgia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	GRIESBECK Nathalie (ALDE)	23/06/2010
	Shadow rapporteur MACOVEI Monica (PPE)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	LISEK Krzysztof (PPE)	10/06/2010

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	3062	2011-01-18
Justice and Home Affairs (JHA)	3043	2010-11-08
Justice and Home Affairs (JHA)	3018	2010-06-03

European Commission

Commission DG	Commissioner
Justice and Consumers	FÜLE Štefan

Key events

Date	Event	Reference	Summary
		COM(2010)0198	Summary

05/05/2010	Preparatory document		
26/10/2010	Vote in committee		Summary
24/11/2010	Legislative proposal published	11324/2010	Summary
25/11/2010	Committee referral announced in Parliament		
01/12/2010	Committee report tabled for plenary, 1st reading/single reading	A7-0345/2010	
13/12/2010	Debate in Parliament		
14/12/2010	Decision by Parliament	T7-0464/2010	Summary
14/12/2010	Results of vote in Parliament		
18/01/2011	Act adopted by Council after consultation of Parliament		
18/01/2011	End of procedure in Parliament		
25/02/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0106(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/02876

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE448.824	14/09/2010	
Committee opinion	AFET	PE448.669	07/10/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0345/2010	01/12/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0464/2010	14/12/2010	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	10304/2010	01/06/2010	
Legislative proposal	11324/2010	24/11/2010	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2010)0197	05/05/2010	Summary
Preparatory document	COM(2010)0198	05/05/2010	Summary

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

Final act	
Decision 2011/0117 OJ L 052 25.02.2011, p. 0033	Summary

EU/Georgia Agreement: facilitation of the issuance of visas

2010/0106(NLE) - 08/11/2010

The Council requested the consent of the European Parliament in order to adopt the decision concluding the agreement between the European Union and Georgia on the facilitation of the issuance of visas.

EU/Georgia Agreement: facilitation of the issuance of visas

2010/0106(NLE) - 24/11/2010 - Legislative proposal

PURPOSE: to **conclude** the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: the Agreement between the European Union and Georgia on the facilitation of the issuance of visas was signed by the Commission, subject to its conclusion at a later date.

It is now necessary to approve the Agreement on behalf of the Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 77(2)(a), in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: under this proposed Decision, the Agreement between the European Union and Georgia on the facilitation of the issuance of visas is hereby approved.

The text of the Agreement is attached to this Decision. For details of the content of the Agreement, please refer to the summary of the previous initial legislative document (dated 5 May 2010).

The Agreement establishes a Joint Committee which should adopt its rules of procedure. It is appropriate to provide for a simplified procedure for the establishment of the Union position in this case.

Territorial provisions: this Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom and Ireland do not take part. The United Kingdom and Ireland shall not take part in the adoption of this Decision and shall not be bound or subject to its application. Denmark takes the same stance.

BUDGETARY IMPLICATION: this proposal has no implication for the Union's budget.

EU/Georgia Agreement: facilitation of the issuance of visas

2010/0106(NLE) - 05/05/2010 - Preparatory document

PURPOSE: to **conclude** the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: following the August 2008 conflict in Georgia, the Extraordinary European Council held in Brussels on 1 September 2008 decided to step up relations with Georgia, including visa facilitation measures.

On 27 November 2008, the Justice and Home Affairs Council formally authorised the Commission to negotiate a visa facilitation agreement between the European Union and Georgia. In February 2009 the Commission informed the Georgian authorities on the basic elements of a visa facilitation agreement and the first round of formal negotiations could be held in Brussels on 2 April 2009. Two further formal rounds of negotiations took place, the last one in Brussels on 24-25 August 2009.

Following a consultation and approval process on both sides as well as further clarification of a few additional points, the agreed text was initialled on 25 November 2009 in Brussels by the Chief Negotiators of both Parties.

The Commission considers that the objectives set by the Council in its negotiating directives were attained and that the draft visa facilitation agreement is acceptable to the Union. The consent from the European Parliament is necessary.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 77(2a), in conjunction with Article 218 (6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposed decision concerning the **conclusion** sets out the necessary internal arrangements for the practical application of the Agreement. In particular, it specifies that the Commission, assisted by experts from Member States, represents the Union within the Joint Committee set up by Article 12 of the Agreement. Under Article 12(4), the visa facilitation committee shall adopt its own rules of procedure. As regards other decisions to be taken by the Joint Committee, the Union position shall be established in accordance with the applicable provisions of the Treaty.

The **final content** of the Agreement can be summarised as follows:

- **for all visa applicants**, a decision on whether or not to issue a visa will have to be taken within 10 calendar days. This period may be extended up to 30 calendar days when further scrutiny is needed. In urgent cases, the period for taking a decision may be reduced to three working days or less;
- the **visa fee** for processing applications of Georgian citizens shall amount to **€35**. This fee will be applied to all Georgian visa applicants and concerns both single and multiple-entry visas. Moreover, certain categories of persons benefit from a full waiving of the visa fee: pensioners, close relatives, members of national and regional governments, members of official delegations participating in government activities, students, disabled persons, journalists, representatives of civil society, children under the age of 12, humanitarian cases and persons participating in scientific, cultural, artistic activities and sport events;
- the **documents** to be presented regarding the purpose of the journey have been simplified for some categories of persons: close relatives, business people, members of official delegations, students, participants in scientific, cultural and sporting events, journalists, persons visiting military and civil burials, representatives of civil society, members of the professions drivers conducting international cargo and passenger transportation services and persons visiting for medical reasons. 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;
- there are also **simplified criteria** for issuing multiple-entry visas for the following categories of persons: (i) for members of national and regional Governments, Constitutional and Supreme Court, permanent members of official delegations and spouses and children visiting citizens of Georgia 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); (ii) participants in scientific, cultural, official exchange programmes and sport events, journalists, students, business people, representatives of civil society, members of the professions and drivers, provided that during the previous two years they have made good use of 1 year multiple-entry visas and the reasons for requesting a multiple entry are still valid: visas valid for a minimum of 2 years and a maximum of 5 years are issued;
- citizens of Georgia who are holders of valid diplomatic passports are exempted from the visa requirement for short-stays.

Other measures concern the following:

- a protocol addresses the specific situation of the Member States that do not fully apply the Schengen acquis yet and their unilaterally recognition of Schengen visas and residence permits issued to Georgian citizens for the purpose of transit through their territory in accordance with Council Decision N° 582/2008/EC;
- a Joint Declaration is attached to the Agreement on access of visa applicants to harmonised information on procedures for issuing short-stay visas and supporting documents;
- replying to specific requests formulated by Georgia, a European Union Declaration is attached to the Agreement on facilitations for family members not covered by the legally binging provisions of the Agreement;
- a Joint Declaration is attached to the Agreement on cooperation on travel documents and regular exchange of information on travel document security.

Territorial provisions: the specific situations of Denmark, the United Kingdom and Ireland are reflected in the preamble and in two joint declarations attached to the Agreement. The close association of Norway, Iceland Switzerland and Liechtenstein to the implementation, application and development of the Schengen acquis is likewise reflected in a joint declaration to the Agreement.

Since the two agreements on visa facilitation and readmission are linked, both agreements should be concluded and enter into force simultaneously.

BUDGETARY IMPLICATION: this proposal has no implication for the Union's budget.

EU/Georgia Agreement: facilitation of the issuance of visas

2010/0106(NLE) - 18/01/2011 - Final act

PURPOSE: to conclude the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

NON-LEGISLATIVE ACT: Council Decision 2011/117/EU on the conclusion of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

BACKGROUND: in accordance with Council Decision 2010/706/EU, the Agreement between the European Union and Georgia on the facilitation of the issuance of visas was signed, on behalf of the European Union, on 17 June 2010, subject to its conclusion at a later date.

It is now appropriate to conclude this Agreement and to provide for a simplified procedure for the establishment of the Union position in this case.

CONTENT: this Decision approves the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

The main elements of the Agreement may be summarised as follows:

- setting rules applicable to the issuing of visas for all visa applicants, a decision on whether or not to issue a visa will have to be taken within 10 calendar days. This period may be extended up to 30 calendar days when further scrutiny is needed. In urgent cases, the period for taking a decision may be reduced to three working days or less;
- **setting the visa fee for processing applications of Georgian citizens**:this fee shall amount to **€35**. It will be applied to all Georgian visa applicants and concerns both single and multiple-entry visas. Moreover, certain categories of persons benefit from a full waiving of the visa fee: pensioners, close relatives, members of national and regional governments, members of official delegations participating in government activities, students, disabled persons, journalists, representatives of civil society, children under the age of 12, humanitarian cases and persons participating in scientific, cultural, artistic activities and sport events;
- **definition of the documents to be presented regarding the purpose of the journey**: these have been simplified for some categories of persons: close relatives, business people, members of official delegations, students, participants in scientific, cultural and sporting events, journalists, persons visiting military and civil burials, representatives of civil society, members of the professions drivers conducting international cargo and passenger transportation services and persons visiting for medical reasons. 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;
- **setting the simplified criteria for issuing multiple-entry visas**: the simplified criteria shall be used for the following categories of persons: (i) for members of national and regional Governments, Constitutional and Supreme Court, permanent members of official delegations and spouses and children visiting citizens of Georgia 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); (ii) participants in scientific, cultural, official exchange programmes and sport events, journalists, students, business people, representatives of civil society, members of the professions and drivers, provided that during the previous two years they have made good use of 1 year multiple-entry visas and the reasons for requesting a multiple entry are still valid: visas valid for a minimum of 2 years and a maximum of 5 years are issued;
- **setting specific rules for citizens of Georgia who are holders of valid diplomatic passports**:these people shall beexempt from the visa requirement for short-stays.

Territorial application: Ireland and Denmark are not taking part in the adoption of this Decision and are not bound by it or subject to its application.

It should be noted that since the two agreements on readmission are linked, both agreements should be concluded and enter into force simultaneously.

ENTRY INTO FORCE: the Decision shall enter into force on 18 January 2011. The Agreement shall enter into force on 1 March 2011.

EU/Georgia Agreement: facilitation of the issuance of visas

2010/0106(NLE) - 14/12/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution in which it gives its consent to the conclusion of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

EU/Georgia Agreement: facilitation of the issuance of visas

2010/0106(NLE) - 05/05/2010 - Document attached to the procedure

PURPOSE: to **sign** the Agreement between the European Union and Georgia on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: following the August 2008 conflict in Georgia, the Extraordinary European Council held in Brussels on 1 September 2008 decided to step up relations with Georgia, including visa facilitation measures.

On 27 November 2008, the Justice and Home Affairs Council formally authorised the Commission to negotiate a visa facilitation agreement between the European Union and Georgia. In February 2009 the Commission informed the Georgian authorities on the basic elements of a visa facilitation agreement and the first round of formal negotiations could be held in Brussels on 2 April 2009. Two further formal rounds of negotiations took place, the last one in Brussels on 24-25 August 2009.

Following a consultation and approval process on both sides as well as further clarification of a few additional points, the agreed text was initialled on 25 November 2009 in Brussels by the Chief Negotiators of both Parties.

The Commission considers that the objectives set by the Council in its negotiating directives were attained and that the draft visa facilitation agreement is acceptable to the Union. The consent from the European Parliament is necessary.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 77(2a), in conjunction with Article 218 (5) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal constitutes the legal instrument for the **signature** of the visa facilitation agreement.

For details of the **final content of this Agreement** please refer to the summary of COM(2010)0198 of 5 May 2010.

Since the two agreements on visa facilitation and readmission are linked, both agreements should be concluded and enter into force simultaneously.

BUDGETARY IMPLICATION: this proposal has no implication for the Union’s budget.